

EXHIBIT 4

SFWMD PERMIT

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SOUTH FLORIDA WATER MANAGEMENT DISTRICT
PERMIT TRANSFER FOR
ENVIRONMENTAL RESOURCE PERMIT NO. 56-03262-P

DATE ISSUED : JAN 17, 2013

PERMITTEE: STANDARD PACIFIC OF FLORIDA G P
(RIVERBEND)
15660 BARRANCA PARKWAY
IRVINE, CA 33609

ORIGINAL PERMIT ISSUED: NOVEMBER 28, 2012, MODIFIED AS DESCRIBED IN ATTACHED PERMIT HISTORY
ORIGINAL PROJECT AUTHORIZATION: CONSTRUCTION AND OPERATION OF A SURFACE WATER MANAGEMENT SYSTEM TO SERVE A 53.82 ACRE SINGLE FAMILY RESIDENTIAL PROJECT KNOWN AS RIVERBEND.
CURRENT AUTHORIZATION: TRANSFER CONSTRUCTION AND OPERATION OF A SURFACE WATER MANAGEMENT SYSTEM TO SERVE A 53.82 ACRE SINGLE FAMILY RESIDENTIAL PROJECT KNOWN AS RIVERBEND.

PROJECT LOCATION: ST LUCIE COUNTY SECTION: 25 TWP: 37S RGE: 40E
PERMIT DURATION: AS PREVIOUSLY PERMITTED.

In response to Transfer Application No. 121220-6, dated December 4, 2012 this Permit Transfer is issued pursuant to the applicable provisions of Part IV, Chapter 373, Florida Statutes (F.S) and Rules 40E-1.6107 and 40E-4.351, 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 Rule 40E-4.4321, 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. Rule 40E-1.6105, 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:

- SEE PAGES 2 - 5 OF 7 (25 SPECIAL CONDITIONS)
- SEE PAGES 6 - 7 OF 7 (19 GENERAL CONDITIONS)

By Stanley Orlovsky
Stanley Orlovsky
Section Administrator
Regulatory Support Bureau

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SPECIAL CONDITIONS

THE CONSTRUCTION PHASE OF THIS PERMIT SHALL EXPIRE ON NOVEMBER 28, 2017.

OPERATION OF THE SURFACE WATER MANAGEMENT SYSTEM SHALL BE THE RESPONSIBILITY OF RIVERBEND PROPERTY OWNERS ASSOCIATION, INC. WITHIN ONE YEAR OF PERMIT ISSUANCE OR CONCURRENT WITH THE ENGINEERING CERTIFICATION OF CONSTRUCTION COMPLETION, WHICHEVER COMES FIRST, THE PERMITTEE SHALL SUBMIT A COPY OF THE RECORDED DEED RESTRICTIONS (OR DECLARATION OF CONDOMINIUM, IF APPLICABLE), A COPY OF THE FILED ARTICLES OF INCORPORATION, AND A COPY OF THE CERTIFICATE OF INCORPORATION FOR THE ASSOCIATION.

3. DISCHARGE FACILITIES:

BASIN: NORTH, STRUCTURE: SD-1

1- FIXED PLATE RISER (1/2 - 24" RISER) WEIR WITH CREST AT ELEV. 7.4' NGVD 29.

RECEIVING BODY: OFF SITE OSW
CONTROL ELEV: 4.75 FEET NGVD 29.

BASIN: NORTH, STRUCTURE: SD-11

1- 48" W X 2.1' H SHARP CRESTED WEIR WITH CREST AT ELEV. 5.7' NGVD 29.
1- 6" W X 3" H RECTANGULAR ORIFICE WITH INVERT AT ELEV. 4.75' NGVD 29.

RECEIVING BODY: EAST BASIN LAKE 3
CONTROL ELEV: 4.75 FEET NGVD 29.

BASIN: EAST

1- 6" W X 3" H RECTANGULAR ORIFICE WITH INVERT AT ELEV. 3.2' NGVD 29.
1- TYPE "C" DROP INLET WITH CREST AT ELEV. 4' NGVD 29.

RECEIVING BODY: ON SITE WETLAND INFSLR
CONTROL ELEV: 3.2 FEET NGVD 29.

BASIN: PRESERVE

1- 22" W X 1.4' H SHARP CRESTED WEIR WITH CREST AT ELEV. 6' NGVD 29.
1- 4" W X 1' H CIRCULAR ORIFICE WITH INVERT AT ELEV. 5.5' NGVD 29.
1- TYPE "C" DROP INLET WITH CREST AT ELEV. 7.4' NGVD 29.

RECEIVING BODY: NORTH BASIN LAKE 1
CONTROL ELEV: 5 FEET NGVD 29.

- 4. THE PERMITTEE SHALL BE RESPONSIBLE FOR THE CORRECTION OF ANY EROSION, SHOALING OR WATER QUALITY PROBLEMS THAT RESULT FROM THE CONSTRUCTION OR OPERATION OF THE SURFACE WATER MANAGEMENT SYSTEM.
- 5. MEASURES SHALL BE TAKEN DURING CONSTRUCTION TO INSURE THAT SEDIMENTATION AND/OR TURBIDITY VIOLATIONS DO NOT OCCUR IN THE RECEIVING WATER.
- 6. THE DISTRICT RESERVES THE RIGHT TO REQUIRE THAT ADDITIONAL WATER QUALITY TREATMENT METHODS BE INCORPORATED INTO THE DRAINAGE SYSTEM IF SUCH MEASURES ARE SHOWN TO BE NECESSARY.

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7. LAKE SIDE SLOPES SHALL BE NO STEEPER THAN 4:1 (HORIZONTAL:VERTICAL) TO A DEPTH OF TWO FEET BELOW THE CONTROL ELEVATION. SIDE SLOPES SHALL BE NURTURED OR PLANTED FROM 2 FEET BELOW TO 1 FOOT ABOVE CONTROL ELEVATION TO INSURE VEGETATIVE GROWTH, UNLESS SHOWN ON THE PLANS.

8. FACILITIES OTHER THAN THOSE STATED HEREIN SHALL NOT BE CONSTRUCTED WITHOUT AN APPROVED MODIFICATION OF THIS PERMIT.

9. A STABLE, PERMANENT AND ACCESSIBLE ELEVATION REFERENCE SHALL BE ESTABLISHED ON OR WITHIN ONE HUNDRED (100) FEET OF ALL PERMITTED DISCHARGE STRUCTURES NO LATER THAN THE SUBMISSION OF THE CERTIFICATION REPORT. THE LOCATION OF THE ELEVATION REFERENCE MUST BE NOTED ON OR WITH THE CERTIFICATION REPORT.

10. THE PERMITEE SHALL PROVIDE ROUTINE MAINTENANCE OF ALL OF THE COMPONENTS OF THE SURFACE WATER MANAGEMENT SYSTEM IN ORDER TO REMOVE ALL TRAPPED SEDIMENTS/DEBRIS. ALL MATERIALS SHALL BE PROPERLY DISPOSED OF AS REQUIRED BY LAW. FAILURE TO PROPERLY MAINTAIN THE SYSTEM MAY RESULT IN ADVERSE FLOODING CONDITIONS.

11. THIS PERMIT IS ISSUED BASED ON THE APPLICANT'S SUBMITTED INFORMATION WHICH REASONABLY DEMONSTRATES THAT ADVERSE WATER RESOURCE RELATED IMPACTS WILL NOT BE CAUSED BY THE COMPLETED PERMIT ACTIVITY. SHOULD ANY ADVERSE IMPACTS CAUSED BY THE COMPLETED SURFACE WATER MANAGEMENT SYSTEM OCCUR, THE DISTRICT WILL REQUIRE THE PERMITEE TO PROVIDE APPROPRIATE MITIGATION TO THE DISTRICT OR OTHER IMPACTED PARTY. THE DISTRICT WILL REQUIRE THE PERMITEE TO MODIFY THE SURFACE WATER MANAGEMENT SYSTEM, IF NECESSARY, TO ELIMINATE THE CAUSE OF THE ADVERSE IMPACTS.

12. THE PERMITEE ACKNOWLEDGES THAT, PURSUANT TO RULE 40E-4.101(2), F.A.C., A NOTICE OF ENVIRONMENTAL RESOURCE OR SURFACE WATER MANAGEMENT PERMIT MAY BE RECORDED IN THE COUNTY PUBLIC RECORDS, PURSUANT TO THE SPECIFIC LANGUAGE OF THE RULE, THIS NOTICE SHALL NOT BE CONSIDERED AN ENCUMBRANCE UPON THE PROPERTY.

13. IF PREHISTORIC OR HISTORIC ARTIFACTS, SUCH AS POTTERY OR CERAMICS, STONE TOOLS OR METAL IMPLEMENTS, DUGOUT CANOES, OR ANY OTHER PHYSICAL REMAINS THAT COULD BE ASSOCIATED WITH NATIVE AMERICAN CULTURES, OR EARLY COLONIAL OR AMERICAN SETTLEMENT ARE ENCOUNTERED AT ANY TIME WITHIN THE PROJECT SITE AREA, THE PERMITTED PROJECT SHOULD CEASE ALL ACTIVITIES INVOLVING SUBSURFACE DISTURBANCE IN THE IMMEDIATE VICINITY OF SUCH DISCOVERIES. THE PERMITEE, OR OTHER DESIGNEE, SHOULD CONTACT THE FLORIDA DEPARTMENT OF STATE, DIVISION OF HISTORICAL RESOURCES, REVIEW AND COMPLIANCE SECTION AT (850) 245-6333 OR (800) 847-7278, AS WELL AS THE APPROPRIATE PERMITTING AGENCY OFFICE. PROJECT ACTIVITIES SHOULD NOT RESUME WITHOUT VERBAL AND/OR WRITTEN AUTHORIZATION FROM THE DIVISION OF HISTORICAL RESOURCES. IN THE EVENT THAT UNMARKED HUMAN REMAINS ARE ENCOUNTERED DURING PERMITTED ACTIVITIES, ALL WORK SHALL STOP IMMEDIATELY AND THE PROPER AUTHORITIES NOTIFIED IN ACCORDANCE WITH SECTION 872.05, FLORIDA STATUTES.

14. MINIMUM BUILDING FLOOR ELEVATION:
BASIN: NORTH - 8.60 FEET NGVD 29.
BASIN: EAST - 9.25 FEET NGVD 29.

15. MINIMUM ROAD CROWN ELEVATION:
BASIN: NORTH - 6.50 FEET NGVD 29.
BASIN: EAST - 6.70 FEET NGVD 29.

16. PRIOR TO THE COMMENCEMENT OF CONSTRUCTION, THE PERMITEE SHALL CONDUCT A PRE-CONSTRUCTION MEETING WITH FIELD REPRESENTATIVES, CONTRACTORS AND DISTRICT STAFF. THE PURPOSE OF THE MEETING WILL BE TO DISCUSS CONSTRUCTION METHODS AND SEQUENCING, INCLUDING TYPE AND LOCATION OF TURBIDITY AND EROSION CONTROLS TO BE IMPLEMENTED DURING CONSTRUCTION, MOBILIZATION AND STAGING OF CONTRACTOR EQUIPMENT, PHASING OF CONSTRUCTION, METHODS OF VEGETATION CLEARING, CONSTRUCTION DEWATERING IF REQUIRED, OWNERSHIP DOCUMENTATION FOR EMINENT DOMAIN AUTHORITY, COORDINATION

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WITH OTHER ENTITIES ON ADJACENT CONSTRUCTION PROJECTS, WETLAND/BUFFER PROTECTION METHODS, ENDANGERED SPECIES PROTECTION WITH THE PERMITEE AND CONTRACTORS. THE PERMITEE SHALL CONTACT DISTRICT ENVIRONMENTAL RESOURCE COMPLIANCE STAFF FROM THE MARTIN ST. LUCIE REGULATORY OFFICE AT (800-250-4200 EXT 3613) TO SCHEDULE THE PRE-CONSTRUCTION MEETING.

- 17. THE PROJECT IS PROPOSING TO USE POTABLE WATER FOR LANDSCAPE IRRIGATION. IF IN THE FUTURE THE PROJECT PROPOSES TO USE RECLAIMED WASTE WATER FOR IRRIGATION A PERMIT MODIFICATION WILL BE REQUIRED PRIOR TO IMPLEMENTATION. THE USE OF RECLAIMED WASTE WATER FOR IRRIGATION WAS NOT INCLUDED IN THE NUTRIENT ANALYSIS OF THE PROPOSED STORMWATER MANAGEMENT SYSTEM. THE PERMIT MODIFICATION SHALL INCLUDE AN ANALYSIS OF THE EFFECT OF THE USE OF RECLAIMED WATER ON THE NUTRIENT DISCHARGE FROM THE PROJECT. THE DISCHARGE FROM THE PROJECT MUST BE IN COMPLIANCE WITH WATER QUALITY STANDARDS IN EFFECT AT THE TIME OF THE PERMIT MODIFICATION.
- 18. THE WETLAND CONSERVATION AREAS AND UPLAND BUFFER ZONES AND/OR UPLAND PRESERVATION AREAS SHOWN ON EXHIBIT 4 MAY IN NO WAY BE ALTERED FROM THEIR NATURAL OR PERMITTED STATE. ACTIVITIES PROHIBITED WITHIN THE CONSERVATION AREAS INCLUDE, BUT ARE NOT LIMITED TO:
 - (A) CONSTRUCTION OR PLACING OF BUILDINGS, ROADS, SIGNS, BILLBOARDS OR OTHER ADVERTISING, UTILITIES OR OTHER STRUCTURES ON OR ABOVE THE GROUND;
 - (B) DUMPING OR PLACING SOIL OR MATERIAL AS LANDFILL OR DUMPING OR PLACING OF TRASH, WASTE, OR UNSIGHTLY OR OFFENSIVE MATERIALS;
 - (C) REMOVAL OR DESTRUCTION OF TREES, SHRUBS, OR OTHER VEGETATION - WITH THE EXCEPTION OF EXOTIC AND NUISANCE VEGETATION REMOVAL;
 - (D) EXCAVATION, DREDGING, OR REMOVAL OF LOAM, PEAT, GRAVEL, SOIL, ROCK, OR OTHER MATERIAL SUBSTANCES IN SUCH MANNER AS TO AFFECT THE SURFACE;
 - (E) SURFACE USE EXCEPT FOR PURPOSES THAT PERMIT THE LAND OR WATER AREA TO REMAIN PREDOMINANTLY IN ITS NATURAL CONDITION;
 - (F) ACTIVITIES DETRIMENTAL TO DRAINAGE, FLOOD CONTROL, WATER CONSERVATION, EROSION CONTROL, SOIL CONSERVATION, OR FISH AND WILDLIFE HABITAT PRESERVATION, INCLUDING BUT NOT LIMITED TO DITCHING, DIKING OR FENCING;
 - (G) ACTS OR USES DETRIMENTAL TO SUCH RETENTION OF LAND OR WATER AREAS; AND
 - (H) ACTS OR USES DETRIMENTAL TO THE PRESERVATION OF THE STRUCTURAL INTEGRITY OR PHYSICAL APPEARANCE OF SITES OR PROPERTIES OF HISTORICAL, ARCHITECTURAL, ARCHAEOLOGICAL, OR CULTURAL SIGNIFICANCE.
- 19. A MONITORING PROGRAM SHALL BE IMPLEMENTED IN ACCORDANCE WITH EXHIBIT NO. 5.0. THE MONITORING PROGRAM SHALL EXTEND FOR A PERIOD OF 5 YEARS WITH ANNUAL REPORTS SUBMITTED TO DISTRICT STAFF. AT THE END OF THE FIRST MONITORING PERIOD THE MITIGATION AREA SHALL CONTAIN AN 80% SURVIVAL OF PLANTED VEGETATION. THE 80% SURVIVAL RATE SHALL BE MAINTAINED THROUGHOUT THE REMAINDER OF THE MONITORING PROGRAM, WITH REPLANTING AS NECESSARY. IF NATIVE WETLAND, TRANSITIONAL, AND UPLAND SPECIES DO NOT ACHIEVE AN 80% COVERAGE WITHIN THE INITIAL TWO YEARS OF THE MONITORING PROGRAM, NATIVE SPECIES SHALL BE PLANTED IN ACCORDANCE WITH THE MAINTENANCE PROGRAM. AT THE END OF THE 5 YEAR MONITORING PROGRAM THE ENTIRE MITIGATION AREA SHALL CONTAIN AN 80% SURVIVAL OF PLANTED VEGETATION AND AN 80% COVERAGE OF DESIRABLE OBLIGATE AND FACULTATIVE WETLAND SPECIES.
- 20. PRIOR TO COMMENCEMENT OF CONSTRUCTION AND IN ACCORDANCE WITH THE WORK SCHEDULE IN EXHIBIT 6 THE PERMITEE SHALL SUBMIT AN ELECTRONIC OR HARD COPY VERSION OF THE CERTIFIED COPY OF THE RECORDED CONSERVATION EASEMENT FOR THE MITIGATION AREA(S) AND ASSOCIATED BUFFER(S). THE ELECTRONIC VERSION OF THE RECORDED CONSERVATION EASEMENT, AND ASSOCIATED GIS INFORMATION DESCRIBED BELOW, SHALL BE SUBMITTED VIA THE DISTRICT'S PERMITTING COMPLIANCE WEBSITE. THE GIS DATA SHALL BE SUPPLIED IN A DIGITAL ESRI GEODATABASE (MDB), ESRI SHAPEFILE (SHP) OR AUTOCAD DRAWING INTERCHANGE (DXF) FILE FORMAT USING FLORIDA STATE PLANE COORDINATE SYSTEM, EAST ZONE (3601), DATUM NAD83, HARN WITH THE MAP UNITS IN FEET. A MAP DEPICTING THE CONSERVATION EASEMENT OVER THE BEST AVAILABLE SATELLITE OR AERIAL IMAGERY SHALL ALSO BE PROVIDED. IF THE INFORMATION IS PROVIDED VIA HARD COPY THE GIS DATA SHALL RESIDE ON CD DISK AND BE SUBMITTED TO THE DISTRICT'S ENVIRONMENTAL RESOURCE COMPLIANCE DIVISION IN THE SERVICE AREA OFFICE WHERE THE APPLICATION WAS SUBMITTED.

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THE RECORDED EASEMENT SHALL UTILIZE THE FORM ATTACHED AS EXHIBIT 4. ANY PROPOSED MODIFICATION TO THE APPROVED FORM MUST RECEIVE PRIOR WRITTEN CONSENT FROM THE DISTRICT. THE EASEMENT MUST BE FREE OF ENCUMBRANCES OR INTERESTS IN THE EASEMENT WHICH THE DISTRICT DETERMINES ARE CONTRARY TO THE INTENT OF THE EASEMENT. IN THE EVENT IT IS LATER DETERMINED THAT THERE ARE ENCUMBRANCES OR INTERESTS IN THE EASEMENT WHICH THE DISTRICT DETERMINES ARE CONTRARY TO THE INTENT OF THE EASEMENT, THE PERMITEE SHALL BE REQUIRED TO PROVIDE RELEASE OR SUBORDINATION OF SUCH ENCUMBRANCES OR INTERESTS.

21. PERMANENT PHYSICAL MARKERS DESIGNATING THE PRESERVE STATUS OF THE WETLAND PRESERVATION AREAS AND BUFFER ZONES SHALL BE PLACED AT THE INTERSECTION OF THE BUFFER AND EACH LOT LINE. THESE MARKERS SHALL BE MAINTAINED IN PERPETUITY.

22. SILT SCREENS, TURBIDITY SCREENS/BARRIERS OR OTHER SUCH SEDIMENT CONTROL MEASURES SHALL BE UTILIZED DURING CONSTRUCTION. THE SELECTED SEDIMENT CONTROL MEASURE SHALL BE INSTALLED LANDWARD OF THE UPLAND BUFFER ZONES AROUND ALL PROTECTED WETLANDS AND SHALL BE PROPERLY "TRENCHED" ETC. IN ACCORDANCE WITH EXHIBIT NO. 2.0. ALL AREAS SHALL BE STABILIZED AND VEGETATED IMMEDIATELY AFTER CONSTRUCTION TO PREVENT EROSION INTO THE WETLANDS AND UPLAND BUFFER ZONES.

23. ACTIVITIES ASSOCIATED WITH THE IMPLEMENTATION OF THE MITIGATION, MONITORING AND MAINTENANCE PLAN(S) SHALL BE COMPLETED IN ACCORDANCE WITH THE WORK SCHEDULE ATTACHED AS EXHIBIT NO. 6.0. ANY DEVIATION FROM THESE TIME FRAMES WILL REQUIRE PRIOR APPROVAL FROM THE DISTRICT'S ENVIRONMENTAL RESOURCE COMPLIANCE STAFF. SUCH REQUESTS MUST BE MADE IN WRITING AND SHALL INCLUDE (1) REASON FOR THE CHANGE, (2) PROPOSED START/FINISH AND/OR COMPLETION DATES; AND (3) PROGRESS REPORT ON THE STATUS OF THE PROJECT DEVELOPMENT OR MITIGATION EFFORT.

24. A MAINTENANCE PROGRAM SHALL BE IMPLEMENTED IN ACCORDANCE WITH EXHIBIT NO. 5.0 FOR THE PRESERVED WETLAND/UPLAND AREAS ON A REGULAR BASIS TO ENSURE THE INTEGRITY AND VIABILITY OF THOSE AREAS AS PERMITTED. MAINTENANCE SHALL BE CONDUCTED IN PERPETUITY TO ENSURE THAT THE CONSERVATION AREAS ARE MAINTAINED FREE FROM CATEGORY 1 EXOTIC VEGETATION (AS DEFINED BY THE FLORIDA EXOTIC PEST PLANT COUNCIL AT THE TIME OF PERMIT ISSUANCE) IMMEDIATELY FOLLOWING A MAINTENANCE ACTIVITY. MAINTENANCE IN PERPETUITY SHALL ALSO INSURE THAT CONSERVATION AREAS, INCLUDING BUFFERS, MAINTAIN THE SPECIES AND COVERAGE OF NATIVE, DESIRABLE VEGETATION SPECIFIED IN THE PERMIT. COVERAGE OF EXOTIC AND NUISANCE PLANT SPECIES SHALL NOT EXCEED 5% OF TOTAL COVER BETWEEN MAINTENANCE ACTIVITIES. IN ADDITION, THE PERMITEE SHALL MANAGE THE CONSERVATION AREAS SUCH THAT EXOTIC/NUISANCE PLANT SPECIES DO NOT DOMINATE ANY ONE SECTION OF THOSE AREAS.

25. THE DISTRICT RESERVES THE RIGHT TO REQUIRE REMEDIAL MEASURES TO BE TAKEN BY THE PERMITEE IF MONITORING OR OTHER INFORMATION DEMONSTRATES THAT ADVERSE IMPACTS TO ONSITE OR OFFSITE WETLANDS, UPLAND CONSERVATION AREAS OR BUFFERS, OR OTHER SURFACE WATERS HAVE OCCURRED DUE TO PROJECT RELATED ACTIVITIES.

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GENERAL CONDITIONS

1. ALL ACTIVITIES AUTHORIZED BY THIS PERMIT SHALL BE IMPLEMENTED AS SET FORTH IN THE PLANS, SPECIFICATIONS AND PERFORMANCE CRITERIA AS APPROVED BY THIS PERMIT. ANY DEVIATION FROM THE PERMITTED ACTIVITY AND THE CONDITIONS FOR UNDERTAKING THAT ACTIVITY SHALL CONSTITUTE A VIOLATION OF THIS PERMIT AND PART IV, CHAPTER 373, F.S.
2. THIS PERMIT OR A COPY THEREOF, COMPLETE WITH ALL CONDITIONS, ATTACHMENTS, EXHIBITS, AND MODIFICATIONS SHALL BE KEPT AT THE WORK SITE OF THE PERMITTED ACTIVITY. THE COMPLETE PERMIT SHALL BE AVAILABLE FOR REVIEW AT THE WORK SITE UPON REQUEST BY DISTRICT STAFF. THE PERMITEE SHALL REQUIRE THE CONTRACTOR TO REVIEW THE COMPLETE PERMIT PRIOR TO COMMENCEMENT OF THE ACTIVITY AUTHORIZED BY THIS PERMIT.
3. ACTIVITIES APPROVED BY THIS PERMIT SHALL BE CONDUCTED IN A MANNER WHICH DOES NOT CAUSE VIOLATIONS OF STATE WATER QUALITY STANDARDS. THE PERMITEE SHALL IMPLEMENT BEST MANAGEMENT PRACTICES FOR EROSION AND POLLUTION CONTROL TO PREVENT VIOLATION OF STATE WATER QUALITY STANDARDS. TEMPORARY EROSION CONTROL SHALL BE IMPLEMENTED PRIOR TO AND DURING CONSTRUCTION, AND PERMANENT CONTROL MEASURES SHALL BE COMPLETED WITHIN 7 DAYS OF ANY CONSTRUCTION ACTIVITY. TURBIDITY BARRIERS SHALL BE INSTALLED AND MAINTAINED AT ALL LOCATIONS WHERE THE POSSIBILITY OF TRANSFERRING SUSPENDED SOLIDS INTO THE RECEIVING WATERBODY EXISTS DUE TO THE PERMITTED WORK. TURBIDITY BARRIERS SHALL REMAIN IN PLACE AT ALL LOCATIONS UNTIL CONSTRUCTION IS COMPLETED AND SOILS ARE STABILIZED AND VEGETATION HAS BEEN ESTABLISHED. ALL PRACTICES SHALL BE IN ACCORDANCE WITH THE GUIDELINES AND SPECIFICATIONS DESCRIBED IN CHAPTER 6 OF THE FLORIDA LAND DEVELOPMENT MANUAL; A GUIDE TO SOUND LAND AND WATER MANAGEMENT (DEPARTMENT OF ENVIRONMENTAL REGULATION, 1988), INCORPORATED BY REFERENCE IN RULE 40E-4.091, F.A.C. UNLESS A PROJECT-SPECIFIC EROSION AND SEDIMENT CONTROL PLAN IS APPROVED AS PART OF THE PERMIT. THEREAFTER THE PERMITEE SHALL BE RESPONSIBLE FOR THE REMOVAL OF THE BARRIERS. THE PERMITEE SHALL CORRECT ANY EROSION OR SHOALING THAT CAUSES ADVERSE IMPACTS TO THE WATER RESOURCES.
4. THE PERMITEE SHALL NOTIFY THE DISTRICT OF THE ANTICIPATED CONSTRUCTION START DATE WITHIN 30 DAYS OF THE DATE THAT THIS PERMIT IS ISSUED. AT LEAST 48 HOURS PRIOR TO COMMENCEMENT OF ACTIVITY AUTHORIZED BY THIS PERMIT, THE PERMITEE SHALL SUBMIT TO THE DISTRICT AN ENVIRONMENTAL RESOURCE PERMIT CONSTRUCTION COMMENCEMENT NOTICE FORM NUMBER 0960 INDICATING THE ACTUAL START DATE AND THE EXPECTED CONSTRUCTION COMPLETION DATE.
5. WHEN THE DURATION OF CONSTRUCTION WILL EXCEED ONE YEAR, THE PERMITEE SHALL SUBMIT CONSTRUCTION STATUS REPORTS TO THE DISTRICT ON AN ANNUAL BASIS UTILIZING AN ANNUAL STATUS REPORT FORM. STATUS REPORT FORMS SHALL BE SUBMITTED THE FOLLOWING JUNE OF EACH YEAR.
6. WITHIN 30 DAYS AFTER COMPLETION OF CONSTRUCTION OF THE PERMITTED ACTIVITY, THE PERMITEE SHALL SUBMIT A WRITTEN STATEMENT OF COMPLETION AND CERTIFICATION BY A PROFESSIONAL ENGINEER OR OTHER INDIVIDUAL AUTHORIZED BY LAW, UTILIZING THE SUPPLIED ENVIRONMENTAL RESOURCE SURFACE WATER MANAGEMENT PERMIT CONSTRUCTION COMPLETION CERTIFICATION FORM NUMBER 0881A OR ENVIRONMENTAL RESOURCE SURFACE WATER MANAGEMENT PERMIT CONSTRUCTION COMPLETION CERTIFICATION - FOR PROJECTS PERMITTED PRIOR TO OCTOBER 3, 1995 FORM NO. 0881B, INCORPORATED BY REFERENCE IN RULE 40E-1.689, F.A.C. THE STATEMENT OF COMPLETION AND CERTIFICATION SHALL BE BASED ON ON-SITE OBSERVATION OF CONSTRUCTION OR REVIEW OF AS-BUILT DRAWINGS FOR THE PURPOSE OF DETERMINING IF THE WORK WAS COMPLETED IN COMPLIANCE WITH PERMITTED PLANS AND SPECIFICATIONS. THIS SUBMITTAL SHALL SERVE TO NOTIFY THE DISTRICT THAT THE SYSTEM IS READY FOR INSPECTION. ADDITIONALLY, IF DEVIATION FROM THE APPROVED DRAWINGS ARE DISCOVERED DURING THE CERTIFICATION PROCESS, THE CERTIFICATION MUST BE ACCOMPANIED BY A COPY OF THE APPROVED PERMIT DRAWINGS WITH DEVIATIONS NOTED. BOTH THE ORIGINAL AND REVISED SPECIFICATIONS MUST BE CLEARLY SHOWN. THE PLANS MUST BE CLEARLY LABELED AS "AS-BUILT" OR "RECORD" DRAWINGS. ALL SURVEYED DIMENSIONS AND ELEVATIONS SHALL BE CERTIFIED BY A REGISTERED SURVEYOR.
7. THE OPERATION PHASE OF THIS PERMIT SHALL NOT BECOME EFFECTIVE UNTIL THE PERMITEE HAS COMPLIED WITH THE REQUIREMENTS OF CONDITION (6) ABOVE, AND SUBMITTED A REQUEST FOR CONVERSION OF ENVIRONMENTAL RESOURCE PERMIT FROM CONSTRUCTION PHASE TO OPERATION PHASE, FORM NO. 0920; THE DISTRICT DETERMINES THE SYSTEM TO BE IN COMPLIANCE WITH THE PERMITTED PLANS AND SPECIFICATIONS; AND THE ENTITY APPROVED BY THE DISTRICT IN ACCORDANCE WITH SECTIONS 9.0 AND 10.0 OF THE BASIS OF REVIEW FOR ENVIRONMENTAL RESOURCE PERMIT APPLICATIONS WITHIN THE SOUTH FLORIDA WATER MANAGEMENT DISTRICT, ACCEPTS RESPONSIBILITY FOR OPERATION AND MAINTENANCE OF THE SYSTEM. THE PERMIT SHALL NOT BE TRANSFERRED TO SUCH APPROVED OPERATION AND MAINTENANCE ENTITY UNTIL THE OPERATION PHASE OF THE PERMIT BECOMES EFFECTIVE. FOLLOWING INSPECTION AND APPROVAL OF THE PERMITTED SYSTEM BY THE DISTRICT, THE PERMITEE SHALL INITIATE TRANSFER OF THE PERMIT TO THE APPROVED RESPONSIBLE OPERATING ENTITY IF DIFFERENT FROM THE PERMITEE. UNTIL THE PERMIT IS TRANSFERRED PURSUANT TO SECTION 40E-1.6797, F.A.C., THE PERMITEE SHALL BE LIABLE FOR COMPLIANCE WITH THE TERMS OF THE PERMIT.
8. EACH PHASE OR INDEPENDENT PORTION OF THE PERMITTED SYSTEM MUST BE COMPLETED IN ACCORDANCE WITH THE PERMITTED PLANS AND PERMIT CONDITIONS PRIOR TO THE INITIATION OF THE PERMITTED USE OF SITE INFRASTRUCTURE

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LOCATED WITHIN THE AREA SERVED BY THAT PORTION OR PHASE OF THE SYSTEM. EACH PHASE OR INDEPENDENT PORTION OF THE SYSTEM MUST BE COMPLETED IN ACCORDANCE WITH THE PERMITTED PLANS AND PERMIT CONDITIONS PRIOR TO TRANSFER OF RESPONSIBILITY FOR OPERATION AND MAINTENANCE OF THE PHASE OR PORTION OF THE SYSTEM TO A LOCAL GOVERNMENT OR OTHER RESPONSIBLE ENTITY.

9. FOR THOSE SYSTEMS THAT WILL BE OPERATED OR MAINTAINED BY AN ENTITY THAT WILL REQUIRE AN EASEMENT OR DEED RESTRICTION IN ORDER TO ENABLE THAT ENTITY TO OPERATE OR MAINTAIN THE SYSTEM IN CONFORMANCE WITH THIS PERMIT, SUCH EASEMENT OR DEED RESTRICTION MUST BE RECORDED IN THE PUBLIC RECORDS AND SUBMITTED TO THE DISTRICT ALONG WITH ANY OTHER FINAL OPERATION AND MAINTENANCE DOCUMENTS REQUIRED BY SECTIONS 5.0 AND 10.0 OF THE BASIS OF REVIEW FOR ENVIRONMENTAL RESOURCE PERMIT APPLICATIONS WITHIN THE SOUTH FLORIDA WATER MANAGEMENT DISTRICT, PRIOR TO LOT OR UNITS SALES OR PRIOR TO THE COMPLETION OF THE SYSTEM, WHICHEVER COMES FIRST. OTHER DOCUMENTS CONCERNING THE ESTABLISHMENT AND AUTHORITY OF THE OPERATING ENTITY MUST BE FILED WITH THE SECRETARY OF STATE, COUNTY OR MUNICIPAL ENTITIES. FINAL OPERATION AND MAINTENANCE DOCUMENTS MUST BE RECEIVED BY THE DISTRICT WHEN MAINTENANCE AND/ OR OPERATION OF THE SYSTEM IS ACCEPTED BY THE LOCAL GOVERNMENT ENTITY. FAILURE TO SUBMIT THE APPROPRIATE FINAL DOCUMENTS WILL RESULT IN THE PERMITEE REMAINING LIABLE FOR CARRYING OUT MAINTENANCE AND OPERATION OF THE PERMITTED SYSTEM AND ANY OTHER PERMIT CONDITIONS.
10. SHOULD ANY OTHER REGULATORY AGENCY REQUIRE CHANGES TO THE PERMITTED SYSTEM, THE PERMITEE SHALL NOTIFY THE DISTRICT IN WRITING OF THE CHANGES PRIOR TO IMPLEMENTATION SO THAT A DETERMINATION CAN BE MADE WHETHER A PERMIT MODIFICATION IS REQUIRED.
11. THIS PERMIT DOES NOT ELIMINATE THE NECESSITY TO OBTAIN ANY REQUIRED FEDERAL, STATE, LOCAL AND SPECIAL DISTRICT AUTHORIZATIONS PRIOR TO THE START OF ANY ACTIVITY APPROVED BY THIS PERMIT. THIS PERMIT DOES NOT CONVEY TO THE PERMITEE OR CREATE IN THE PERMITEE ANY PROPERTY RIGHT, OR ANY INTEREST IN REAL PROPERTY, NOR DOES IT AUTHORIZE ANY ENTRANCE UPON OR ACTIVITIES ON PROPERTY WHICH IS NOT OWNED OR CONTROLLED BY THE PERMITEE, OR CONVEY ANY RIGHTS OR PRIVILEGES OTHER THAN THOSE SPECIFIED IN THE PERMIT AND CHAPTER 40E-4 OR CHAPTER 40E-40, F.A.C..
12. THE PERMITEE IS HEREBY ADVISED THAT SECTION 253.77, F.S. STATES THAT A PERSON MAY NOT COMMENCE ANY EXCAVATION, CONSTRUCTION, OR OTHER ACTIVITY INVOLVING THE USE OF SOVEREIGN OR OTHER LANDS OF THE STATE, THE TITLE TO WHICH IS VESTED IN THE BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND WITHOUT OBTAINING THE REQUIRED LEASE, LICENSE, EASEMENT, OR OTHER FORM OF CONSENT AUTHORIZING THE PROPOSED USE, THEREFORE, THE PERMITEE IS RESPONSIBLE FOR OBTAINING ANY NECESSARY AUTHORIZATIONS FROM THE BOARD OF TRUSTEES PRIOR TO COMMENCING ACTIVITY ON SOVEREIGNTY LANDS OR OTHER STATE-OWNED LANDS.
13. THE PERMITEE MUST OBTAIN A WATER USE PERMIT PRIOR TO CONSTRUCTION DEWATERING, UNLESS THE WORK QUALIFIES FOR A GENERAL PERMIT PURSUANT TO SUBSECTION 40E-20.302(3), F.A.C., ALSO KNOWN AS THE "NO NOTICE" RULE.
14. THE PERMITEE SHALL HOLD AND SAVE THE DISTRICT HARMLESS FROM ANY AND ALL DAMAGES, CLAIMS, OR LIABILITIES WHICH MAY ARISE BY REASON OF THE CONSTRUCTION, ALTERATION, OPERATION, MAINTENANCE, REMOVAL, ABANDONMENT OR USE OF ANY SYSTEM AUTHORIZED BY THE PERMIT.
15. ANY DELINEATION OF THE EXTENT OF A WETLAND OR OTHER SURFACE WATER SUBMITTED AS PART OF THE PERMIT APPLICATION, INCLUDING PLANS OR OTHER SUPPORTING DOCUMENTATION, SHALL NOT BE CONSIDERED BINDING UNLESS A SPECIFIC CONDITION OF THIS PERMIT OR A FORMAL DETERMINATION UNDER SECTION 373.421(2), F.S., PROVIDES OTHERWISE.
16. THE PERMITEE SHALL NOTIFY THE DISTRICT IN WRITING WITHIN 30 DAYS OF ANY SALE, CONVEYANCE, OR OTHER TRANSFER OF OWNERSHIP OR CONTROL OF A PERMITTED SYSTEM OR THE REAL PROPERTY ON WHICH THE PERMITTED SYSTEM IS LOCATED. ALL TRANSFERS OF OWNERSHIP OR TRANSFERS OF A PERMIT ARE SUBJECT TO THE REQUIREMENTS OF RULES 40E-1.6105 AND 40E-1.6107, F.A.C.. THE PERMITEE TRANSFERRING THE PERMIT SHALL REMAIN LIABLE FOR CORRECTIVE ACTIONS THAT MAY BE REQUIRED AS A RESULT OF ANY VIOLATIONS PRIOR TO THE SALE, CONVEYANCE OR OTHER TRANSFER OF THE SYSTEM.
17. UPON REASONABLE NOTICE TO THE PERMITEE, DISTRICT AUTHORIZED STAFF WITH PROPER IDENTIFICATION SHALL HAVE PERMISSION TO ENTER, INSPECT, SAMPLE AND TEST THE SYSTEM TO INSURE CONFORMITY WITH THE PLANS AND SPECIFICATIONS APPROVED BY THE PERMIT.
18. IF HISTORICAL OR ARCHAEOLOGICAL ARTIFACTS ARE DISCOVERED AT ANY TIME ON THE PROJECT SITE, THE PERMITEE SHALL IMMEDIATELY NOTIFY THE APPROPRIATE DISTRICT SERVICE CENTER.
19. THE PERMITEE SHALL IMMEDIATELY NOTIFY THE DISTRICT IN WRITING OF ANY PREVIOUSLY SUBMITTED INFORMATION THAT IS LATER DISCOVERED TO BE INACCURATE.

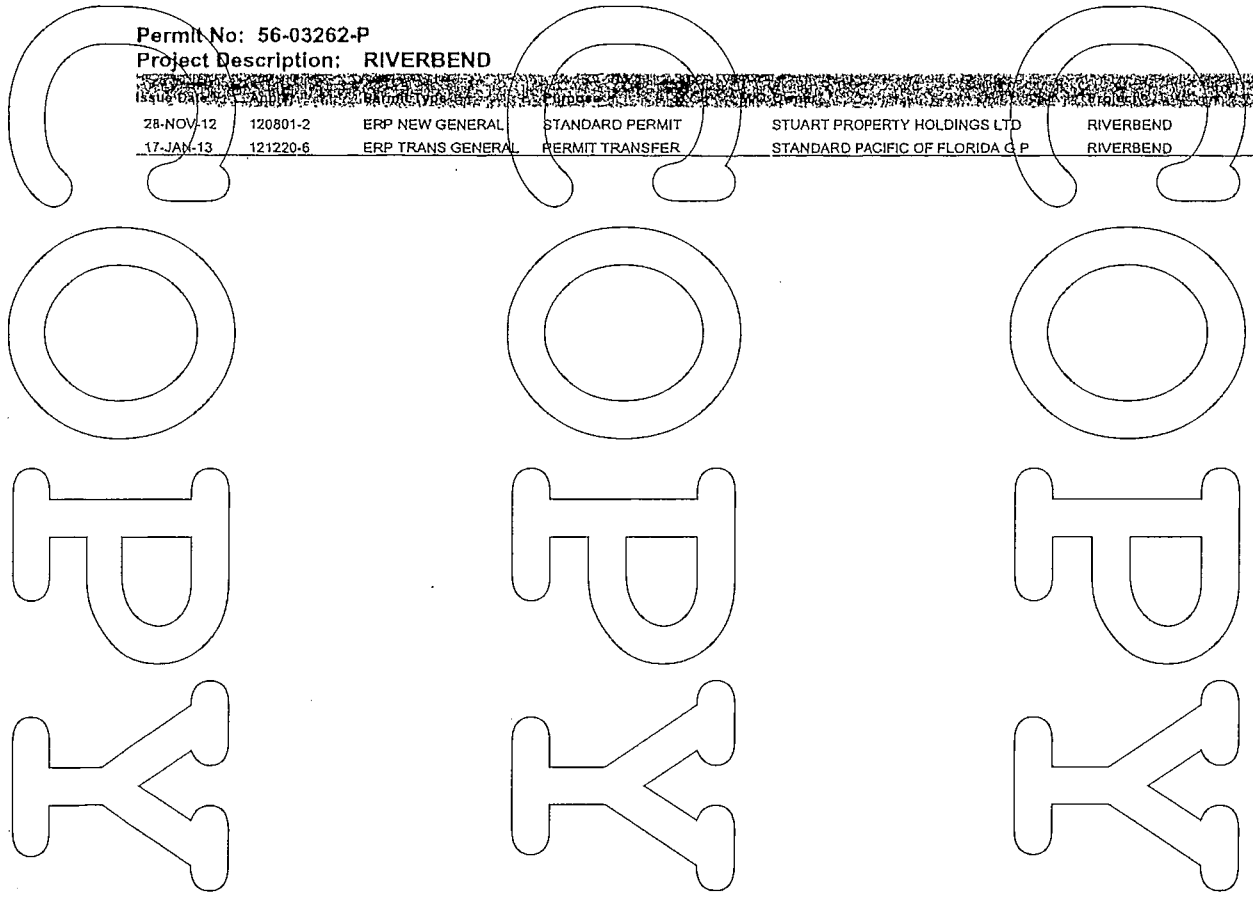
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PERMIT HISTORY

14-JAN-2013
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Permit No: 56-03262-P
Project Description: RIVERBEND

Issue Date	Permit No	Permit Type	Permit Title	Applicant	Location
28-NOV-12	120801-2	ERP NEW GENERAL	STANDARD PERMIT	STUART PROPERTY HOLDINGS LTD	RIVERBEND
17-JAN-13	121220-6	ERP TRANS GENERAL	PERMIT TRANSFER	STANDARD PACIFIC OF FLORIDA G P	RIVERBEND





SOUTH FLORIDA WATER MANAGEMENT DISTRICT
ENVIRONMENTAL RESOURCE
STANDARD PERMIT NO. 56-03262-P
DATE ISSUED: November 28, 2012

Form #0941
08/95

PERMITTEE: STUART PROPERTY HOLDINGS LTD
450 E LAS OLAS BLVD STE 1500
FT LAUDERDALE, FL 33301

PROJECT DESCRIPTION: Construction and operation of a surface water management system to serve a 53.82 acre single family residential project known as Riverbend.

PROJECT LOCATION: ST LUCIE COUNTY, SEC 28 TWP 37S RGE 40E

PERMIT DURATION: See Special Condition No:1. Pursuant to Rule 40E-4.321, Florida Administrative Code.

This is to notify you of the District's agency action concerning Notice of Intent for Permit Application No. 120801-2, dated August 1, 2012. This action is taken pursuant to Rule 40E-1.603 and Chapter 40E-40, Florida Administrative Code (F.A.C.).

Based on the information provided, District rules have been adhered to and an Environmental Resource Permit is in effect for this project subject to:

1. Not receiving a filed request for a Chapter 120, Florida Statutes, administrative hearing.
2. the attached 19 General Conditions (See Pages : 2 - 4 of 8),
3. the attached 25 Special Conditions (See Pages : 5 - 8 of 8) and
4. the attached 6 Exhibit(s)

Should you object to these conditions, please refer to the attached "Notice of Rights" which addresses the procedures to be followed if you desire a public hearing or other review of the proposed agency action. Please contact this office if you have any questions concerning this matter. If we do not hear from you in accordance with the "Notice of Rights," we will assume that you concur with the District's action.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a "Notice of Rights" has been mailed to the Permittee (and the persons listed in the attached distribution list) no later than 5:00 p.m. on this 28th day of November, 2012, in accordance with Section 120.60(3), Florida Statutes.

BY: *Anita L. Bain*
Anita Bain
Bureau Chief - Environmental Resource Permitting
Martin / St Lucie Regulatory Office

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GENERAL CONDITIONS

1. All activities authorized by this permit shall be implemented as set forth in the plans, specifications and performance criteria as approved by this permit. Any deviation from the permitted activity and the conditions for undertaking that activity shall constitute a violation of this permit and Part IV, Chapter 373, F.S.
2. This permit or a copy thereof, complete with all conditions, attachments, exhibits, and modifications shall be kept at the work site of the permitted activity. The complete permit shall be available for review at the work site upon request by District staff. The permittee shall require the contractor to review the complete permit prior to commencement of the activity authorized by this permit.
3. Activities approved by this permit shall be conducted in a manner which does not cause violations of State water quality standards. The permittee shall implement best management practices for erosion and pollution control to prevent violation of State water quality standards. Temporary erosion control shall be implemented prior to and during construction, and permanent control measures shall be completed within 7 days of any construction activity. Turbidity barriers shall be installed and maintained at all locations where the possibility of transferring suspended solids into the receiving waterbody exists due to the permitted work. Turbidity barriers shall remain in place at all locations until construction is completed and soils are stabilized and vegetation has been established. All practices shall be in accordance with the guidelines and specifications described in Chapter 6 of the Florida Land Development Manual; A Guide to Sound Land and Water Management (Department of Environmental Regulation, 1988), incorporated by reference in Rule 40E-4.091, F.A.C. unless a project-specific erosion and sediment control plan is approved as part of the permit. Thereafter the permittee shall be responsible for the removal of the barriers. The permittee shall correct any erosion or shoaling that causes adverse impacts to the water resources.
4. The permittee shall notify the District of the anticipated construction start date within 30 days of the date that this permit is issued. At least 48 hours prior to commencement of activity authorized by this permit, the permittee shall submit to the District an Environmental Resource Permit Construction Commencement Notice Form Number 0960 indicating the actual start date and the expected construction completion date.
5. When the duration of construction will exceed one year, the permittee shall submit construction status reports to the District on an annual basis utilizing an annual status report form. Status report forms shall be submitted the following June of each year.
6. Within 30 days after completion of construction of the permitted activity, the permittee shall submit a written statement of completion and certification by a professional engineer or other individual authorized by law, utilizing the supplied Environmental Resource/Surface Water Management Permit Construction Completion/Certification Form Number 0881A, or Environmental Resource/Surface Water Management Permit Construction Completion Certification - For Projects Permitted prior to October 3, 1993 Form No. 0881B, incorporated by reference in Rule 40E-1.659, F.A.C. The statement of completion and certification shall be based on onsite observation of construction or review of as-built drawings for the purpose of determining if the work was completed in compliance with permitted plans and specifications. This submittal shall serve to notify the District that the system is ready for inspection. Additionally, if deviation from the approved drawings are discovered during the certification process, the certification must be accompanied by a copy of the approved permit drawings with deviations noted. Both the original and revised specifications must be clearly shown. The plans must be clearly labeled as "as-built" or "record" drawings. All surveyed dimensions and elevations shall be certified by a registered surveyor.
7. The operation phase of this permit shall not become effective until the permittee has complied with the requirements of condition (6) above, and submitted a request for conversion of Environmental Resource Permit from Construction Phase to Operation Phase, Form No. 0920; the District determines the system to

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GENERAL CONDITIONS

be in compliance with the permitted plans and specifications; and the entity approved by the District in accordance with Sections 9.0 and 10.0 of the Basis of Review for Environmental Resource Permit Applications within the South Florida Water Management District, accepts responsibility for operation and maintenance of the system. The permit shall not be transferred to such approved operation and maintenance entity until the operation phase of the permit becomes effective. Following inspection and approval of the permitted system by the District, the permittee shall initiate transfer of the permit to the approved responsible operating entity if different from the permittee. Until the permit is transferred pursuant to Section 40E-1.6107, F.A.C., the permittee shall be liable for compliance with the terms of the permit.

8. Each phase or independent portion of the permitted system must be completed in accordance with the permitted plans and permit conditions prior to the initiation of the permitted use of site infrastructure located within the area served by that portion or phase of the system. Each phase or independent portion of the system must be completed in accordance with the permitted plans and permit conditions prior to transfer of responsibility for operation and maintenance of the phase or portion of the system to a local government or other responsible entity.
9. For those systems that will be operated or maintained by an entity that will require an easement or deed restriction in order to enable that entity to operate or maintain the system in conformance with this permit, such easement or deed restriction must be recorded in the public records and submitted to the District along with any other final operation and maintenance documents required by Sections 9.0 and 10.0 of the Basis of Review for Environmental Resource Permit applications within the South Florida Water Management District, prior to lot or units sales or prior to the completion of the system, whichever comes first. Other documents concerning the establishment and authority of the operating entity must be filed with the Secretary of State, county or municipal entities. Final operation and maintenance documents must be received by the District when maintenance and operation of the system is accepted by the local government entity. Failure to submit the appropriate final documents will result in the permittee remaining liable for carrying out maintenance and operation of the permitted system and any other permit conditions.
10. Should any other regulatory agency require changes to the permitted system, the permittee shall notify the District in writing of the changes prior to implementation so that a determination can be made whether a permit modification is required.
11. This permit does not eliminate the necessity to obtain any required federal, state, local and special district authorizations prior to the start of any activity approved by this permit. This permit does not convey to the permittee or create in the permittee any property right, or any interest in real property, nor does it authorize any entrance upon or activities on property which is not owned or controlled by the permittee, or convey any rights or privileges other than those specified in the permit and Chapter 40E-4 or Chapter 40E-40, F.A.C..
12. The permittee is hereby advised that Section 253.77, F.S. states that a person may not commence any excavation, construction, or other activity involving the use of sovereign or other lands of the State, the title to which is vested in the Board of Trustees of the Internal Improvement Trust Fund without obtaining the required lease, license, easement, or other form of consent authorizing the proposed use. Therefore, the permittee is responsible for obtaining any necessary authorizations from the Board of Trustees prior to commencing activity on sovereignty lands or other state-owned lands.
13. The permittee must obtain a Water Use permit prior to construction dewatering, unless the work qualifies for a general permit pursuant to Subsection 40E-20.302(3), F.A.C., also known as the "No Notice" Rule.
14. The permittee shall hold and save the District harmless from any and all damages, claims, or liabilities

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GENERAL CONDITIONS

- which may arise by reason of the construction, alteration, operation, maintenance, removal, abandonment or use of any system authorized by the permit.
15. Any delineation of the extent of a wetland or other surface water submitted as part of the permit application, including plans or other supporting documentation, shall not be considered binding, unless a specific condition of this permit or a formal determination under Section 373.421(2), F.S., provides otherwise.
 16. The permittee shall notify the District in writing within 30 days of any sale, conveyance, or other transfer of ownership or control of a permitted system or the real property on which the permitted system is located. All transfers of ownership or transfers of a permit are subject to the requirements of Rules 40E-1.6105 and 40E-1.6107, F.A.C.. The permittee transferring the permit shall remain liable for corrective actions that may be required as a result of any violations prior to the sale, conveyance or other transfer of the system.
 17. Upon reasonable notice to the permittee, District authorized staff with proper identification shall have permission to enter, inspect, sample and test the system to insure conformity with the plans and specifications approved by the permit.
 18. If historical or archaeological artifacts are discovered at any time on the project site, the permittee shall immediately notify the appropriate District service center.
 19. The permittee shall immediately notify the District in writing of any previously submitted information that is later discovered to be inaccurate.

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SPECIAL CONDITIONS

1. The construction phase of this permit shall expire on November 28, 2017.
2. Operation of the surface water management system shall be the responsibility of RIVERBEND PROPERTY OWNERS ASSOCIATION I N C. Within one year of permit issuance or concurrent with the engineering certification of construction completion, whichever comes first, the permittee shall submit a copy of the recorded deed restrictions (or declaration of condominium, if applicable), a copy of the filed articles of incorporation, and a copy of the certificate of incorporation for the association.

3. Discharge Facilities:

Basin: NORTH, Structure: SD-1

1-FIXED PLATE RISER (1/2 - 24" riser) weir with crest at elev. 7.4' NGVD 29.

Receiving body : OFF SITE OSW
Control elev : 4.75 feet NGVD 29.

Basin: NORTH, Structure: SD-11

1-48" W X 2.1' H SHARP CRESTED weir with crest at elev. 5.7' NGVD 29.
1-6" W X 3" H RECTANGULAR ORIFICE with invert at elev. 4.75' NGVD 29.

Receiving body : EAST BASIN LAKE 3
Control elev : 4.75 feet NGVD 29.

Basin: EAST

1-6" W X 3" H RECTANGULAR ORIFICE with invert at elev. 3.2' NGVD 29.
1-Type "C" drop inlet with crest at elev. 4' NGVD 29.

Receiving body : On site Wetland / NESLR
Control elev : 3.2 feet NGVD 29.

Basin: PRESERVE

1-22" W X 1.4' H SHARP CRESTED weir with crest at elev. 6' NGVD 29.
1-4" W X 1' H CIRCULAR ORIFICE with invert at elev. 5.5' NGVD 29.
1-Type "C" drop inlet with crest at elev. 7.4' NGVD 29.

Receiving body : NORTH BASIN LAKE 1
Control elev : 5 feet NGVD 29.

4. The permittee shall be responsible for the correction of any erosion, shoaling or water quality problems that result from the construction or operation of the surface water management system.
5. Measures shall be taken during construction to insure that sedimentation and/or turbidity violations do not occur in the receiving water.
6. The District reserves the right to require that additional water quality treatment methods be incorporated into the drainage system if such measures are shown to be necessary.
- 7.

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SPECIAL CONDITIONS

Lake side slopes shall be no steeper than 4:1 (horizontal:vertical) to a depth of two feet below the control elevation. Side slopes shall be nurtured or planted from 2 feet below to 1 foot above control elevation to insure vegetative growth, unless shown on the plans.

8. Facilities other than those stated herein shall not be constructed without an approved modification of this permit.
9. A stable, permanent and accessible elevation reference shall be established on or within one hundred (100) feet of all permitted discharge structures no later than the submission of the certification report. The location of the elevation reference must be noted on or with the certification report.
10. The permittee shall provide routine maintenance of all of the components of the surface water management system in order to remove all trapped sediments/debris. All materials shall be properly disposed of as required by law. Failure to properly maintain the system may result in adverse flooding conditions.
11. This permit is issued based on the applicant's submitted information which reasonably demonstrates that adverse water resource related impacts will not be caused by the completed permit activity. Should any adverse impacts caused by the completed surface water management system occur, the District will require the permittee to provide appropriate mitigation to the District or other impacted party. The District will require the permittee to modify the surface water management system, if necessary, to eliminate the cause of the adverse impacts.
12. The permittee acknowledges that, pursuant to Rule 40E-4.101(2), F.A.C., a notice of Environmental Resource or Surface Water Management Permit may be recorded in the county public records. Pursuant to the specific language of the rule, this notice shall not be considered an encumbrance upon the property.
13. If prehistoric or historic artifacts, such as pottery or ceramics, stone tools or metal implements, dugout canoes, or any other physical remains that could be associated with Native American cultures, or early colonial or American settlement are encountered at any time within the project site area, the permitted project should cease all activities involving subsurface disturbance in the immediate vicinity of such discoveries. The permittee, or other designee, should contact the Florida Department of State, Division of Historical Resources, Review and Compliance Section at (850) 245-6333 or (800) 847-7278, as well as the appropriate permitting agency office. Project activities should not resume without verbal and/or written authorization from the Division of Historical Resources. In the event that unmarked human remains are encountered during permitted activities, all work shall stop immediately and the proper authorities notified in accordance with Section 872.05, Florida Statutes.
14. Minimum building floor elevation:
BASIN: NORTH - 8.60 feet NGVD 29.
BASIN: EAST - 9.25 feet NGVD 29.
15. Minimum road crown elevation:
Basin: NORTH - 6.50 feet NGVD 29.
Basin: EAST - 6.70 feet NGVD 29.
16. Prior to the commencement of construction, the permittee shall conduct a pre-construction meeting with field representatives, contractors and District staff. The purpose of the meeting will be to discuss construction methods and sequencing, including type and location of turbidity and erosion controls to be implemented during construction, mobilization and staging of contractor equipment, phasing of construction, methods of vegetation clearing, construction dewatering if required, ownership documentation for eminent domain authority, coordination with other entities on adjacent construction projects, wetland/buffer protection methods, endangered species protection with the permittee and

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SPECIAL CONDITIONS

contractors. The permittee shall contact District Environmental Resource Compliance staff from the Martin St. Lucie Regulatory Office at (800-250-4200 EXT 3613) to schedule the pre-construction meeting.

17. The project is proposing to use potable water for landscape irrigation. If in the future the project proposes to use reclaimed wastewater for irrigation a permit modification will be required prior to implementation. The use of reclaimed waste water for irrigation was not included in the nutrient analysis of the proposed stormwater management system. The permit modification shall include an analysis of the effect of the use of reclaimed water on the nutrient discharge from the project. The discharge from the project must be in compliance with water quality standards in effect at the time of the permit modification.
18. The wetland conservation areas and upland buffer zones and/or upland preservation areas shown on Exhibit 4 may in no way be altered from their natural or permitted state. Activities prohibited within the conservation areas include, but are not limited to:
 - (a) construction or placing of buildings, roads, signs, billboards or other advertising, utilities or other structures on or above the ground;
 - (b) dumping or placing soil or material as landfill or dumping or placing of trash, waste, or unsightly or offensive materials;
 - (c) removal or destruction of trees, shrubs, or other vegetation - with the exception of exotic and nuisance vegetation removal;
 - (d) excavation, dredging, or removal of loam, peat, gravel, soil, rock, or other material substances in such manner as to affect the surface;
 - (e) surface use except for purposes that permit the land or water area to remain predominantly in its natural condition;
 - (f) activities detrimental to drainage, flood control, water conservation, erosion control, soil conservation, or fish and wildlife habitat preservation, including but not limited to ditching, diking or fencing;
 - (g) acts or uses detrimental to such retention of land or water areas; and
 - (h) acts or uses detrimental to the preservation of the structural integrity or physical appearance of sites or properties of historical, architectural, archaeological, or cultural significance.
19. A monitoring program shall be implemented in accordance with Exhibit No. 5.0. The monitoring program shall extend for a period of 5 years with annual reports submitted to District staff. At the end of the first monitoring period the mitigation area shall contain an 80% survival of planted vegetation. The 80% survival rate shall be maintained throughout the remainder of the monitoring program, with replanting as necessary. If native wetland, transitional, and upland species do not achieve an 80% coverage within the initial two years of the monitoring program, native species shall be planted in accordance with the maintenance program. At the end of the 5 year monitoring program the entire mitigation area shall contain an 80% survival of planted vegetation and an 80% coverage of desirable obligate and facultative wetland species.
20. Prior to commencement of construction and in accordance with the work schedule in Exhibit 6 the permittee shall submit an electronic or hard copy version of the certified copy of the recorded conservation easement for the mitigation area(s) and associated buffer(s). The electronic version of the recorded conservation easement, and associated GIS information described below, shall be submitted via the District's ePermitting/eCompliance website. The GIS data shall be supplied in a digital ESRI Geodatabase (mdb), ESRI Shapefile (shp) or AutoCAD Drawing Interchange (dxf) file format using Florida State Plane coordinate system, East Zone (3601), Datum NAD83, HARN with the map units in feet. A map depicting the Conservation Easement over the best available satellite or aerial imagery shall also be provided. If the information is provided via hard copy the GIS data shall reside on CD disk and be submitted to the District's Environmental Resource Compliance Division in the service area office where the application was submitted.

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SPECIAL CONDITIONS

The recorded easement shall utilize the form attached as Exhibit 4. Any proposed modification to the approved form must receive prior written consent from the District. The easement must be free of encumbrances or interests in the easement which the District determines are contrary to the intent of the easement. In the event it is later determined that there are encumbrances or interests in the easement which the District determines are contrary to the intent of the easement, the permittee shall be required to provide release or subordination of such encumbrances or interests.

- 21. Permanent physical markers designating the preserve status of the wetland preservation areas and buffer zones shall be placed at the intersection of the buffer and each lot line. These markers shall be maintained in perpetuity.
- 22. Silt screens, turbidity screens/barriers or other such sediment control measures shall be utilized during construction. The selected sediment control measure shall be installed landward of the upland buffer zones around all protected wetlands and shall be properly "trenched" etc. in accordance with Exhibit No. 2.0. All areas shall be stabilized and vegetated immediately after construction to prevent erosion into the wetlands and upland buffer zones.
- 23. Activities associated with the implementation of the mitigation, monitoring and maintenance plan(s) shall be completed in accordance with the work schedule attached as Exhibit No.6.0. Any deviation from these time frames will require prior approval from the District's Environmental Resource Compliance staff. Such requests must be made in writing and shall include (1) reason for the change, (2) proposed start/finish and/or completion dates; and (3) progress report on the status of the project development or mitigation effort.
- 24. A maintenance program shall be implemented in accordance with Exhibit No.5.0 for the preserved wetland/upland areas on a regular basis to ensure the integrity and viability of those areas as permitted. Maintenance shall be conducted in perpetuity to ensure that the conservation areas are maintained free from Category 1 exotic vegetation (as defined by the Florida Exotic Pest Plant Council at the time of permit issuance) immediately following a maintenance activity. Maintenance in perpetuity shall also insure that conservation areas, including buffers, maintain the species and coverage of native, desirable vegetation specified in the permit. Coverage of exotic and nuisance plant species shall not exceed 5% of total cover between maintenance activities. In addition, the permittee shall manage the conservation areas such that exotic/nuisance plant species do not dominate any one section of those areas.
- 25. The District reserves the right to require remedial measures to be taken by the permittee if monitoring or other information demonstrates that adverse impacts to onsite or offsite wetlands, upland conservation areas or buffers, or other surface waters have occurred due to project related activities.

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NOTICE OF RIGHTS

As required by Sections 120.569(1), and 120.60(3), Fla. Stat., 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 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

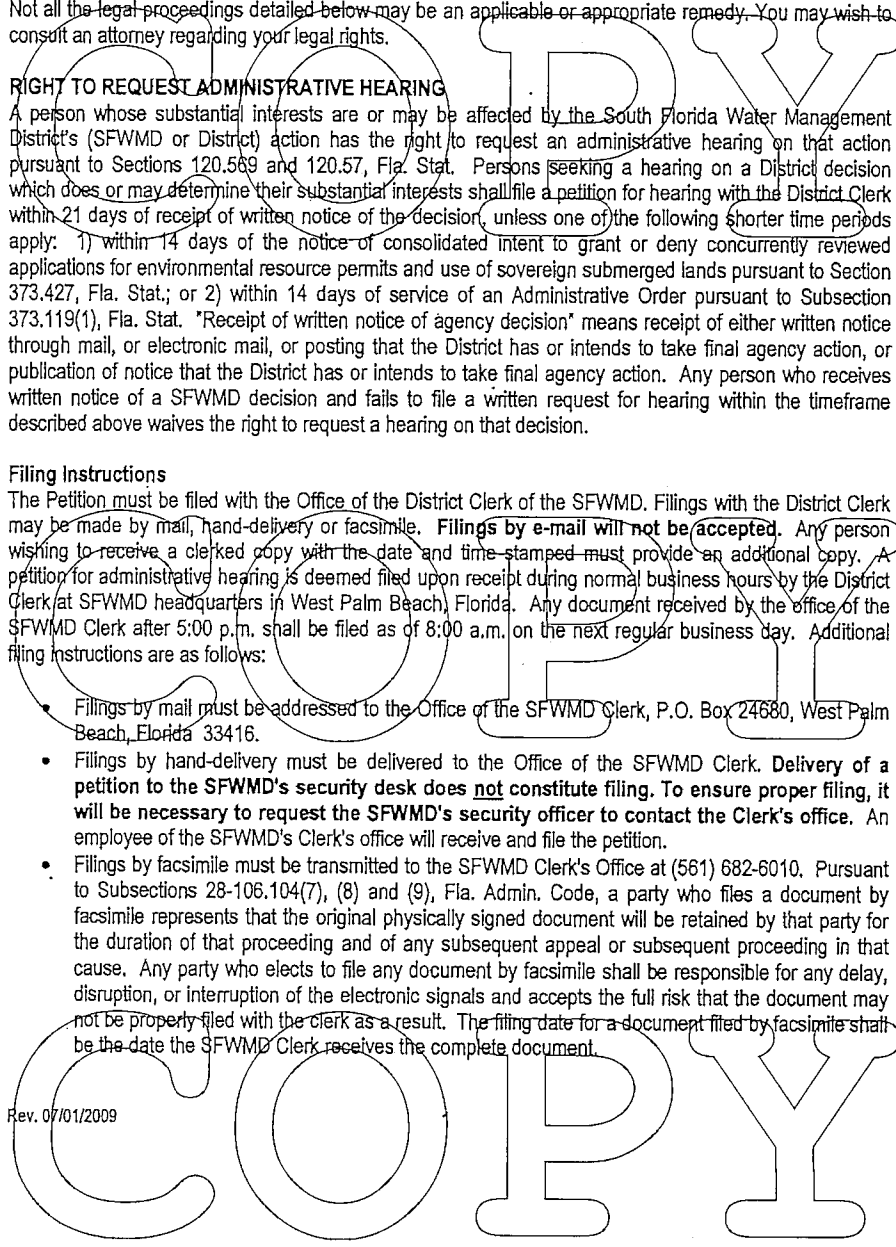
A person whose substantial interests are or may be affected by the South Florida Water Management District's (SFWMD or District) action has the right to request an administrative hearing on that action pursuant to Sections 120.569 and 120.57, Fla. Stat. Persons seeking a hearing on a District decision which does or may determine their substantial interests shall file a petition for hearing with the District Clerk 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 Subsection 373.119(1), Fla. Stat. "Receipt of written notice of agency decision" means receipt of either written notice through mail, or electronic mail, or posting that the District has or intends to take final agency action, or publication of notice that the District 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.

Filing Instructions

The Petition must be filed with the Office of the District Clerk of the SFWMD. Filings with the District Clerk may be made by mail, hand-delivery or facsimile. **Filings by e-mail will not be accepted.** Any person wishing to receive a clerked copy with the date and time stamped must provide an additional copy. A petition for administrative hearing is deemed filed upon receipt during normal business hours by the District Clerk at SFWMD headquarters in West Palm Beach, Florida. Any document received by the office of the SFWMD Clerk after 5:00 p.m. shall be 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 SFWMD Clerk, P.O. Box 24680, West Palm Beach, Florida 33416.
- Filings by hand-delivery must be delivered to the Office of the SFWMD Clerk. **Delivery of a petition to the SFWMD's security desk does not constitute filing. To ensure proper filing, it will be necessary to request the SFWMD's security officer to contact the Clerk's office.** An employee of the SFWMD's Clerk's office will receive and file the petition.
- Filings by facsimile must be transmitted to the SFWMD Clerk's Office at (561) 682-6010. Pursuant to Subsections 28-106.104(7), (8) and (9), Fla. Admin. Code, a party who files a document by facsimile represents that the original physically signed document will be retained by that party for the duration of that proceeding and of any subsequent appeal or subsequent proceeding in that cause. Any party who elects to file any document by facsimile shall 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 with the Clerk as a result. The filing date for a document filed by facsimile shall be the date the SFWMD Clerk receives the complete document.

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Initiation of an Administrative Hearing

Pursuant to 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 and 1/2 by 11 inch white paper. All petitions shall contain:

1. Identification of the action being contested, including the permit number, application number, District file number or any other SFWMD identification number, if known.
2. The name, address 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.

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 extension of time shall toll the running of the time period for filing a petition until the request is acted upon.

If the District takes action with substantially different impacts on water resources from the notice of intended agency decision, the persons who may be substantially affected shall have an additional point of entry pursuant to Rule 28-106.111, Fla. Admin. Code, unless otherwise provided by law.

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 Sections 120.60(3) and 120.68, Fla. Stat., 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 pursuant to Florida Rule of Appellate Procedure 9.110 in the Fourth District Court of Appeal or in the appellate district where a party resides and filing a second copy of the notice with the SFWMD Clerk within 30 days of rendering of the final SFWMD action.

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Last Date For Agency Action: December 15, 2012

STANDARD ENVIRONMENTAL RESOURCE PERMIT STAFF REPORT

Project Name: Riverbend
 Permit No.: 56-03262-P
 Application No.: 120801-2 Associated File: 121016-6 WU Concurrent
 Application Type: Environmental Resource (New Standard Permit)
 Location: St Lucie County, S25/T37S/R40E
 Permittee: Stuart Property Holdings Ltd
 Operating Entity: Riverbend Property Owners Association I N C.
 Project Area: 53.82 acres
 Project Land Use: Residential

Drainage Basin: NORTH ST LUCIE
 Receiving Body: North Fork St. Lucie River Class: OFW
 Special Drainage District: NA

Total Acres Wetland Onsite: 3.10
 Total Acres Wetland Preserved Onsite: 3.10
 Total Acres Presv/Mit Compensation Onsite: 5.15
 Conservation Easement To District: Yes
 Sovereign Submerged Lands: No

This application is a request for an Environmental Resource Permit to authorize construction and operation of a surface water management system to serve 53.82 acres of single family residential development.

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PROJECT EVALUATION:

PROJECT SITE DESCRIPTION:

The site is located on the west bank of the St Lucie River on Gilson Road approximately one mile north of Becker Road in southeastern St. Lucie County within Section 25, Township 37S, Range 40E. Please see the Location Map Exhibit 1.0.

The site consists of three parcels of land. The southern parcel is primarily forested with a small cleared area along the shoreline. The shoreline is stabilized with rip-rap and includes an abandoned docking facility. The southern parcel includes a residential structure and an equestrian barn that was used to board several horses. The west side of the parcel includes an existing pond and a wetland near Gilson Road. The central parcel is undeveloped with the exception of vehicular trails and includes a wetland near Gilson Road and a tidal wetland adjacent to the shoreline. The shoreline is stabilized with rip-rap. The northern parcel includes a paved driveway leading to what was the location of a residential structure that has since been removed and an abandoned docking facility. The shoreline is stabilized with rip-rap. The northern parcel includes an existing pond and wetland near Gilson Road.

The existing contours of the three parcels indicates a north south ridge centrally located that results in runoff sheet flowing to the St. Lucie River on the east side and sheet flowing to interconnected ponds and wetlands on the west side. The northern most pond appears to discharge offsite to the north through a culvert to another manmade pond, culverts, and canals that ultimately discharge to the St Lucie River.

There are 4 wetlands and 4 other surface waters located within the proposed project.

PROPOSED PROJECT:

The applicant is proposing construction of 47 single family lots ranging from 0.42 to 1.08 acres, a three lake cascading stormwater management system, and supporting infrastructure. The stormwater management system consists of three controlled sub-basins: East, West, and Preserve Area basins. The West Basin will consist of two lakes and an interconnected wetland system cascading to the East basin lake prior to discharging to the onsite tidal wetland adjacent to the North Fork St. Lucie River. The Preserve Basin consists of the wetland and existing pond in the southern portion of the site near Gilson Road. The preserve basin will discharge to Lake 1 via control structure SD-8. The existing lake in the north parcel (Lake 1) will be expanded and its existing offsite culvert connection to the north will be converted into an overflow structure SD-1 for storm events that stage higher than the 25 year 3 day design storm. Lake 1 is interconnected with proposed Lake 2 and will provide treatment and attenuation via internal control structure SD-11 prior to cascading to Lake 3 in the East Basin. Lake 3 includes the project's discharge structure SD-19 located in the upland buffer of the tidal wetland adjacent to the North Fork St. Lucie River.

The proposed residential development includes lots that are adjacent to the North Fork St. Lucie River Aquatic Preserve (NFSLR) which is classified as an Outstanding Florida Water pursuant to Rule 62-302.700 Florida Administrative Code. The NFSLR is also an impaired water body with the primary impairment being the nutrients nitrogen and phosphorus. Approximately 10 feet of the existing shore line is currently stabilized with rip-rap that will remain. The proposed project includes a 75 foot shoreline protection zone, required by St. Lucie County, which prohibits any development in this zone and will remain in its existing condition. The 75 foot shoreline protection zone consists primarily of Bahia sod with scattered trees consisting of slash pine, oak, and sabal palm. Runoff within the 75 foot shoreline protection zone will sheet flow to the St. Lucie River as it historically has. Residential lots that abut the 75 foot shore line protection zone include a rear lot swale system that directs rear lot runoff to the stormwater management system for treatment and attenuation. The proposed project also includes recreation facilities adjacent to the tidal wetland.

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LAND USE:

The North and East basin land use tables each include areas that are either part of the receiving water or otherwise not part of the water management system. The East and North basin buffer area represents the shoreline protection zone; the East basin open water area is the tidal water body downstream of the discharge structure, the East basin preserved area is the upland preserve surrounding Wetland #3.

Construction

Basin : EAST

	Total Basin	
Buffer Area	1.58	acres
Building Coverage	2.23	acres
Lake	1.49	acres
Lake Bank	.57	acres
Open Water	.53	acres
Pavement	2.60	acres
Pervious	7.77	acres
Preserved	.85	acres
Wetland	.72	acres
Total:	18.34	

Basin : NORTH

	Total Basin	
Buffer Area	1.61	acres
Building Coverage	3.51	acres
Lake	1.69	acres
Lake Bank	.67	acres
Pavement	3.10	acres
Pervious	10.96	acres
Total:	21.54	

Basin : PRESERVE

	Total Basin	
Natural Areas	11.06	acres
Open Water	.51	acres
Wetland	2.37	acres
Total:	13.94	

WATER QUANTITY:

Discharge Rate :

As shown in the table below, the proposed project discharge is within the allowable limit for the area.

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Discharge Storm Frequency : 25 YEAR-3 DAY

Design Rainfall : 11 inches

Basin	Allow Disch (cfs)	Method Of Determination	Peak Disch (cfs)	Peak Stage (ft, NGVD 29)
EAST	29.6	Pre Vs Post	29.45	5.64

Finished Floors :

Building Storm Frequency : 100 YEAR-3 DAY

Design Rainfall : 13 inches

Basin	Peak Stage (ft, NGVD 29)	Proposed Min. Finished Floors (ft, NGVD 29)	FEMA Elevation (ft, NGVD 29)
NORTH	8.57	8.6	6
EAST	9.15	9.25	6

Road Design :

Road Storm Frequency : 10 YEAR-1 DAY

Design Rainfall: 6.5 Inches

Basin	Peak Stage (ft, NGVD 29)	Proposed Min. Road Crown (ft, NGVD 29)
NORTH	6.41	6.5
EAST	4.72	6.7

Control Elevation :

Basin	Area (Acres)	Ctrl Elev (ft, NGVD 29)	WSWT Ctrl Elev (ft, NGVD 29)	Method Of Determination
NORTH	21.54	4.75	4.50	Wet Season Soil Borings
EAST	18.34	3.2	3.00	Wet Season Soil Borings
PRESERVE	13.94	5	5.00	Wetland Indicator Elevation

Receiving Body :

Basin	Str.#	Receiving Body
North	SD-1	OFF SITE OSW
North	SD-11	EAST BASIN LAKE 3
East	SD-19	NFSLR
Preserve	SD-11	NORTH BASIN LAKE 1

Major Structures: Note: The units for all the elevation values of structures are (ft, NGVD 29)

Basin	Str#	Count	Type	Width	Height	Length	Dia.	Elev.
NORTH	SD-1	1	Fixed Plate Riser	1'			24"	7.4 (crest)

SWM(Internal) Structures: Note: The units for all the elevation values of structures are (ft, NGVD 29)

Basin	Str#	Count	Type	Width	Height	Length	Dia.	Invert Angle	Invert Elev.
PRESERVE	SD-11	1	Circular Orifice	4"					5.5

Inlets:

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SWM(Internal) Structures:

Inlets:

Basin	Str#	Count	Type	Width	Length	Dia.	Crest Elev.
PRESERVE	SD-11	1	Fdot Mod C Drop Inlet				7.4

Weirs:

Basin	Str#	Count	Type	Width	Height	Length	Dia.	Elev.
PRESERVE	SD-11	1	Sharp Crested	22"	1.4'			6 (crest)

Water Quality Structures: Note: The units for all the elevation values of structures are (ft, NGVD 29)

Bleeders:

Basin	Str#	Count	Type	Width	Height	Length	Dia.	Invert Angle	Invert Elev.
EAST	SD-19	1	Rectangular Orifice	6"	3"				3.2
NORTH	SD-11	1	Rectangular Orifice	8"	3"				4.75

Inlets:

Basin	Str#	Count	Type	Width	Length	Dia.	Crest Elev.
EAST	SD-19	1	Fdot Mod C Drop Inlet				4

Weirs:

Basin	Str#	Count	Type	Width	Height	Length	Dia.	Elev.
NORTH	SD-11	1	Sharp Crested	48"	2.1'			5.7 (crest)

WATER QUALITY:

No adverse water quality impacts are anticipated as a result of the proposed project. The proposed project ultimately contributes stormwater to the North Fork of the St. Lucie River which is an impaired water body, an Aquatic Preserve, and an Outstanding Florida Water. In order to provide reasonable assurance that the proposed project will not contribute to the existing impairment, an additional 50% of water quality treatment volume is provided. Since one of the impairments is nutrients, a site specific pre and post development nutrient analysis has been prepared indicating that the proposed system will not increase the annual nutrient loading over existing conditions.

The standard treatment volume of 1.0 inch over the basin area plus the additional 50% for impaired waters equals the required wet detention treatment volume. One quarter inch as retention pre-treatment to meet post development nutrient reduction is shown in the following table as the wet retention treatment volume.

Reclaimed wastewater may become available to the project in the future, but was not considered in the nutrient analysis of the stormwater management system. The use of reclaimed wastewater for landscape irrigation in the future will require a modification to this permit to accommodate the concentrations of nitrogen and phosphorus associated with reclaimed wastewater. Please see Special Conditions.

The applicant has provided reasonable assurance that water quality standards will not be violated during construction of the proposed work. Best Management Practices (BMPs) will be implemented and silt screens will be placed so as to contain erosion and turbidity during construction of the proposed project (refer to Exhibit No. 2.0 and Special Conditions). All erosion and turbidity control measures shall remain in place until the completion of onsite construction.

Basin	Treatment Method
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Basin	Treatment Method		Vol Req.d (ac-ft)	Vol Prov'd
NORTH	Pre-Treatment	Wet Retention	.86	.86
NORTH	Treatment	Wet Detention	1.63	1.7
EAST	Treatment	Wet Detention	1.23	1.24
EAST	Pre-Treatment	Wet Retention	.3	.3

WETLANDS:

There are 4 wetlands within the proposed project. Wetland No. 1 (0.10 acre) and Wetland No. 2 (2.2 acres) are Bay Swamps. The wetlands are dominated by a mix of forested wetland species including loblolly bay, red bay, dahoon holly and a ground cover consisting of swamp fern and cinnamon fern. Wetland No. 1 and Wetland No. 2 are connected by a culvert beneath a dirt trail and Wetland No. 1 is connected to an excavated pond located to the north via existing culverts under an access road (refer to Exhibit 3.0).

Wetland No. 3 is 0.7 acre and is freshwater marsh consisting of flat sedges, swamp fern, button bush, broomsedges and dahoon holly. Wetland No. 3 is hydrologically connected to an excavated pond which in turn is connected to the North Fork of the St. Lucie River. Wetland No. 3 does not appear to be tidally influenced and is surrounded by pine flatwoods to the west and disturbed lands to the north and south.

Wetland No. 4 is a small wet prairie (0.10 acre) and exists within the central portion of the site. This wetland contains redroot, dahoon holly, smartweed, yellow-eyed grass and dog fennel.

There are no wetland impacts proposed with this project and all of the wetlands along with a 25 foot upland buffer will be preserved through a conservation easement dedicated to the District (refer to Exhibit 4.0). A monitoring and maintenance plan shall also be implemented.

There are 4 other surface waters (OSW's) totaling 2.14 acres (refer to Exhibit 3.0). The largest OSW is 1.1 acres and is located in the northwestern portion of the proposed project. As part of this project OSW No. 1 will be redesigned by excavating 0.55 acre and filling 0.13 acre. OSW No. 3 is 0.04 acre and it will be filled. OSW No. 2 and 4 are each 0.5 acre in size and no impacts are proposed for these ponds.

There is no work proposed in the water at this time.

Monitoring/Maintenance:

A monitoring program shall be implemented in accordance with the monitoring and maintenance plan included in Exhibit 5.0 and the special conditions of the permit. The monitoring and maintenance plan describes the exotic treatment/removal, monitoring and maintenance activities and discusses the monitoring methodology. Maintenance shall be conducted in perpetuity. The wetland and upland buffer areas will be maintained at less than 5% cover by exotic and nuisance species. Monitoring reports will be submitted in accordance with the work scheduled attached as Exhibit 6.

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Wetland Inventory :

CONSTRUCTION NEW -Riverbend PUD

Site Id	Site Type	Pre-Development				Post-Development						
		Pre Fluccs	AA Type	Acreege (Acres)	Current Wo Pres	With Project	Time Lag (Yrs)	Risk Factor	Pres. Adj. Factor	Post Fluccs	Adj Delta	Functional Gain/Loss
UPL	ON	411	Preservation	2.05								
W1	ON	611	Preservation	.10								
W2	ON	611	Preservation	2.20								
W3	ON	641	Preservation	.70								
W4	ON	643	Preservation	.10								
Total:				5.15								

Fluaccs Code	Description
411	Pine Flatwoods
411	Pine Flatwoods - Hydric
411	Pine Flatwoods - Upland
611	Bay Swamps
641	Freshwater Marshes
643	Wet Prairies

The proposed project will place a total of 4.95 acres of wetlands and upland buffer areas under a Deed of Conservation Easement (Refer to Exhibit 4.0). The applicant must submit the recorded conservation easement along with sketch and legal description within 60 days of receiving construction authorization by the District. The recorded conservation easement shall be in accordance with Exhibit 4.0 and the Special Conditions.

It is suggested that the permittee retain the services of a Professional Engineer registered in the State of Florida for periodic observation of construction of the surface water management (SWM) system. This will facilitate the completion of construction completion certification Form #0881 which is required pursuant to Section 10 of the Basis of Review for Environmental Resource Permit Applications within the South Florida Water Management District, and Rule 40E-4.361(2), Florida Administrative Code (F.A.C.).

Pursuant to Chapter 40E-4 F.A.C., this permit may not be converted from the construction phase to the operation phase until certification of the SWM system is submitted to and accepted by this District. Rule 40E-4.321(7) F.A.C. states that failure to complete construction of the SWM system and obtain operation phase approval from the District within the permit duration shall require a new permit authorization unless a permit extension is granted.

For SWM systems permitted with an operating entity who is different from the permittee, it should be noted that until the permit is transferred to the operating entity pursuant to Rule 40E-1.6107, F.A.C., the permittee is liable for compliance with the terms of this permit.

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The permittee is advised that the efficiency of a SWM system will normally decrease over time unless the system is periodically maintained. A significant reduction in flow capacity can usually be attributed to partial blockages of the conveyance system. Once flow capacity is compromised, flooding of the project may result. Maintenance of the SWM system is required to protect the public health, safety and the natural resources of the state. Therefore, the permittee must have periodic inspections of the SWM system performed to ensure performance for flood protection and water quality purposes. If deficiencies are found, it is the responsibility of the permittee to correct these deficiencies in a timely manner.

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RELATED CONCERNS:

Water Use Permit Status:

The project is proposing to irrigate residential lawns and landscaping with potable water. The project is located at the end of the utility provider's potable water distribution line and has authorized the use of potable water for irrigation as a means to facilitate flushing of the potable distribution line.

The applicant has indicated that dewatering is required for construction of this project. Water use Application No. 121016-6 for short term dewatering is being reviewed concurrently for this project.

This permit does not release the permittee from obtaining all necessary Water Use authorization(s) prior to the commencement of activities which will require such authorization, including construction dewatering and irrigation.

CERP:

The proposed project is not located within or adjacent to a Comprehensive Everglades Restoration Project component.

Potable Water Supplier:

City of Port St. Lucie Utilities

Waste Water System/Supplier:

On site septic systems

Right-Of-Way Permit Status:

A District Right-of-Way Permit is not required for this project.

DRI Status:

This project is not a DRI.

Historical/Archeological Resources:

The District has received correspondence from the Florida Department of State, Division of Historical Resources indicating that no significant archaeological or historical resources are recorded in the project area and therefore is unlikely to have an effect upon any such properties.

DEO/CZM Consistency Review:

The issuance of this permit constitutes a finding of consistency with the Florida Coastal Management Program.

Third Party Interest:

No third party has contacted the District with concerns about this application.

Enforcement:

There has been no enforcement activity associated with this application.

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STAFF REVIEW:


DIVISION APPROVAL:

NATURAL RESOURCE MANAGEMENT:


Barbara J. Conmy

DATE: 11/28/12
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SURFACE WATER MANAGEMENT:


Hugo A. Carter, P.E.

DATE: 26 Nov 12
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Riverbend

Application 120801-2

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1.0 Location Map

2.0 Construction Plans (17 sheets)

3.0 Wetland and OSW Map

4.0 Conservation Easement

5.0 Monitoring and Maintenance Plan

6.0 Work Schedule

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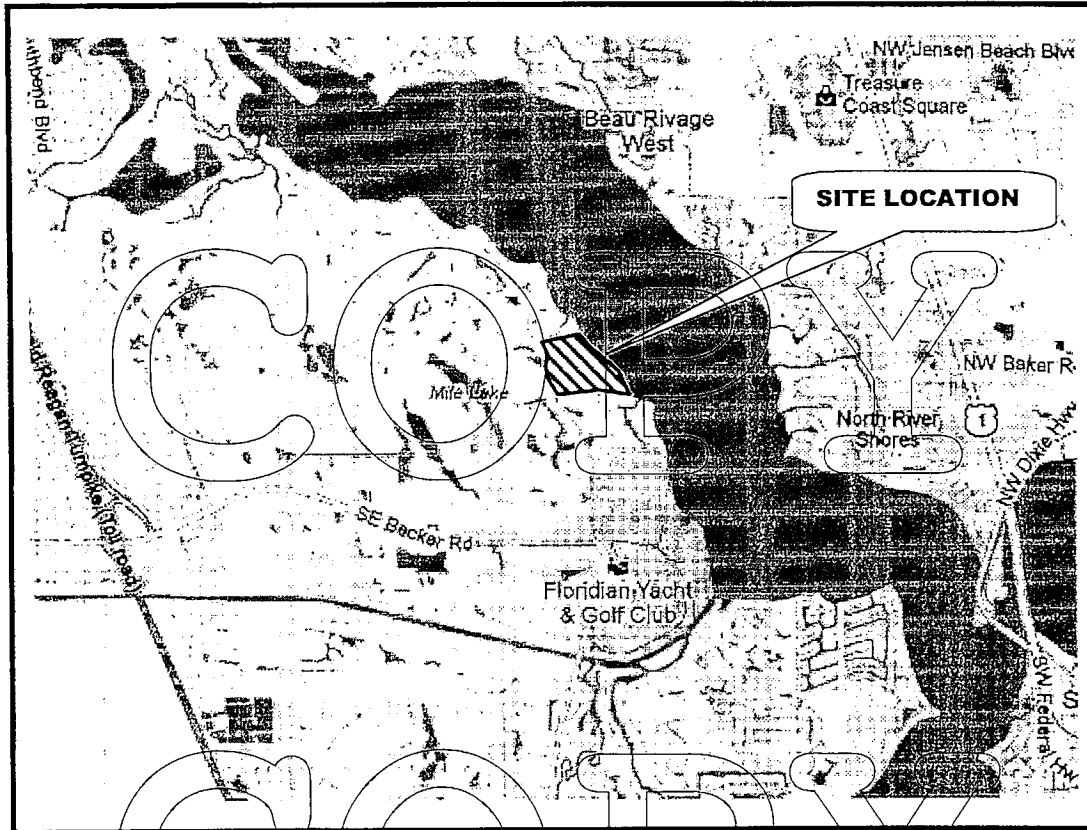
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**RIVERBEND
LOCATION MAP**

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EXHIBIT 2.0

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CONSTRUCTION PLANS FOR

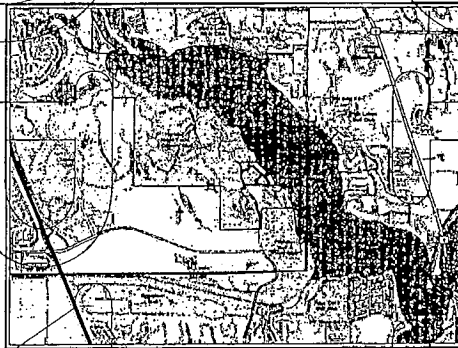
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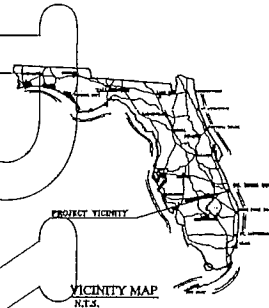
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SAINT LUCIE COUNTY, FLORIDA

PREPARED FOR

STUART PROPERTY HOLDINGS, LTD



LOCATION MAP N.T.S.
SECTION 25 TOWNSHIP 37 SOUTH, RANGE 40 EAST



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VICINITY MAP
N.T.S.

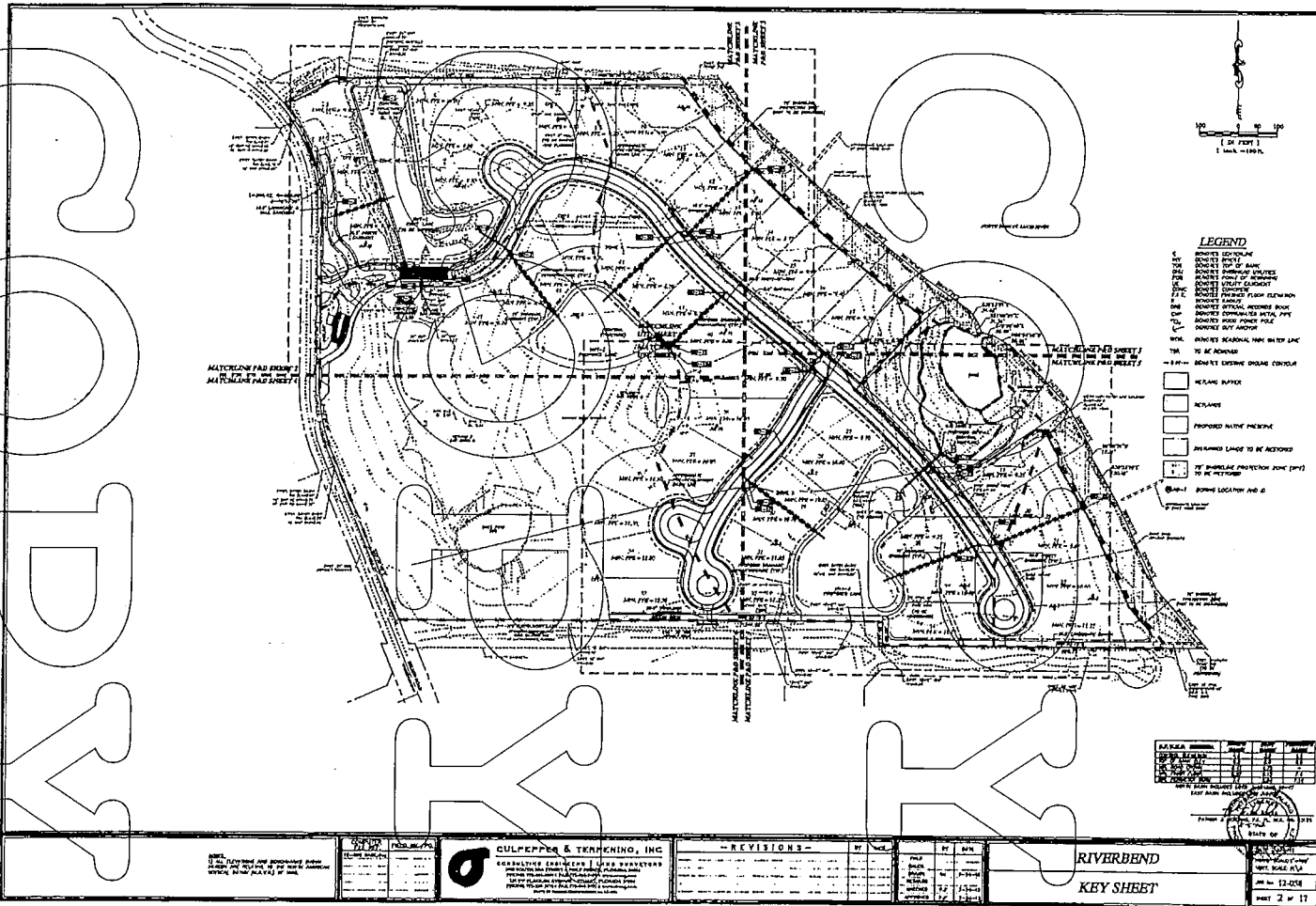
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SHEET NO.	DESCRIPTION
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3-C	PAVING, GRADING & DRAINAGE PLAN
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14	SWFP & CLEARING PLAN
15	SWFP DETAILS
16	SWFP SPECIFICATIONS
17	SPECIFICATIONS

CULPEPPER & TERPENING INC
CONSULTING ENGINEERS | LAND SURVEYORS

3000 NORTH WINTER STREET • P.O. BOX 2000, PALM BEACH, FLORIDA 33480 • (561) 844-3427
180 N.W. PENNSACOLA AVE • STUART, FLORIDA 34994 • (772) 594-9779
STATE OF FLORIDA BOARD OF PROFESSIONAL ENGINEERS REGISTRATION NO. 4888



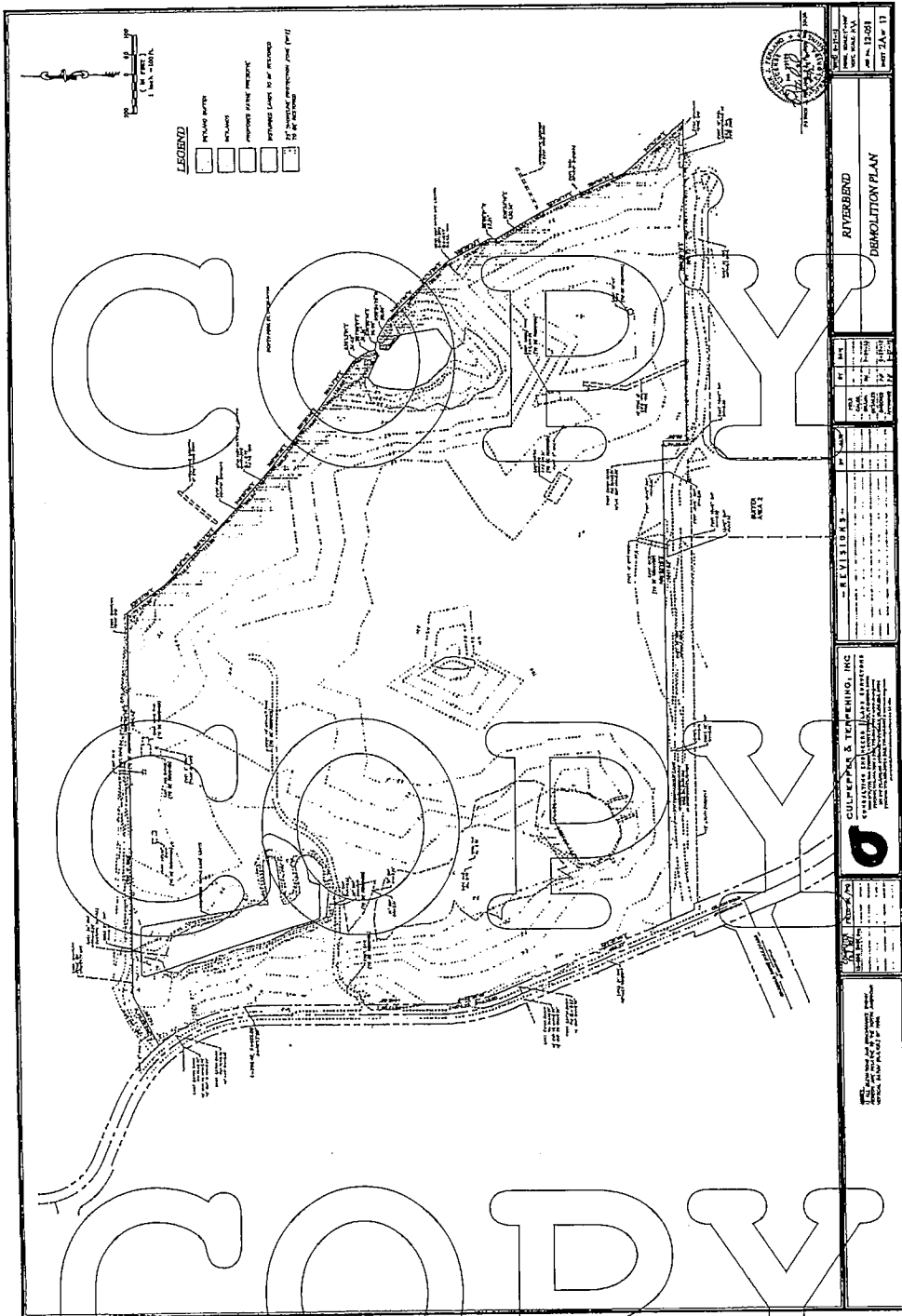
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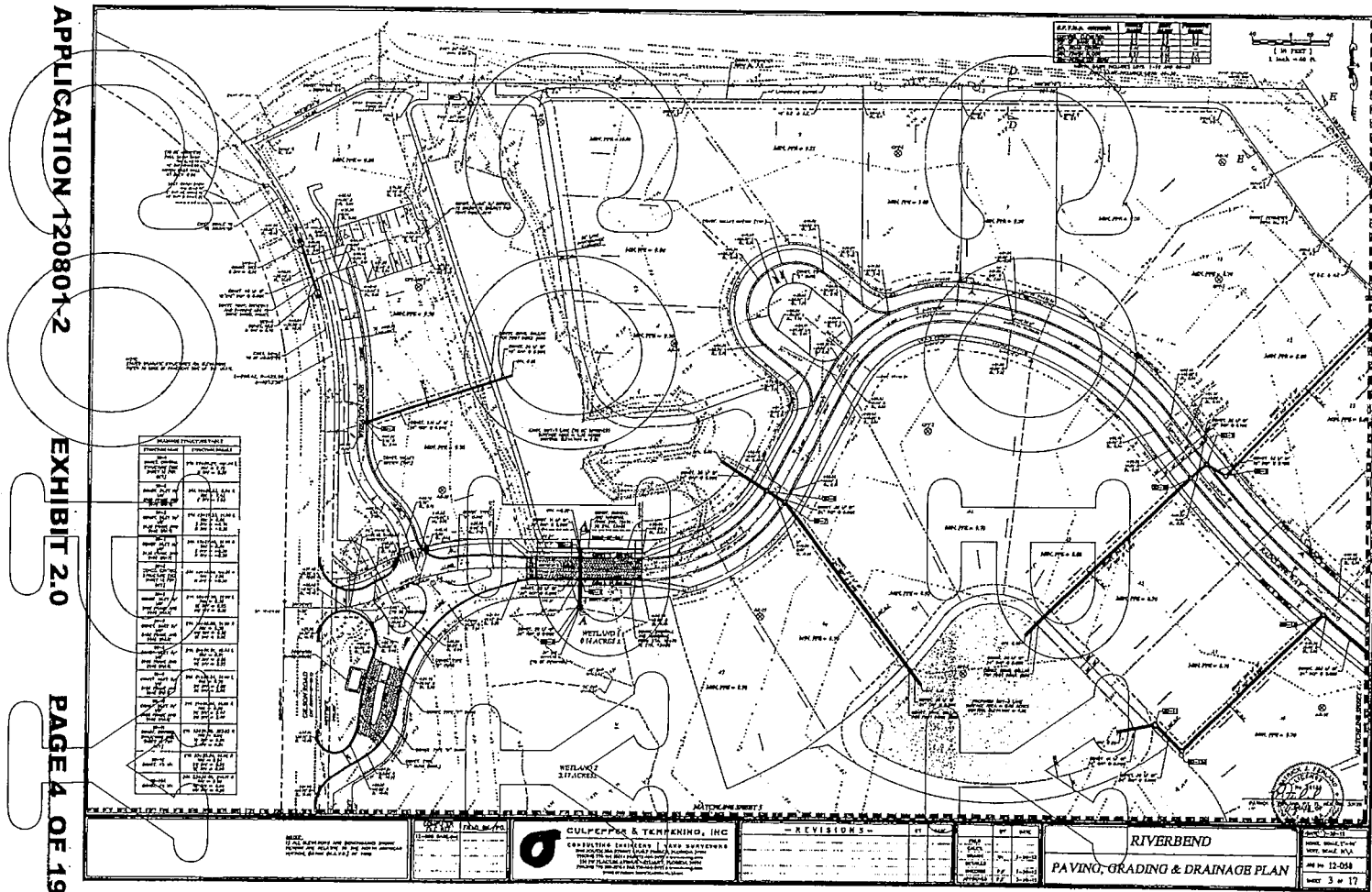
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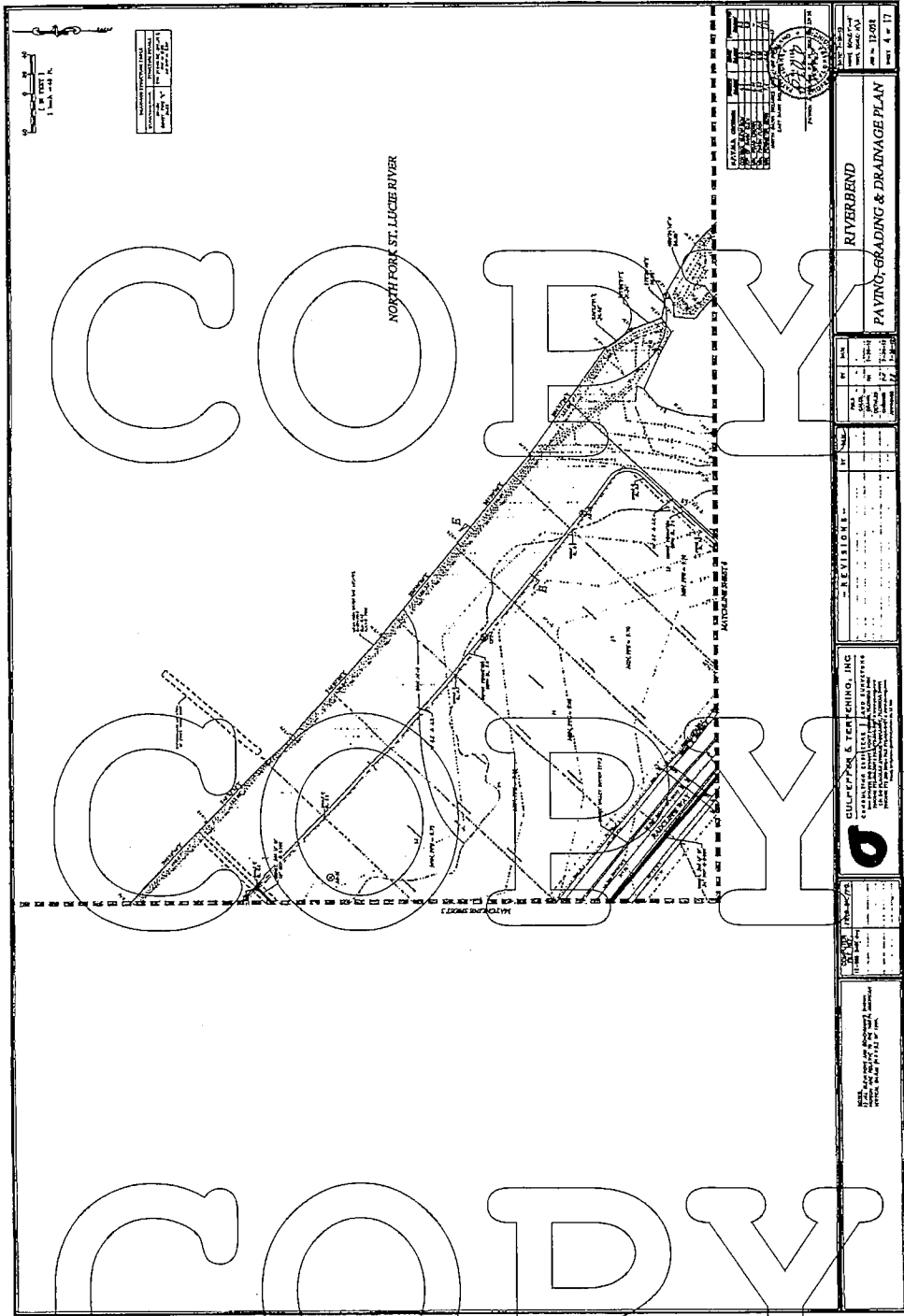
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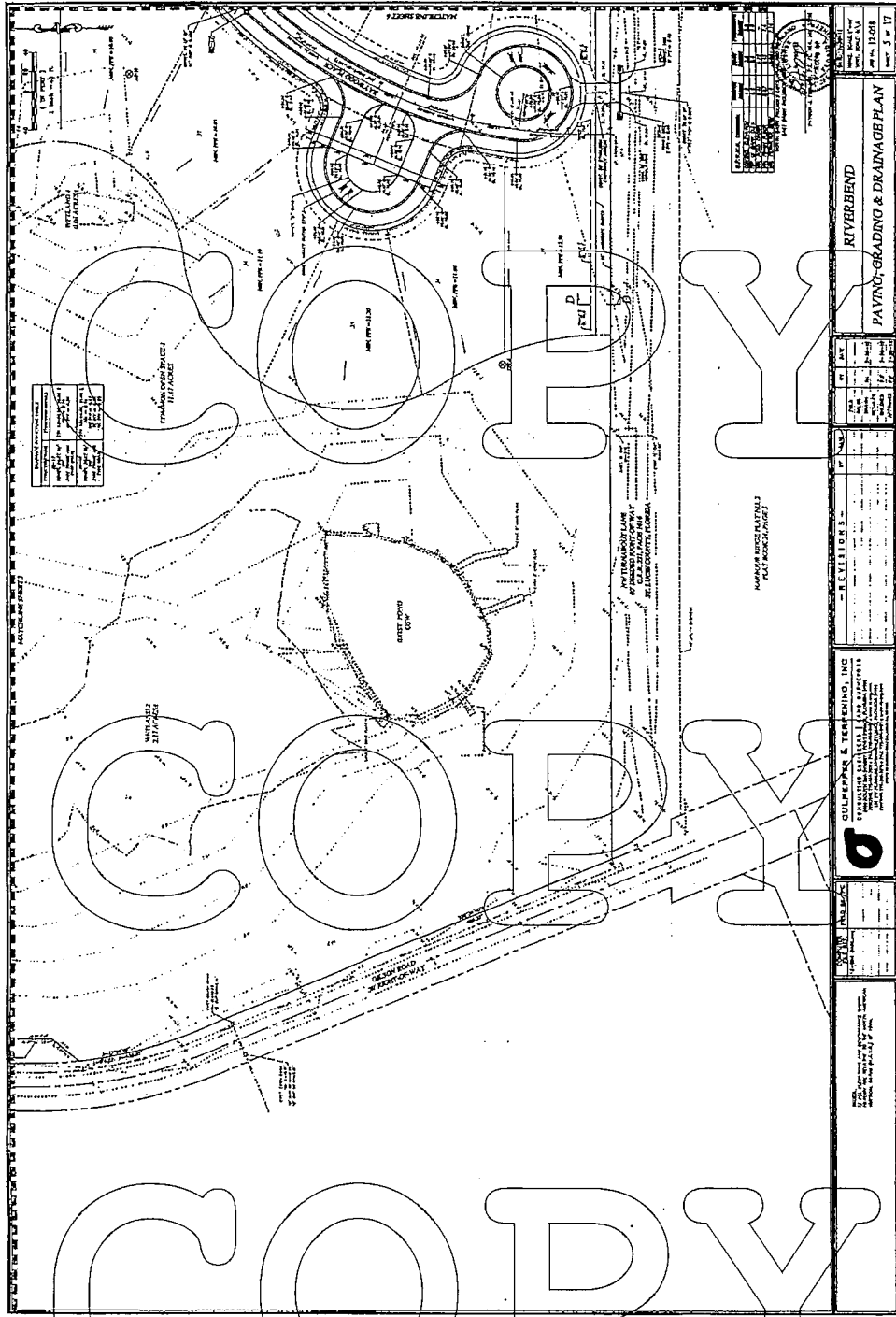
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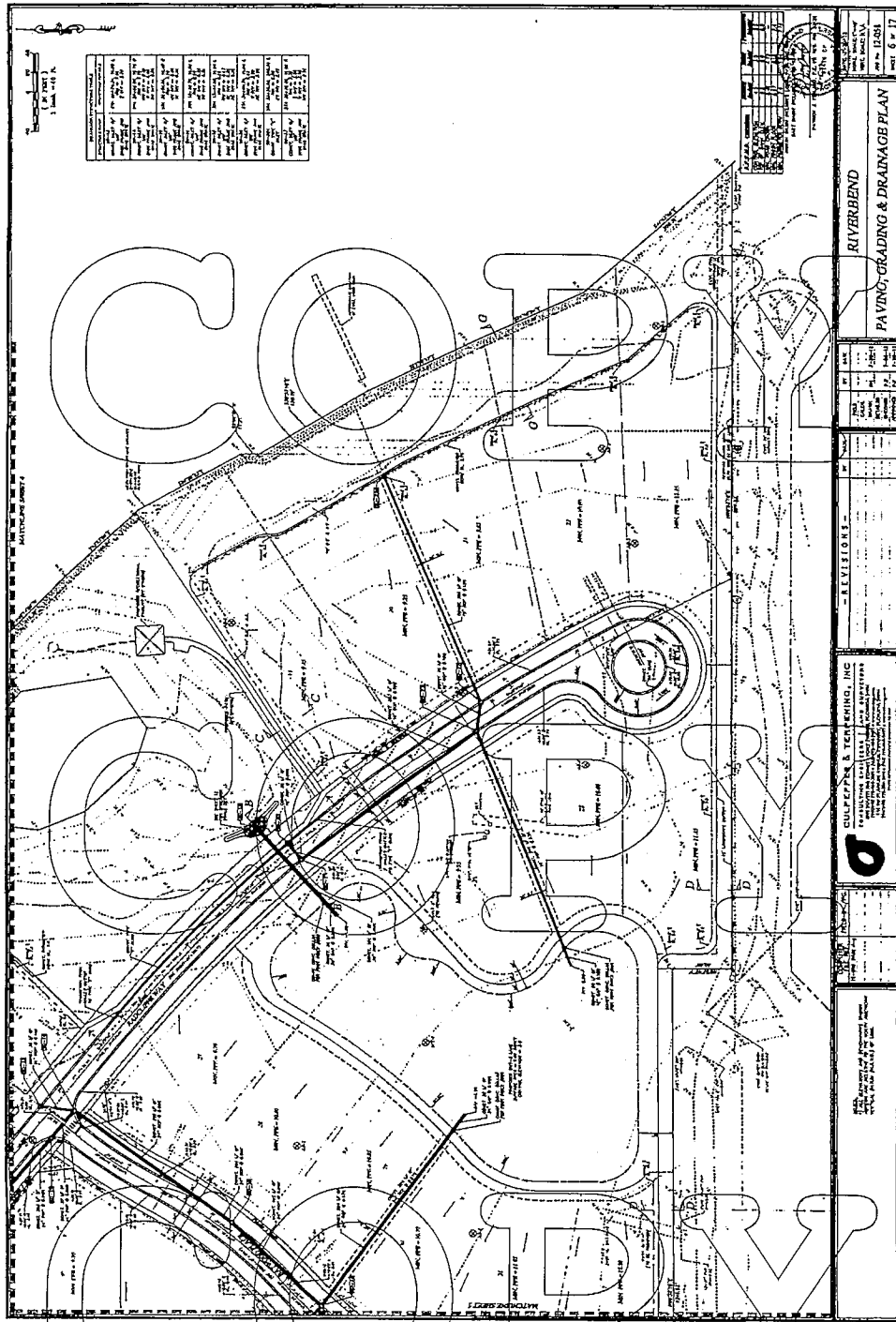
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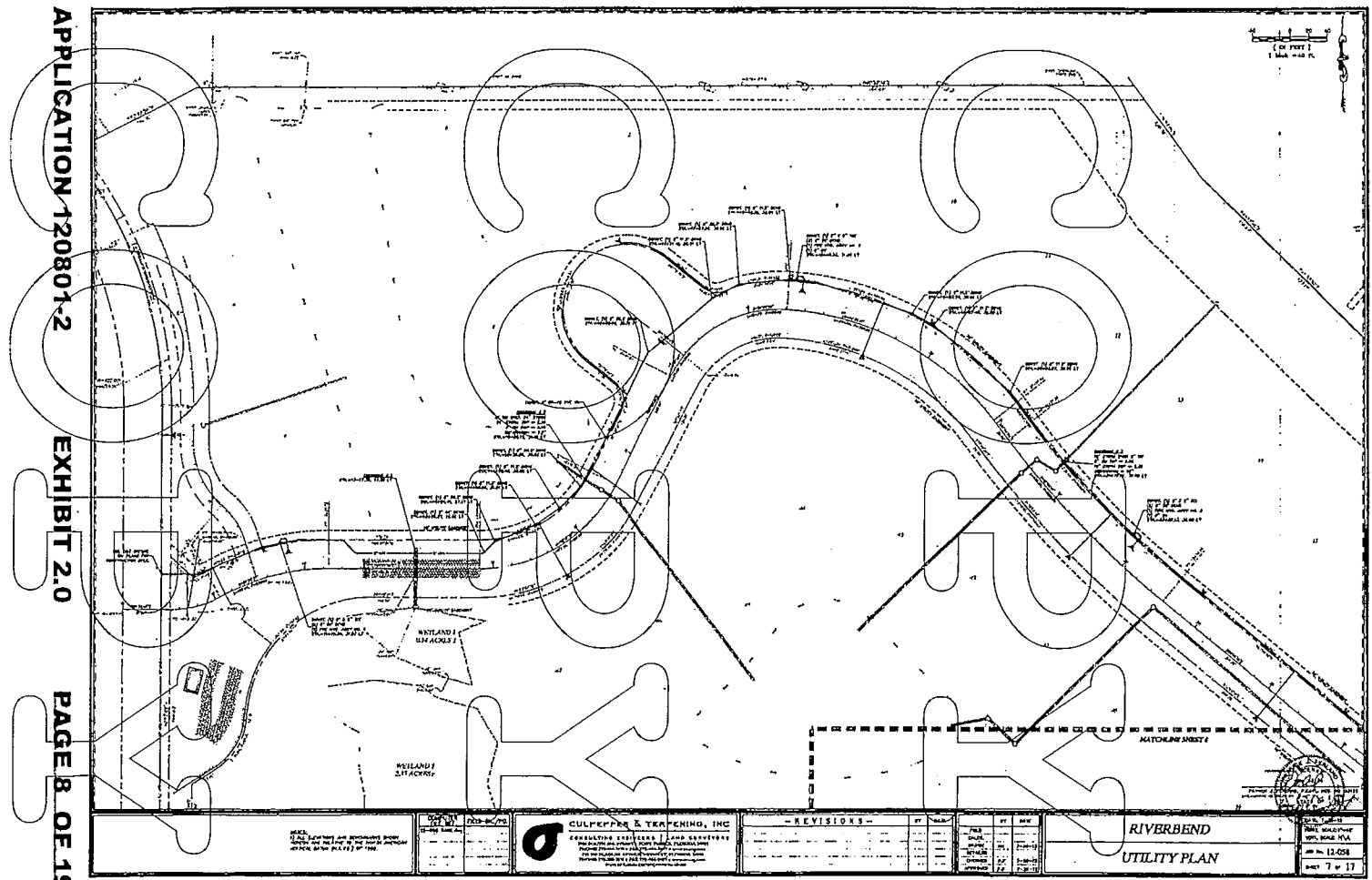


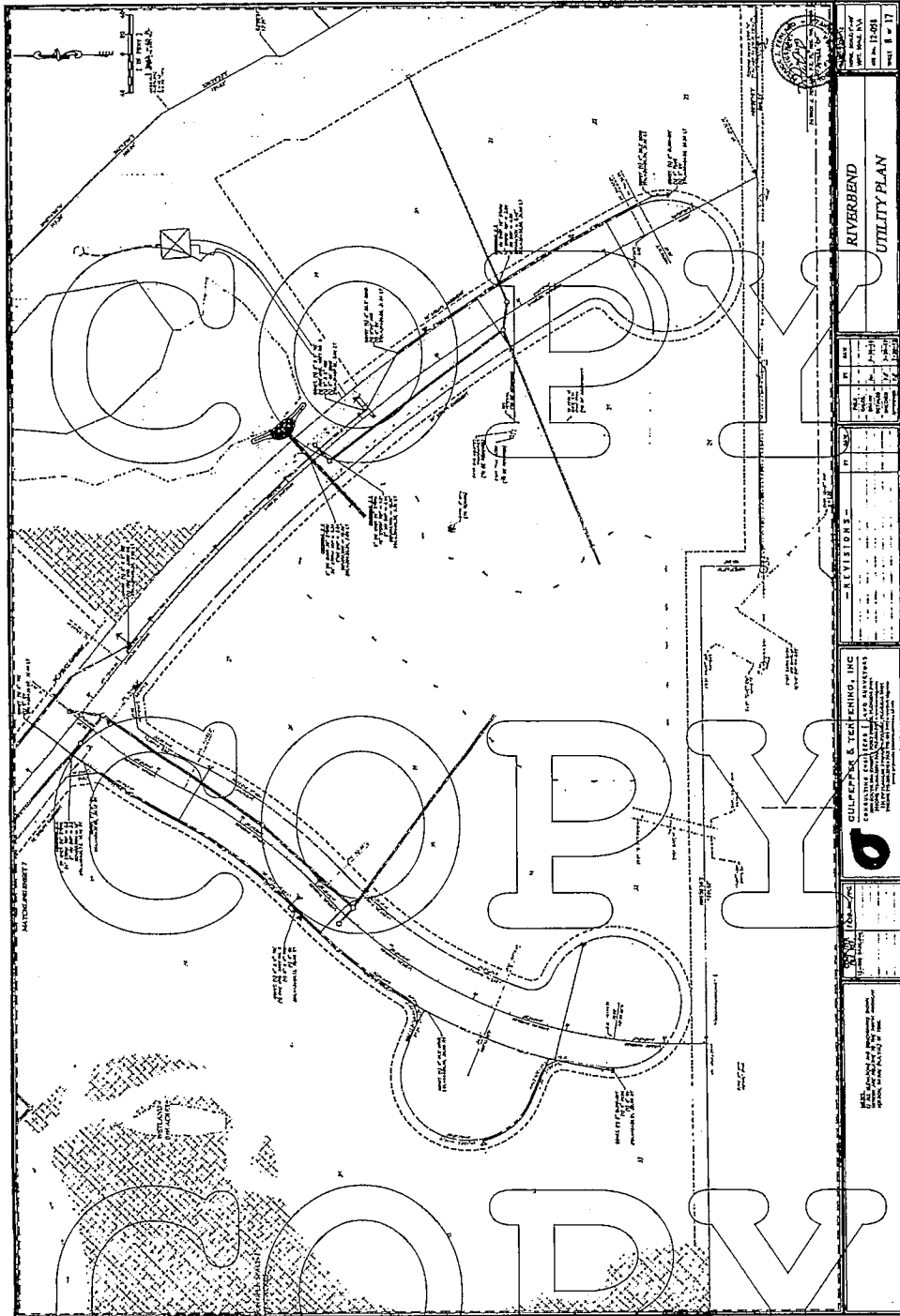
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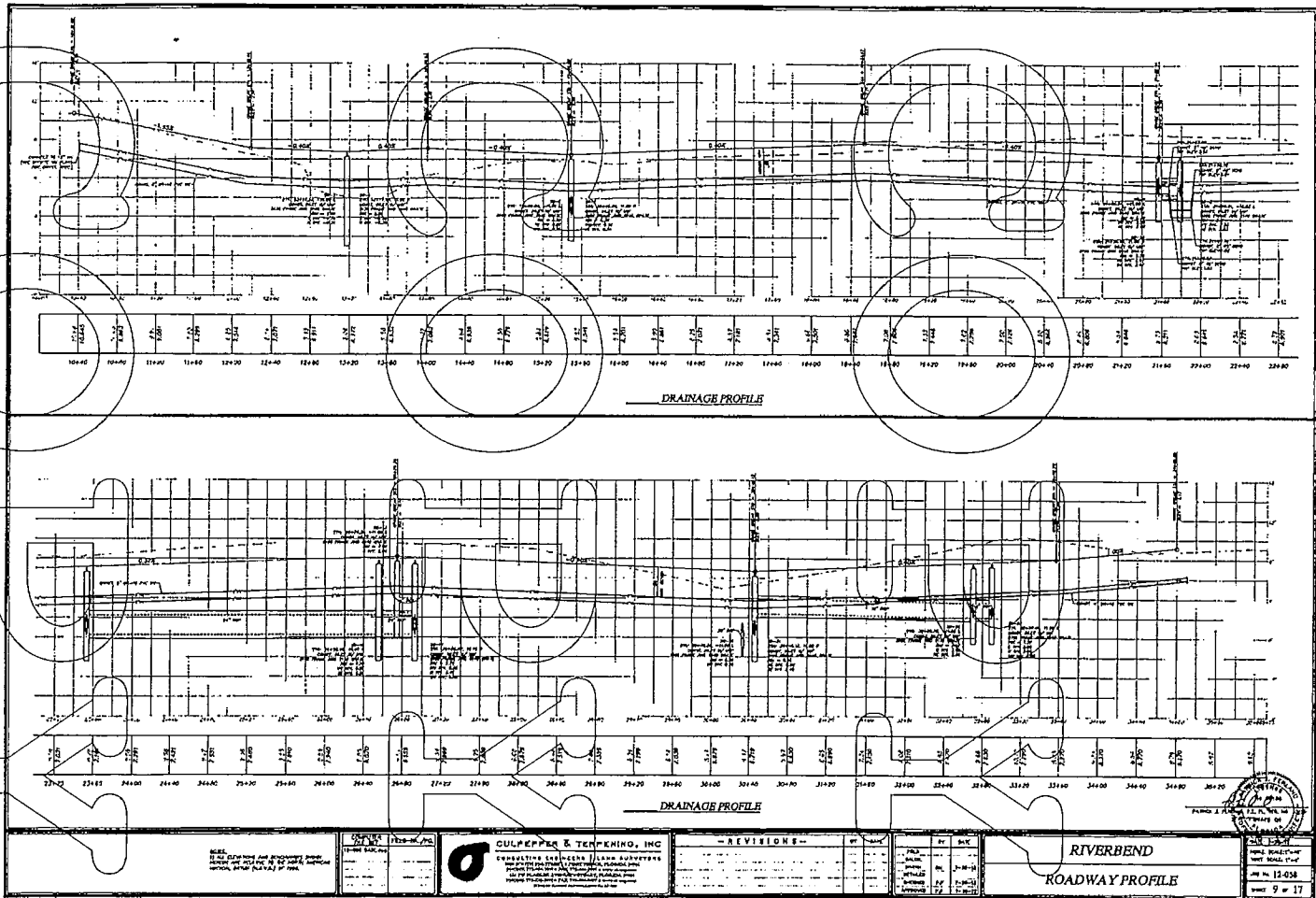
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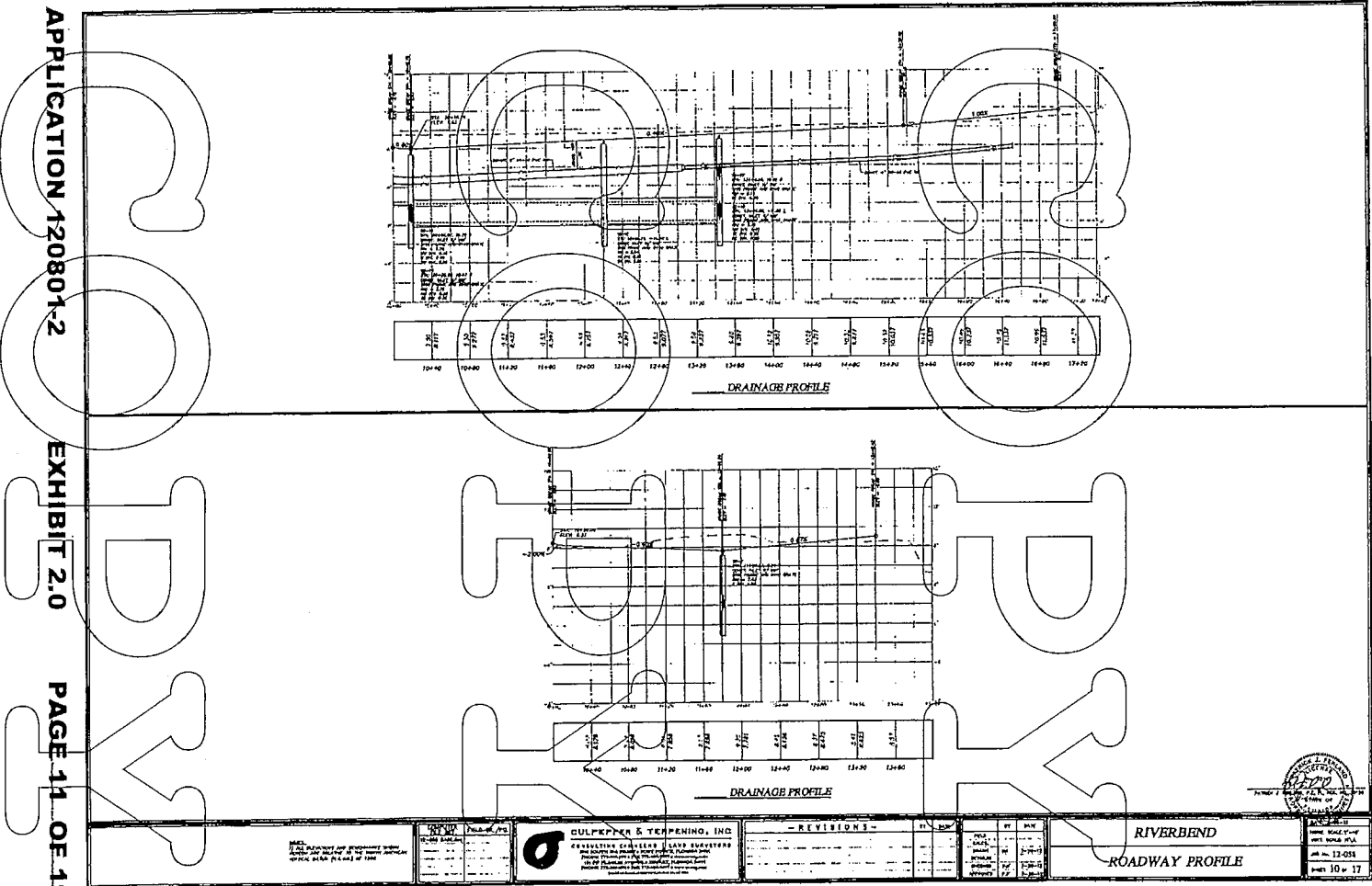
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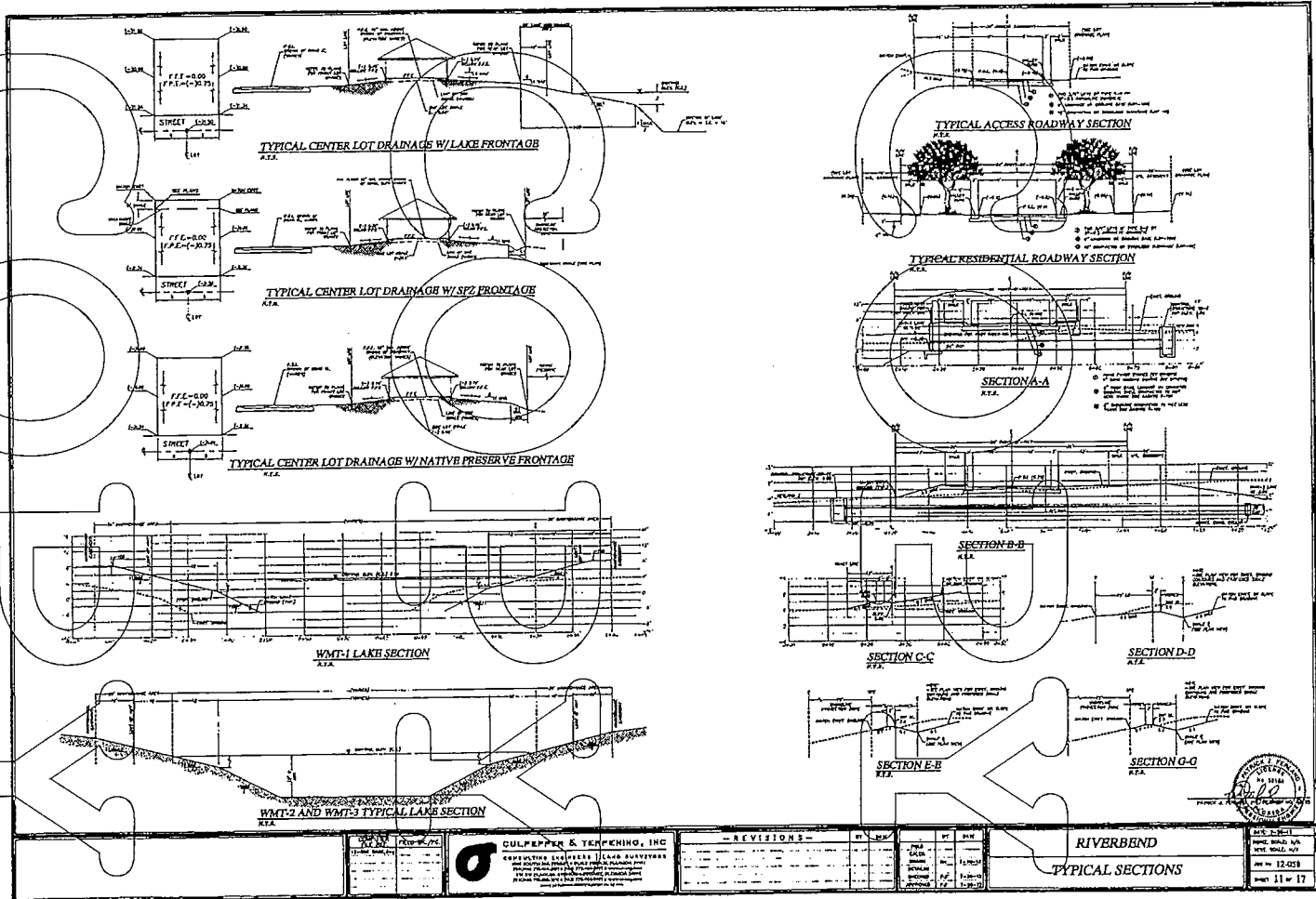
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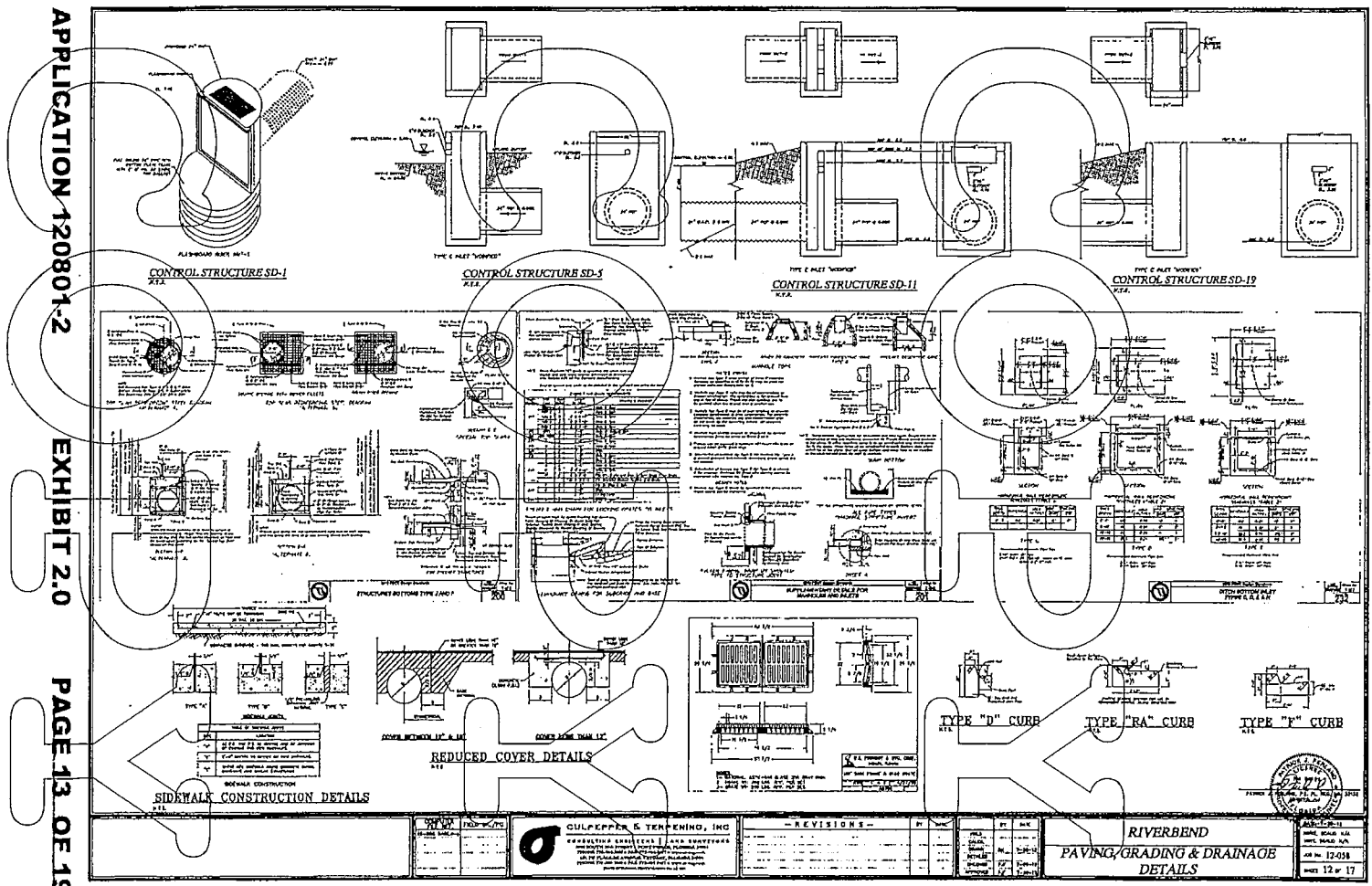


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SPREADER SWALB DETAIL

RIVERBEND PAVING, GRADING & DRAINAGE DETAILS

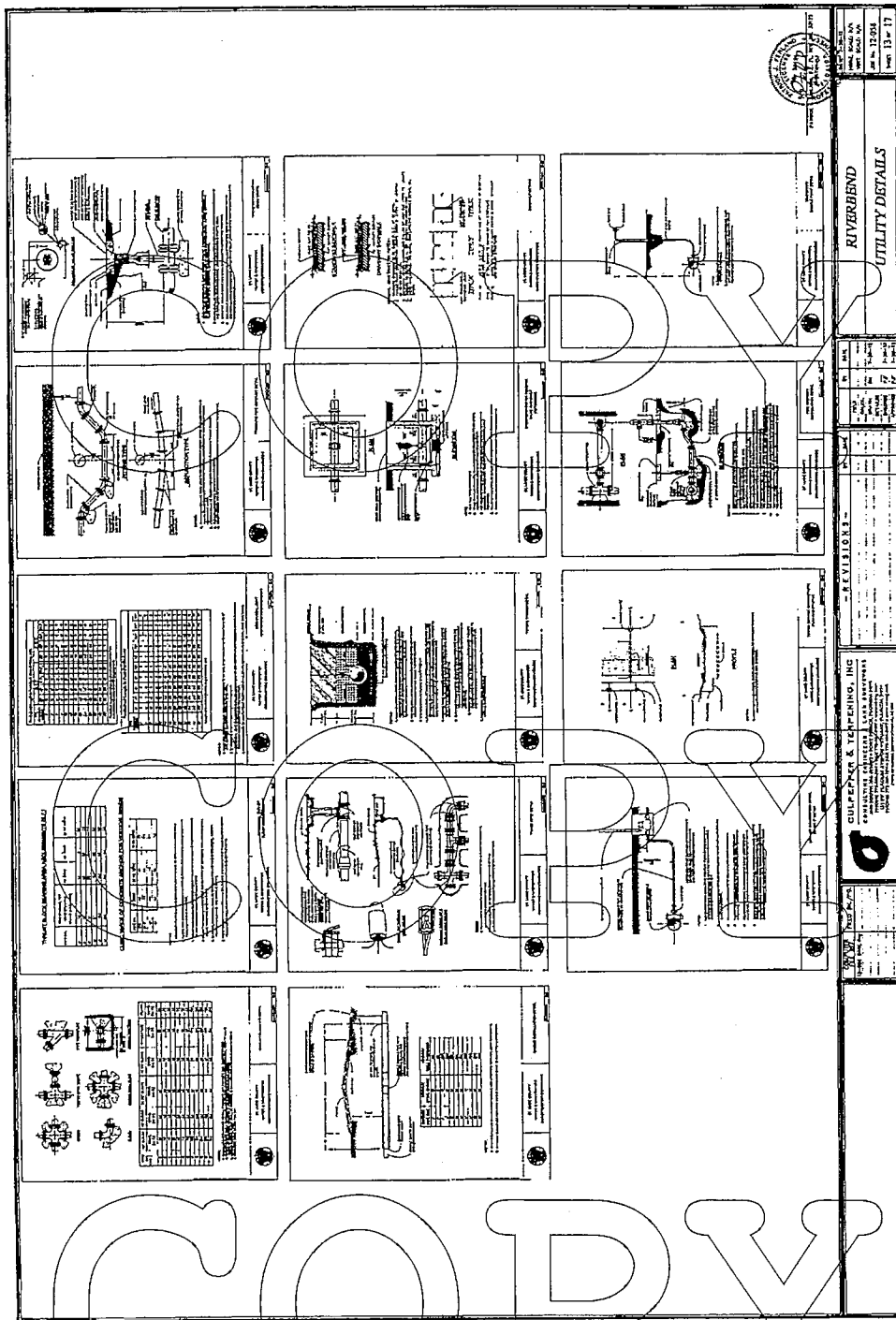
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 1000 N. 10th Street, Suite 1000, Portland, OR 97228
 Phone: (503) 253-1100 | Fax: (503) 253-1101
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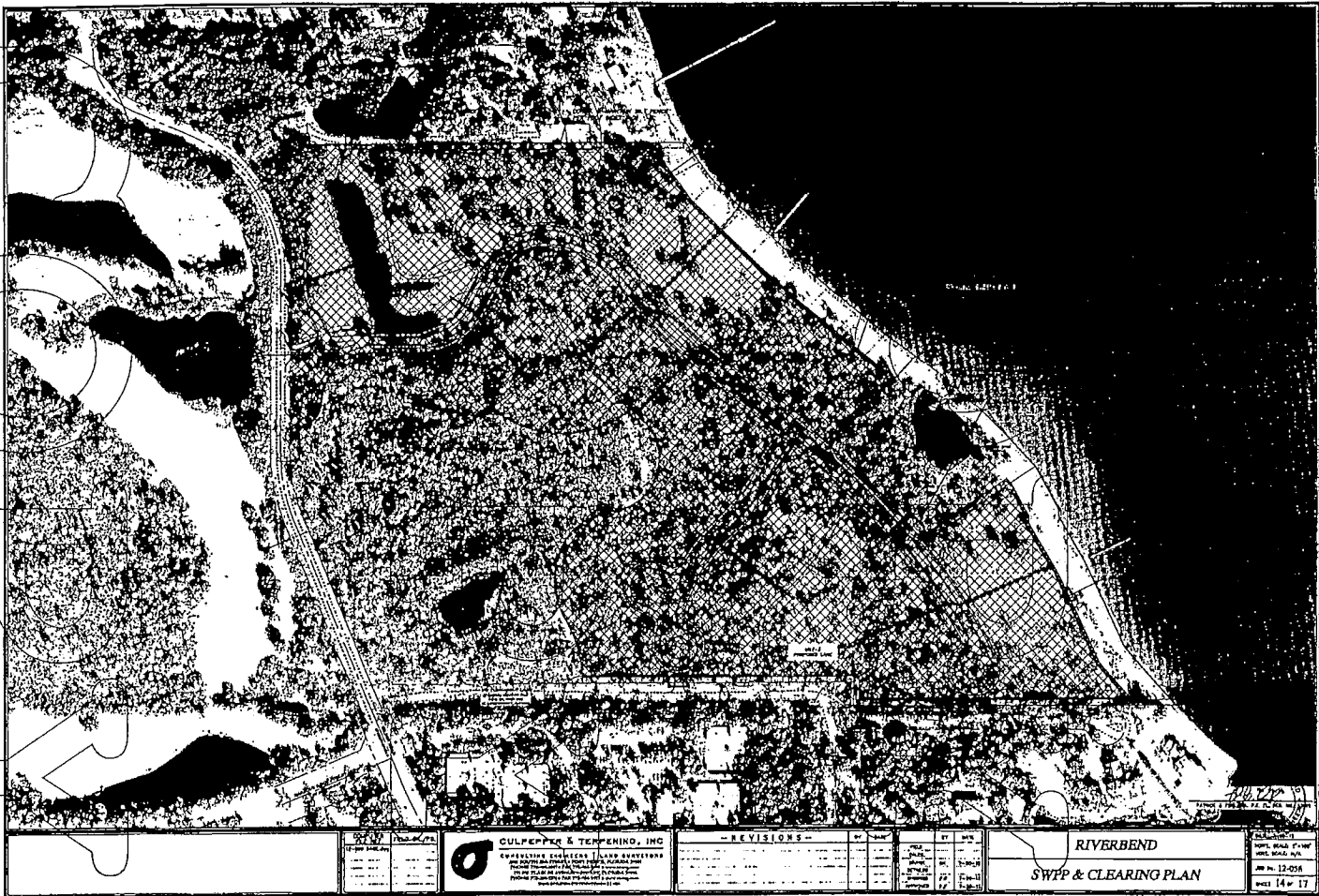
PROFESSIONAL ENGINEER
 No. 522
 State of Oregon
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DATE: 11/17/11
SCALE: AS SHOWN
PROJECT: 12-054
DATE: 11/17/11



		RIVERBEND UTILITY DETAILS	
EXHIBIT 120801-2	SHEET NO. 15 OF 19	DATE 11/28/12	DRAWN BY [Name]
GULPEN & TIERPINK, INC. ENGINEERS ARCHITECTS LAND SURVEYORS 10000 N. 10th Street, Suite 100 Portland, OR 97228 Phone: 503.253.8800 Fax: 503.253.8801 www.gulpen.com		PROJECT NO. 120801-2	

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EXHIBIT 2.0

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NO. 1	NO. 2	NO. 3	NO. 4	NO. 5	NO. 6	NO. 7	NO. 8	NO. 9	NO. 10	NO. 11	NO. 12	NO. 13	NO. 14	NO. 15	NO. 16	NO. 17	NO. 18	NO. 19	NO. 20	NO. 21	NO. 22	NO. 23	NO. 24	NO. 25	NO. 26	NO. 27	NO. 28	NO. 29	NO. 30	NO. 31	NO. 32	NO. 33	NO. 34	NO. 35	NO. 36	NO. 37	NO. 38	NO. 39	NO. 40	NO. 41	NO. 42	NO. 43	NO. 44	NO. 45	NO. 46	NO. 47	NO. 48	NO. 49	NO. 50	NO. 51	NO. 52	NO. 53	NO. 54	NO. 55	NO. 56	NO. 57	NO. 58	NO. 59	NO. 60	NO. 61	NO. 62	NO. 63	NO. 64	NO. 65	NO. 66	NO. 67	NO. 68	NO. 69	NO. 70	NO. 71	NO. 72	NO. 73	NO. 74	NO. 75	NO. 76	NO. 77	NO. 78	NO. 79	NO. 80	NO. 81	NO. 82	NO. 83	NO. 84	NO. 85	NO. 86	NO. 87	NO. 88	NO. 89	NO. 90	NO. 91	NO. 92	NO. 93	NO. 94	NO. 95	NO. 96	NO. 97	NO. 98	NO. 99	NO. 100
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GULPEPPER & TEMERIND, INC
 CONSULTING ENGINEERS | LAND SURVEYORS
 10000 N. 100th Ave., Suite 1000, Portland, OR 97220
 503.251.1234 | www.gulpepper.com

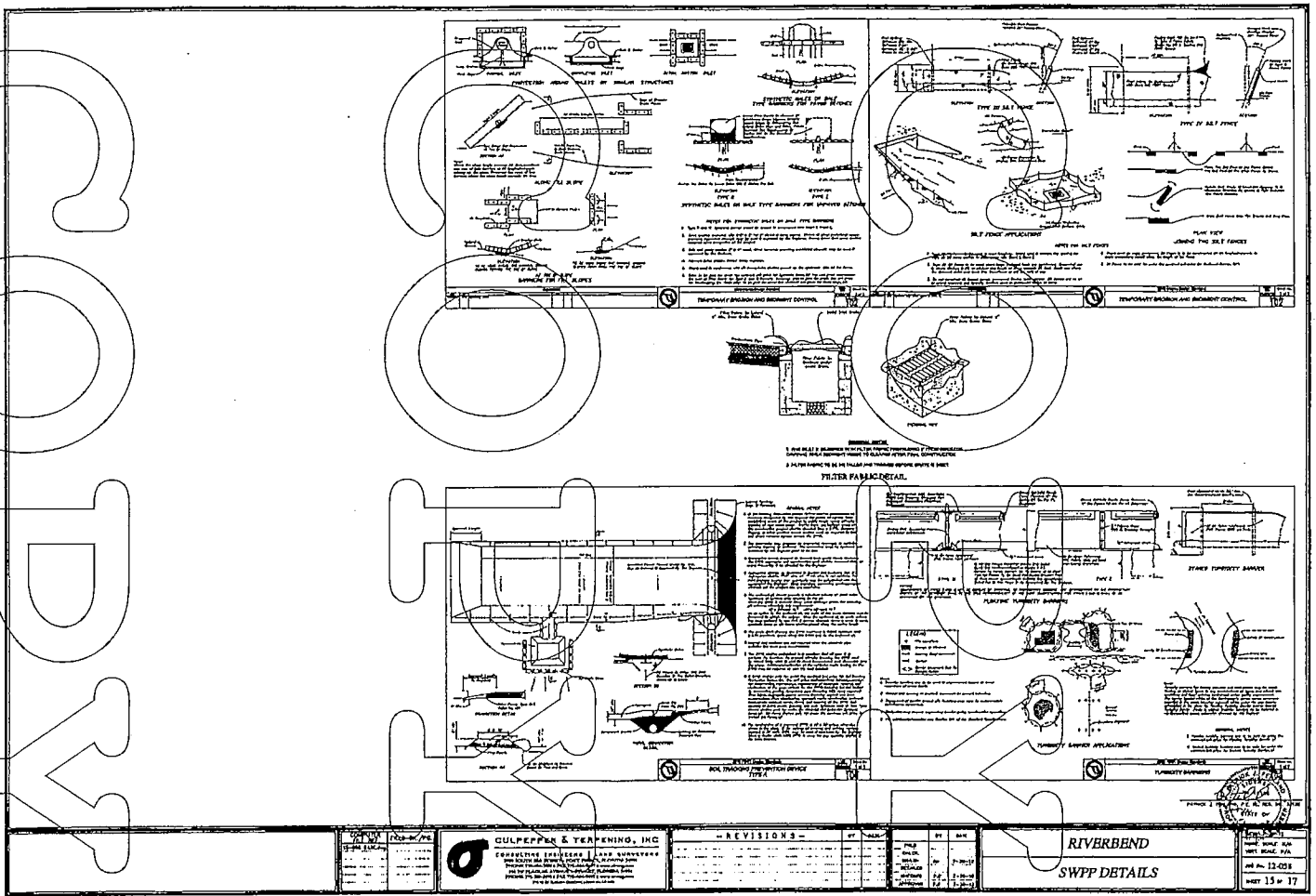
— REVISIONS —

NO.	DATE	DESCRIPTION
1	12-05-12	ISSUED FOR PERMIT
2	12-05-12	REVISED PER PERMIT COMMENTS
3	12-05-12	REVISED PER PERMIT COMMENTS
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RIVERBEND
SWTP & CLEARING PLAN

DATE: 12-05-12
 SHEET: 14 OF 17

APPLICATION 120801-2
 EXHIBIT 2.0
 PAGE 17 OF 19



GULPEPPER & TERPENING, INC. CONSULTING ENGINEERS LEAD ARCHITECTS 100 SOUTH 100 WEST, SUITE 200, SALT LAKE CITY, UTAH 84115 PHONE: 801.487.1234 FAX: 801.487.1235 WWW: WWW.GULPEPPER.COM		- REVISIONS -		RIVERBEND SWPP DETAILS		DATE: 12-13-08 DRAWN BY: [Name] CHECKED BY: [Name] SCALE: 1/8" = 1'-0"
NO.	DATE	BY	REASON	APP.	CHK.	
1	12-13-08	[Name]	ISSUE FOR PERMIT	[Name]	[Name]	
2	12-13-08	[Name]	REVISED PER PERMIT COMMENTS	[Name]	[Name]	
3	12-13-08	[Name]	REVISED PER PERMIT COMMENTS	[Name]	[Name]	

GENERAL NOTES:

1. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL, STATE AND FEDERAL AGENCIES.
2. THE CONTRACTOR SHALL MAINTAIN ACCESS TO ALL ADJACENT PROPERTIES AT ALL TIMES.
3. THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROTECTING ALL EXISTING UTILITIES AND STRUCTURES.
4. THE CONTRACTOR SHALL MAINTAIN ADEQUATE DRAINAGE AND EROSION CONTROL MEASURES THROUGHOUT THE PROJECT.
5. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION AND RESTORATION OF ALL ENVIRONMENTAL RESOURCES.
6. THE CONTRACTOR SHALL MAINTAIN ADEQUATE RECORDS OF ALL WORK DONE AND MATERIALS USED.
7. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION AND RESTORATION OF ALL EXISTING PLANTING AND LANDSCAPE.
8. THE CONTRACTOR SHALL MAINTAIN ADEQUATE RECORDS OF ALL WORK DONE AND MATERIALS USED.
9. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION AND RESTORATION OF ALL EXISTING PLANTING AND LANDSCAPE.
10. THE CONTRACTOR SHALL MAINTAIN ADEQUATE RECORDS OF ALL WORK DONE AND MATERIALS USED.

CONTRACTOR'S OBLIGATIONS:

The Contractor shall be responsible for the design, construction, and maintenance of the project. The Contractor shall be responsible for obtaining all necessary permits and approvals from the local, state, and federal agencies. The Contractor shall be responsible for maintaining access to all adjacent properties at all times. The Contractor shall be responsible for protecting all existing utilities and structures. The Contractor shall be responsible for maintaining adequate drainage and erosion control measures throughout the project. The Contractor shall be responsible for the protection and restoration of all environmental resources. The Contractor shall be responsible for maintaining adequate records of all work done and materials used. The Contractor shall be responsible for the protection and restoration of all existing planting and landscape. The Contractor shall be responsible for maintaining adequate records of all work done and materials used. The Contractor shall be responsible for the protection and restoration of all existing planting and landscape.

REVISIONS:

NO.	DATE	DESCRIPTION
1		
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DESIGNER'S OBLIGATIONS:

The Designer shall be responsible for the design and construction of the project. The Designer shall be responsible for obtaining all necessary permits and approvals from the local, state, and federal agencies. The Designer shall be responsible for maintaining access to all adjacent properties at all times. The Designer shall be responsible for protecting all existing utilities and structures. The Designer shall be responsible for maintaining adequate drainage and erosion control measures throughout the project. The Designer shall be responsible for the protection and restoration of all environmental resources. The Designer shall be responsible for maintaining adequate records of all work done and materials used. The Designer shall be responsible for the protection and restoration of all existing planting and landscape. The Designer shall be responsible for maintaining adequate records of all work done and materials used. The Designer shall be responsible for the protection and restoration of all existing planting and landscape.

DATE: 11/28/2012

SCALE: AS SHOWN

PROJECT: RIVERBEND SPECIFICATIONS

DESIGNER: DULPEPPER & TIERNEY, INC.

CONTRACTOR: [REDACTED]

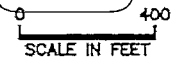
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AUG 03 2012



LABINS AERIAL 2011



OSW-1 - 1.1	W-1 - 0.1
OSW-2 - 0.5	W-2 - 2.2
OSW-3 - 0.04	W-3 - 0.7
OSW-4 - 0.5	W-4 - 0.1
2.14	3.1

LEGEND

- WETLAND AREA
- OTHER SURFACE WATER

RIVERBEND PUD

WETLANDS & OTHER SURFACE WATERS MAP

RIVERBEND.dwg WETLAND & OSW MAP



EW CONSULTANTS, INC.
 1000 SE MONTEREY COMMONS BLVD., SUITE 208
 STUART, FL 34998
 772-287-8771 FAX 772-287-2988
 WWW.EWCONSULTANTS.COM

JULY 2012

FIGURE

4A

Exhibit 3.0

Application No. 120801-2

Page 1 of 1

SOUTH FLORIDA WATER MANAGEMENT DISTRICT

DEED OF CONSERVATION EASEMENT

Return recorded document to:
SOUTH FLORIDA WATER MANAGEMENT DISTRICT
Environmental Resource Compliance
3301 Gun Club Road
West Palm Beach, FL 33406

THIS DEED OF CONSERVATION EASEMENT is given this 30th day of OCTOBER, 20 12, by Stuart Property Holdings Ltd.

_____ ("Grantor") whose mailing address is 450 East Las Olas Blvd, Suite 1500, Fort Lauderdale, Florida, 33301

to the South Florida Water Management District ("Grantee"). As used herein, the term "Grantor" shall include any and all heirs, successors or assigns of the Grantor, and all subsequent owners of the "Property" (as hereinafter defined) and the term "Grantee" shall include any successor or assignee of Grantee.

WITNESSETH

WHEREAS, the Grantor is the owner of certain lands situated in St. Lucie County, Florida, and more specifically described in Exhibit "A" attached hereto and incorporated herein ("Property"); and

WHEREAS, the Grantor desires to construct Riverbend subdivision ("Project") at a site in St. Lucie County, which is subject to the regulatory jurisdiction of South Florida Water Management District ("District"); and

WHEREAS, District Permit No. _____ ("Permit") authorizes certain activities which affect waters in or of the State of Florida; and

WHEREAS, this Permit requires that the Grantor preserve, enhance, restore and/or mitigate wetlands and/or uplands under the District's jurisdiction; and

WHEREAS, the Grantor, in consideration of the consent granted by the Permit, is agreeable to granting and securing to the Grantee a perpetual Conservation Easement as defined in Section 704.06, Florida Statutes, over the area described on Exhibit "B" ("Conservation Easement").

Incorporated by reference in paragraph 40E-4.091(1)(a), F.A.C.

sfwmd.gov

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Form 1190 (12/2011)

Exhibit 4.0

Application No. 120801-2

Page 1 of 18

NOW, THEREFORE, in consideration of the issuance of the Permit to construct and operate the permitted activity, and as an inducement to Grantee in issuing the Permit, together with other good and valuable consideration, the adequacy and receipt of which are hereby acknowledged, Grantor hereby grants, creates, and establishes a perpetual Conservation Easement for and in favor of the Grantee upon the property described on Exhibit "B" which shall run with the land and be binding upon the Grantor, and shall remain in full force and effect forever.

The scope, nature, and character of this Conservation Easement shall be as follows:

1. Recitals. The recitals hereinabove set forth are true and correct and are hereby incorporated into and made a part of this Conservation Easement.

2. Purpose. It is the purpose of this Conservation Easement to retain land or water areas in their natural, vegetative, hydrologic, scenic, open, agricultural or wooded condition and to retain such areas as suitable habitat for fish, plants or wildlife. Those wetland and/or upland areas included in this Conservation Easement which are to be enhanced or created pursuant to the Permit shall be retained and maintained in the enhanced or created conditions required by the Permit.

To carry out this purpose, the following rights are conveyed to Grantee by this easement:

a. To enter upon the Property at reasonable times with any necessary equipment or vehicles to enforce the rights herein granted in a manner that will not unreasonably interfere with the use and quiet enjoyment of the Property by Grantor at the time of such entry; and

b. To enjoin any activity on or use of the Property that is inconsistent with this Conservation Easement and to enforce the restoration of such areas or features of the Conservation Easement that may be damaged by any inconsistent activity or use.

3. Prohibited Uses. Except for restoration, creation, enhancement, maintenance and monitoring activities, or surface water management improvements, or other activities described herein that are permitted or required by the Permit, the following activities are prohibited in or on the Conservation Easement:

a. Construction or placing of buildings, roads, signs, billboards or other advertising, utilities, or other structures on or above the ground;

b. Dumping or placing of soil or other substance or material as landfill, or dumping or placing of trash, waste, or unsightly or offensive materials;

c. Removal or destruction of trees, shrubs, or other vegetation, except for the removal of exotic or nuisance vegetation in accordance with a District approved maintenance plan;

d. Excavation, dredging, or removal of loam, peat, gravel, soil, rock, or other material substance in such manner as to affect the surface;

e. Surface use except for purposes that permit the land or water area to remain in its natural or enhanced condition;

f. Activities detrimental to drainage, flood control, water conservation, erosion control, soil conservation, or fish and wildlife habitat preservation including, but not limited to, ditching, diking and fencing;

g. Acts or uses detrimental to such aforementioned retention of land or water areas;

h. Acts or uses which are detrimental to the preservation of the structural integrity or physical appearance of sites or properties having historical, archaeological, or cultural significance.

4. Grantor's Reserved Rights. Grantor reserves all rights as owner of the Property, including the right to engage in uses of the Property that are not prohibited herein and which are not inconsistent with any District rule, criteria, permit and the intent and purposes of this Conservation Easement.

Incorporated by reference in paragraph 40E-4.091(1)(a), F.A.C.

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Form 1190 (12/2011)

Exhibit 4.0

Application No. 120801-2

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5. No Dedication. No right of access by the general public to any portion of the Property is conveyed by this Conservation Easement.

6. Grantee's Liability. Grantee shall not be responsible for any costs or liabilities related to the operation, upkeep or maintenance of the Property.

7. Property Taxes. Grantor shall keep the payment of taxes and assessments on the Easement Parcel current and shall not allow any lien on the Easement Parcel superior to this Easement. In the event Grantor fails to extinguish or obtain a subordination of such lien, in addition to any other remedy, the Grantee may, but shall not be obligated to, elect to pay the lien on behalf of the Grantor and Grantor shall reimburse Grantee for the amount paid by the Grantee, together with Grantee's reasonable attorney's fees and costs, with interest at the maximum rate allowed by law, no later than thirty days after such payment. In the event the Grantor does not so reimburse the Grantee, the debt owed to Grantee shall constitute a lien against the Easement Parcel which shall automatically relate back to the recording date of this Easement. Grantee may foreclose this lien on the Easement Parcel in the manner provided for mortgages on real property.

8. Enforcement. Enforcement of the terms, provisions and restrictions of this Conservation Easement shall be at the reasonable discretion of Grantee, and any forbearance on behalf of Grantee to exercise its rights hereunder in the event of any breach hereof by Grantor, shall not be deemed or construed to be a waiver of Grantee's rights hereunder.

9. Assignment. Grantee will hold this Conservation Easement exclusively for conservation purposes. Grantee will not assign its rights and obligations under this Conservation Easement except to another organization or entity qualified to hold such interests under the applicable state laws.

10. Severability. If any provision of this Conservation Easement or the application thereof to any person or circumstances is found to be invalid, the remainder of the provisions of this Conservation Easement shall not be affected thereby, as long as the purpose of the Conservation Easement is preserved.

11. Terms and Restrictions. Grantor shall insert the terms and restrictions of this Conservation Easement in any subsequent deed or other legal instrument by which Grantor divests itself of any interest in the Conservation Easement.

12. Written Notice. All notices, consents, approvals or other communications hereunder shall be in writing and shall be deemed properly given if sent by United States certified mail, return receipt requested, addressed to the appropriate party or successor-in-interest.

13. Modifications. This Conservation Easement may be amended, altered, released or revoked only by written agreement between the parties hereto or their heirs, assigns or successors-in-interest, which shall be filed in the public records in St. Lucie County.

COPY

Incorporated by reference in paragraph 40E-4.091(1)(a), F.A.C.

sfwmd.gov

Page 3 of 9

Form 1190 (12/2011)

Exhibit 4.0

Application No. 120801-2

Page 3 of 18

TO HAVE AND TO HOLD unto Grantee forever. The covenants, terms, conditions, restrictions and purposes imposed with this Conservation Easement shall be binding upon Grantor, and shall continue as a servitude running in perpetuity with the Property.

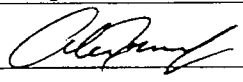
Grantor hereby covenants with said Grantee that Grantor is lawfully seized of said Property in fee simple; that the Conservation Easement is free and clear of all encumbrances that are inconsistent with the terms of this Conservation Easement; and all mortgages and liens on the Conservation Easement area, if any, have been subordinated to this Conservation Easement; and that Grantor has good right and lawful authority to convey this Conservation Easement; and that it hereby fully warrants and defends the title to the Conservation Easement hereby conveyed against the lawful claims of all persons whomsoever.

IN WITNESS WHEREOF,

(Grantor) has hereunto set its authorized hand this 30th day of OCTOBER, 2012.

Stuart Property Holdings Ltd.
a Florida corporation

By:



(Signature)

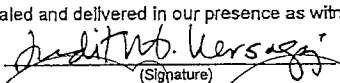
Name: Alex Muxo

(Print)

Title: Vice President

Signed, sealed and delivered in our presence as witnesses:

By:



(Signature)

Name:

JUDITH A. VERSAGGI
(Print)

By:



(Signature)

Name:

Elena Livingston
(Print)

STATE OF FLORIDA

) ss:

COUNTY OF BROWARD

On this 30th day of OCTOBER, 20 12 before me, the undersigned notary public, personally appeared ALEX MUÑOZ JR., the person who subscribed to the foregoing instrument, as the VICE PRESIDENT (title), of STUART PROPERTY HOLDINGS, LTD. (corporation), a Florida corporation, and acknowledged that he/she executed the same on behalf of said corporation and the he/she was duly authorized to do so. He/She is personally known to me or has produced a _____ (state) driver's license as identification.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

NOTARY PUBLIC, STATE OF FLORIDA

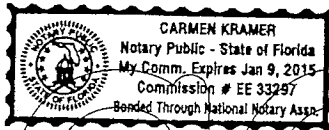
Carmen Kramer

(Signature)

Name: CARMEN KRAMER

(Print)

My Commission Expires: JANUARY 9th, 2015



COPY

COPY

Incorporated by reference in paragraph 40E-4.091(1)(a), F.A.C.

sfwmd.gov

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Form 1190 (12/2011)

Exhibit 4.0

Application No. 120801-2

Page 5 of 18

AFFIDAVIT OF NO MORTGAGE OR LIEN

This Affidavit of No Mortgage or Lien is made this 5 day of NOVEMBER, 2012, by Smart Property Holdings, LTD (property owner(s)) (Name(s)) should be listed the same way as the deed identifying the property owner(s)) (hereinafter referred to as "Owner" or collectively as "Owner"; and Owner owns the property located in St. Lucie County, Florida,

which is more fully described in Exhibit "A" attached hereto and made a part hereof (attach as Exhibit "A" the legal description for the Conservation Easement); and

Owner hereby swears and affirms that the property described in Exhibit A is not encumbered by a mortgage, lien, or other encumbrance which would interfere with the purposes or intent of the Conservation Easement.

IN WITNESS WHEREOF, Owner herein has caused these presents to be executed in Owner's name(s) on the day and year first above written.

(Remainder of page left intentionally blank)

Exhibit 4.0 Application No. 1208D1-2 Page 6 of 18

Note: If a corporation, use the Corporate Notary Page. If an Individual(s), use the Individual Notary Page.

CORPORATE NOTARY PAGE

IN WITNESS WHEREOF, Declarant has hereunto set its authorized hand the day and year first above written.

STUART PROPERTY HOLDINGS, LTD.
(a Florida corporation)

By: [Signature]

Print Name: ALEX MUXO JR

Title: V.P

COPY

(Add or modify signature lines as necessary to represent all Declarants)

Signed, sealed and delivered in our presence as witnesses:

By: [Signature] By: [Signature]

Print Name: Elena Livingston Print Name: WILLIAM SCHOTT

STATE OF FLORIDA
COUNTY OF BROWARD

On this 6th day of NOVEMBER, 2012 before me, the undersigned notary public, personally appeared ALEX MUXO JR. the person who subscribed to the foregoing instrument, as the VICE PRESIDENT (title), of STUART PROPERTY HOLDINGS (corporation), a Florida corporation, and acknowledged that he/she executed the same on behalf of said corporation and that he/she was duly authorized to do so. He/She is personally known to me or has produced a _____ (state) driver's license as identification.

COPY

NOTARY PUBLIC, STATE OF FLORIDA

[Signature]
Signature of Notary Public

CARMEN KROMER
Print Name of Notary Public

Commission Expires: January 9th, 2015

(Modify notary block as necessary to represent all Declarants)

COPY

EXHIBIT A

DESCRIPTION OF PROPERTY

COPY

COPY

COPY

Incorporated by reference in paragraph 40E-4.091(1)(a), F.A.C.

~~stvmnd.gov~~

Page 8 of 9

Form 1190 (1/2011)

Exhibit 4.0

Application No. 120801-2

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EXHIBIT "A"

RIVERBEND

LEGAL DESCRIPTION

Parcel 1

Begin at a point on the West line of Government Lot Four (4), Section 25, Township 37 South, Range 40 East, that is 888.52 feet North of the Southwest corner of said Government Lot 4; thence run North $89^{\circ} 29'$ East, on a line parallel to the South line of said Government Lot 4, a distance of 1,378 feet, more or less, to the waters of the St. Lucie River; thence run Northwesterly meandering the waters, a distance of 800 feet, more or less, to the point of intersection with a line that is 1,242 feet South of and parallel to the North line of Government Lot 4; thence run South $89^{\circ} 29'$ West along said line that is 1,242 feet South of the North line of Government Lot 4, a distance of 990.7 feet to the West line of said Government Lot 4; thence run South $00^{\circ} 01'$ East along said West Line of Government Lot 4, a distance of 552.6 feet to the Point of Beginning.

PARCEL 2

Begin at a point on the West line of Government Lot 4, Section 25, Township 37 South, Range 40 East, St. Lucie County, Florida, that is 888.52 feet North of the Southwest corner of said Government Lot 4; thence run South $00^{\circ} 10' 18''$ West along said West line, a distance of 50.00 feet to a point in the North line of the South 838.52 feet of said Government Lot 4; thence North $89^{\circ} 47' 48''$ East along said line, a distance of 50.00 feet; thence North $00^{\circ} 10' 18''$ East along a line that is 50.00 feet East of, and parallel with the West line of said Government Lot 4, a distance of 50.00 feet to a point in the North line of the South 888.52 feet of said Government Lot 4; thence South $89^{\circ} 47' 48''$ West along said line, a distance of 50.00 feet to the Point of Beginning.

Parcel 3

A certain parcel in Government Lot 3, Section 25, Township 37 South, Range 40 East, St. Lucie County, Florida, being more particularly described as follows: commencing at the Southeast corner of said Government Lot 3, Section 25, Township 37 South, Range 40 East, run thence North $00^{\circ} 11' 45''$ East, along the East line of Government Lot 3, a distance of 838.54 feet to the Point of Beginning of the hereinabove described parcel; thence continue North $00^{\circ} 11' 45''$ East along the East line of Government Lot 3, a distance of 603.03 feet to the South line of the North 1242.00 feet of Government Lot 4, of Section 25, Township 37 South, Range 40 East, St. Lucie County, Florida; thence South $62^{\circ} 22' 54''$ West, a distance of 142.11 feet to a point in the proposed Easterly Right-of-Way line of Gilson Road, said point being in the arc of a curve concave Westerly, having a radius of 425.00 feet from which point the radius bears South $49^{\circ} 55' 59''$ West; thence Southerly along the arc of said curve subtending a central angle of $40^{\circ} 15' 46''$, a

EXHIBIT "A"

distance of 298.65 feet to the end of said curve; thence South 00°11'45" West, continuing along said proposed East Right-of-way line, a distance of 262.22 feet; thence North 89°46'54" East, a distance of 25.00 feet more or less to the Point of Beginning.

PARCEL 4

Being a parcel of land lying in Government Lots 3 and 4, Section 25, Township 37 South, Range 40 East, St. Lucie County, Florida and being more particularly described as follows:

Commence at the Southwest corner of said Government Lot 4; thence N 00°11'45" E, along the West line of said Government Lot 4, a distance of 888.52 feet; thence 89°39'31" E, along a line parallel with the North line of said Government Lot 4, a distance of 50 feet to the Northeast corner of those lands as described in O.R. Book 196, page 2272, Public Records of St. Lucie County, Florida and the POINT OF BEGINNING.

Thence continue N 89°39'31" E a distance of 1545 feet more or less to the mean high water line of the St. Lucie River; thence meander said Mean High Water line Southeasterly a distance of 463 feet more or less to the intersection with a line 500.00 feet North of as measured at right angles and parallel with the South line of said Government Lot 4; thence S 89°47'34" W, along lastly said line a distance of 1931 feet more or less to the intersection of the proposed East right-of-way line of Gilson Road, as relocated, said point of intersection being in a curve concave to the Northeast having a radius of 435.00 feet the chord of which bears N 09°33'50" W; thence Northwesterly, Northerly and Northeasterly along the arc of said curve and said proposed East right-of-way line a distance of 148.19 feet through a central angle of 19°31'09"; thence continue along said proposed East right-of-way line, N 00°11'45" E a distance of 184.69 feet; thence S 89°48'15" E a distance of 75.00 feet to the intersection with the East line of those said lands as described in O.R. Book 196, Page 2272; thence N 00°11'45" E along said East line a distance of 50.00 feet to the POINT OF BEGINNING.

PARCEL 5

Being a parcel of land lying in Government Lot 4, Section 25, Township 37 South, Range 40 East, St. Lucie County, Florida, and being more particularly described as follows:

Commence at the Southwest corner of said Government Lot 4; thence N 89°37'34" E, along the South line of Government Lot 4, a distance of 213.85 feet to the proposed East right-of-way line of Gilson Road, as relocated; thence N 22°44'24" W along said East right-of-way line a distance of 64.96 feet to the North line of Turnabout Lane, as

EXHIBIT "A"

recorded in O.R. Book 221, Page 327, public records of St Lucie County, Florida and the POINT OF BEGINNING of the following described parcel:

Thence continue N 22°44'24" W, along said East right-of-way, a distance of 459.81 feet to the beginning of a curve concave to the Northeast having a radius of 435.00 feet, the chord of which bears N 21°29'23" W; thence Northwesterly along the arc of said curve a distance of 16.44 feet through a central angle 02°09'53" to the intersection with the North line of the South 500.00 feet of said Government Lot 4; thence N 89°47'34" E, along said North line, a distance of 1939.70 feet more or less to the Mean High Water Line of the North Fork of the St. Lucie River; thence meander said Mean High Water Line Southeasterly a distance of 602 feet, more or less to the intersection with the South line of said Government Lot 4; thence S 89°47'34" W a distance of 825 feet, more or less, to the Southeast corner of Turnabout Lane; thence N 00°12'26" W a distance of 60.00 feet; thence S 89°47'34" W along said Turnabout Lane, a distance of 1241.65 feet to the POINT OF BEGINNING.

COPY

COPY

EXHIBIT B

LEGAL DESCRIPTION AND SKETCH OF CONSERVATION AREA

COPY

COPY

COPY

Form 1190 (12/2011)

Exhibit 4.0

Incorporated by reference in paragraph 40E-4.091(1)(a), F.A.C.

Application No. 120801-2

sfwmd.gov

Page 9 of 9

Page 12 of 18

Exhibit "B"

LEGAL DESCRIPTION

Being an easement lying in Section 25, Township 37 South, Range 40 East, being more particularly described as follows:

Commence at the Southwest corner of Government Lot 4; thence North 00°17'09" East, along the West line of said Government Lot 4, a distance of 530.46 feet; thence South 89°42'51" East, a distance of 824.45 feet to the POINT OF BEGINNING of the following described easement;


Thence North 07°45'42" West, a distance of 49.76 feet; thence North 01°26'53" East, a distance of 60.35 feet; thence North 17°35'43" East, a distance of 36.29 feet to a point of curve to the right having a radius of 25.90 feet, a central angle of 134°55'10"; thence easterly along the arc a distance of 58.87 feet; thence South 27°29'07" East, a distance of 48.53 feet; thence South 04°51'01" East, a distance of 33.15 feet; thence South 11°51'56" West, a distance of 64.84 feet to the intersection with a non tangent curve concave to the northwest, having a radius of 135.00 feet, the chord of which bears South 49°31'37" West, 16.29 feet; thence southwesterly along the arc of said curve, a distance of 16.30 feet through a central angle of 06°55'00" to an intersection with a non-radial line bearing North 87°52'19" West; thence North 87°52'19" West, along said non-radial line, a distance of 51.30 feet to the POINT OF BEGINNING.

Containing 11,145.90 square feet or 0.256 acres, more or less.

NOTE: THIS IS NOT A SKETCH OF SURVEY, BUT ONLY A GRAPHIC DEPICTION OF THE DESCRIPTION SHOWN HEREON. THERE HAS BEEN NO FIELD WORK, VIEWING OF THE SUBJECT PROPERTY OR MONUMENTS SET IN CONNECTION WITH THE PREPARATION OF THE INFORMATION SHOWN HEREON.


NOTE: LANDS SHOWN HEREON WERE NOT ABSTRACTED FOR RIGHT-OF-WAY AND/OR EASEMENTS OF RECORD.

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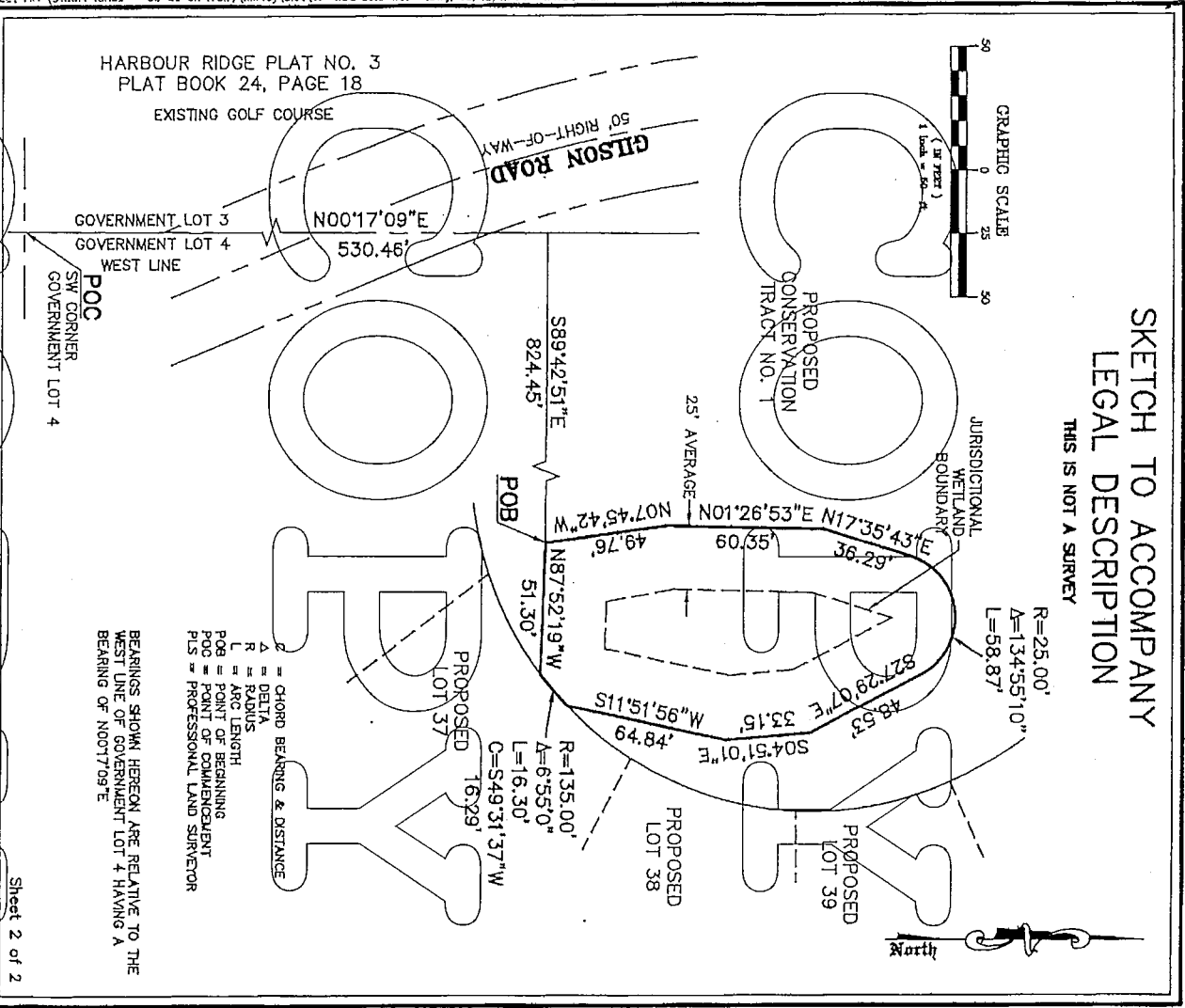
Michael J. Kolodziejczyk
 Michael J. Kolodziejczyk
 Professional Surveyor & Mapper
 Florida Certificate No. 3864
 10/12/2012
 Date

Sheet 1 of 2

<p>DESCRIPTION OF CONSERVATION EASEMENT</p> <p>Exhibit 4.0</p>	<p>File: 12-05Bssd_wet4.dwg Date: 10-10-2012 Tech: GLM</p>	 <p>CULPEPPER & TERPEKING, INC CONSULTING ENGINEERS LAND SURVEYORS 2981 SOUTH 25th STREET - FORT PIERCE, FLORIDA 34981 PHONE 772-464-9471 FAX 772-464-9471 www.ct-eng.com 211 SW FLAGLER AVENUE - STUART, FLORIDA 34994 PHONE 772-220-3376 FAX 772-464-9471 www.ct-eng.com STATE OF FLORIDA CERT. LICENSE NO. 13-001</p>
Application No. 120801-2		Page 13 of 18

SKETCH TO ACCOMPANY LEGAL DESCRIPTION

THIS IS NOT A SURVEY



- Δ = CHORD BEARING & DISTANCE
- Δ = DELTA
- R = RADIUS
- L = ARC LENGTH
- POB = POINT OF BEGINNING
- POC = POINT OF COMMENCEMENT
- PLS = PROFESSIONAL LAND SURVEYOR

BEARINGS SHOWN HEREON ARE RELATIVE TO THE WEST LINE OF GOVERNMENT LOT 4 HAVING A BEARING OF N0017.09 E

SKETCH OF DESCRIPTION
OF
CONSERVATION EASEMENT

File: 12-058322
Date: 10-10-2012
Tech: GJM

SULLREPPER & TERPENING, INC
CONSULTING ENGINEERS & LAND SURVEYORS
2000 WEST 134th STREET, SUITE 200, BLDG 200
LAKESIDE, ALASKA 99546
PHONE: 773-203-5174 FAX: 773-244-4471
WWW.SULLREPPER.COM

Application No. 120801-2 Page 14 of 18

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Exhibit "B"

LEGAL DESCRIPTION

Being an easement lying in Section 25, Township 37 South, Range 40 East, being more particularly described as follows;

Commence at the Southwest corner of Government Lot 4; thence North 00°17'09" East, along the West line of said Government Lot 4, a distance of 498.41 feet; thence South 89°42'51" East, a distance of 1547.46 feet to the POINT OF BEGINNING of the following described easement;

Thence North 21°49'36" West, a distance of 36.24 feet; thence North 49°22'28" West, a distance of 35.71 feet; thence North 14°15'08" West, a distance of 61.94 feet; thence North 24°41'9" East, a distance of 24.33 feet; thence North 12°00'30" West, a distance of 34.12 feet; thence North 21°47'51" West, a distance of 18.10 feet; thence North 18°10'18" East, a distance of 19.81 feet; thence North 05°13'21" East, a distance of 36.42 feet; thence North 04°56'45" West, a distance of 29.39 feet; thence North 20°35'23" East, a distance of 52.02 feet; thence North 43°59'35" East, a distance of 24.25 feet; thence North 69°22'02" East, a distance of 53.20 feet; thence South 85°15'56" East, a distance of 26.86 feet to a point of curve to the right having a radius of 25.00 feet, a central angle of 111°34'42", and a chord bearing of South 29°28'35" East, 41.35 feet; thence southeasterly along the arc a distance of 48.69 feet; thence South 26°18'46" West, a distance of 13.54 feet; thence South 51°12'12" West, a distance of 20.57 feet; thence South 18°19'47" West, a distance of 18.62 feet; thence South 05°48'37" West, a distance of 54.64 feet; thence South 22°27'30" East, a distance of 40.03 feet; thence South 42°23'15" East, a distance of 58.18 feet; thence South 71°38'25" East, a distance of 53.95 feet; thence South 01°10'04" East, a distance of 18.03 feet; thence South 34°29'13" East, a distance of 8.59 feet; thence South 84°02'53" East, a distance of 27.29 feet to a point of curve to the right having a radius of 25.00 feet, a central angle of 119°27'41", and a chord bearing of South 24°19'02" East, 43.18 feet; thence southeasterly along the arc a distance of 52.12 feet; thence South 35°24'48" West, a distance of 49.91 feet; thence South 50°02'42" West, a distance of 76.31 feet; thence South 73°20'56" West, a distance of 67.37 feet; thence North 49°30'04" West, a distance of 31.78 feet to the intersection with a non tangent curve concave to the southwest, having a radius of 1,750.00 feet, the chord of which bears North 41°18'45" West, 39.15 feet; thence northwesterly along the arc of said curve, a distance of 39.15 feet through a central angle of 01°16'54" to the POINT OF BEGINNING.

Containing 57,628.21 square feet or 1.323 acres, (more or less).

NOTE: THIS IS NOT A SKETCH OF SURVEY, BUT ONLY A GRAPHIC DEPICTION OF THE DESCRIPTION SHOWN HEREON. THERE HAS BEEN NO FIELD WORK, VIEWING OF THE SUBJECT PROPERTY OR MONUMENTS SET IN CONNECTION WITH THE PREPARATION OF THE INFORMATION SHOWN HEREON.

NOTE: LANDS SHOWN HEREON WERE NOT ABSTRACTED FOR RIGHT-OF-WAY AND/OR EASEMENTS OF RECORD.

Michael J. Kofodziegajk
Professional Surveyor & Mapper
Florida Certificate No. 63864

10/12/2012
Date

Sheet 1 of 2

DESCRIPTION
OF
CONSERVATION EASEMENT

File: 12-058s2d
wet3.dwg

Date: 10-10-2012

Tech: GLW



CULPEPPER & TERPENING, INC
CONSULTING ENGINEERS | LAND SURVEYORS
2800 SOUTH 25th STREET - FORT MEADE, FLORIDA 34991
PHONE 772-464-5357 - FAX 772-464-5977 - www.cteng.com
251 SW FLAGLER AVENUE - STUART, FLORIDA 34994
PHONE 772-220-3376 - FAX 772-464-5977 - www.cteng.com
STATE OF FLORIDA EXHIBITATION 18-026

Exhibit 4.0

Application No. 126801-2

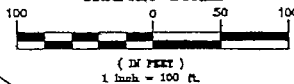
Page 15 of 18

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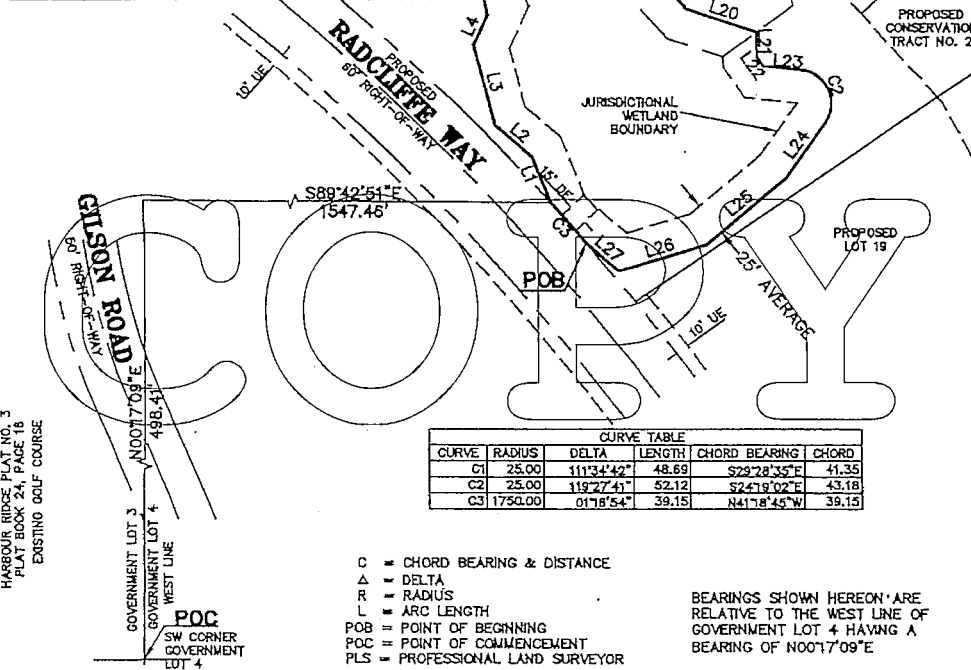
SKETCH TO ACCOMPANY LEGAL DESCRIPTION

THIS IS NOT A SURVEY

GRAPHIC SCALE



LINE	LENGTH	BEARING
L1	36.24	N21°49'36"W
L2	35.71	N49°22'29"W
L3	61.94	N14°15'08"W
L4	24.33	N24°41'19"E
L5	34.12	N12°00'30"W
L6	18.10	N21°47'51"W
L7	19.81	N181°0'19"E
L8	36.42	N05°13'21"E
L9	29.39	N02°58'39"W
L10	52.02	N20°35'23"E
L11	24.25	N43°59'35"E
L12	53.20	N69°22'02"E
L13	26.85	S85°15'56"E
L14	13.64	S26°18'46"W
L15	20.57	S51°12'12"W
L16	18.82	S18°19'47"W
L17	54.84	S05°46'37"W
L18	40.03	S22°27'30"E
L19	58.18	S42°23'15"E
L20	53.95	S71°38'28"E
L21	18.03	S01°10'04"E
L22	8.58	S34°29'13"E
L23	27.29	S84°02'55"E
L24	49.91	S35°24'48"W
L25	76.31	S50°02'42"W
L26	67.37	S73°20'56"W
L27	31.78	N49°30'04"W



CURVE	RADIUS	DELTA	LENGTH	CHORD BEARING	CHORD
C1	25.00	111°34'42"	48.89	S29°28'35"E	41.35
C2	25.00	119°27'41"	52.12	S24°18'02"E	43.18
C3	1750.00	01°18'54"	39.15	N41°18'45"W	39.15

- C = CHORD BEARING & DISTANCE
- Δ = DELTA
- R = RADIUS
- L = ARC LENGTH
- POB = POINT OF BEGINNING
- POC = POINT OF COMMENCEMENT
- PLS = PROFESSIONAL LAND SURVEYOR

BEARINGS SHOWN HEREON ARE
RELATIVE TO THE WEST LINE OF
GOVERNMENT LOT 4 HAVING A
BEARING OF N001°7'09"E

Sheet 2 of 2

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SKETCH OF DESCRIPTION OF CONSERVATION EASEMENT

File: 12-058add
wet3.dwg
Date: 10-10-2012
Tech: GLM



CULPEPPER & TERPENING, INC
CONSULTING ENGINEERS & LAND SURVEYORS
2900 SOUTH 25th STREET • POKY HILLS, FLORIDA 34981
PHONE 772-464-8137 • FAX 772-464-9497 • www.ct-engineers.com
151 SW FLAGLER AVENUE • STUART, FLORIDA 34994
PHONE 772-220-3374 • FAX 772-464-7497 • www.ct-engineers.com
STATUTE OF FLORIDA CHAPTER 461.002(1)(a)

EXHIBIT 4.0

Application No. 120801-2

Page 16 of 18

Exhibit "B"

LEGAL DESCRIPTION

Being an easement lying in Section 25, Township 37 South, Range 40 East, being more particularly described as follows:

Commence at the Southwest corner of Government Lot 4; thence North 00°17'09" East, along the West line of said Government Lot 4, a distance of 556.78 feet; thence South 89°42'51" East, a distance of 157.67 feet to the POINT OF BEGINNING of the following described easement;

Thence North 36°21'48" East, a distance of 60.75 feet; thence North 69°59'39" West, a distance of 26.02 feet; thence North 18°48'30" West, a distance of 73.25 feet; thence North 04°05'02" West, a distance of 72.71 feet; thence North 42°07'00" West, a distance of 29.98 feet; thence North 00°19'15" West, a distance of 55.87 feet; thence North 82°35'37" East, a distance of 58.70 feet; thence North 50°28'09" West, a distance of 37.81 feet to a point of curve to the right having a radius of 25.00 feet, a central angle of 76°21'25", and a chord bearing of North 12°17'26" West, 30.91 feet; thence northerly along the arc a distance of 33.32 feet to the intersection with a non tangent curve concave to the south, having a radius of 132.00 feet, the chord of which bears North 79°27'41" East, 49.07 feet; thence easterly along the arc of said curve, a distance of 48.36 feet through a central angle of 21°25'30"; thence South 89°49'34" East, a distance of 114.32 feet to a point of curve to the left having a radius of 192.00 feet, a central angle of 03°00'51", and a chord bearing of North 88°40'01" East, 10.10 feet; thence easterly along the arc a distance of 70.10 feet to the intersection with a non tangent curve concave to the west, having a radius of 25.00 feet, the chord of which bears South 07°46'44" East, 48.30 feet; thence southerly along the arc of said curve, a distance of 65.45 feet through a central angle of 149°59'27"; thence South 57°12'59" West, a distance of 9.42 feet; thence South 14°13'47" East, a distance of 58.14 feet; thence South 31°06'58" East, a distance of 47.04 feet; thence South 14°00'26" West, a distance of 47.25 feet; thence South 16°54'54" East, a distance of 49.31 feet; thence South 19°59'52" East, a distance of 25.15 feet; thence South 48°29'46" East, a distance of 22.18 feet; thence South 83°14'11" East, a distance of 52.26 feet; thence South 35°53'33" East, a distance of 38.37 feet; thence South 78°49'31" East, a distance of 62.03 feet; thence South 31°06'59" East, a distance of 34.90 feet; thence South 18°51'17" East, a distance of 51.12 feet; thence South 31°06'58" East, a distance of 46.52 feet; thence South 00°19'15" East, a distance of 60.69 feet; thence South 23°45'45" West, a distance of 31.88 feet to a point of curve to the right having a radius of 25.00 feet, a central angle of 90°01'22", and a chord bearing of South 68°46'27" West, 35.36 feet; thence westerly along the arc a distance of 39.28 feet; thence North 66°12'52" West, a distance of 26.70 feet; thence North 79°45'41" West, a distance of 29.33 feet; thence North 83°14'11" West, a distance of 37.00 feet; thence South 47°51'20" West, a distance of 27.15 feet; thence South 57°49'12" West, a distance of 57.40 feet; thence South 47°51'20" West, a distance of 58.30 feet to the intersection with a non tangent curve concave to the north, having a radius of 35.00 feet, the chord of which bears North 69°17'37" West, 54.18 feet; thence westerly along the arc of said curve, a distance of 61.95 feet through a central angle of 101°24'55"; thence North 07°55'53" West, a distance of 36.86 feet; thence North 34°09'48" West, a distance of 50.72 feet; thence North 42°07'00" West, a distance of 12.90 feet; thence North 12°55'08" West, a distance of 69.83 feet; thence North 61°06'08" West, a distance of 7.13 feet; thence South 89°40'45" West, a distance of 20.57 feet to a point of curve to the right having a radius of 25.00 feet, a central angle of 131°47'50", and a chord bearing of North 24°25'20" West, 45.64 feet; thence northwesterly along the arc a distance of 57.51 feet; thence North 41°28'35" East, a distance of 11.37 feet; thence North 19°21'21" East, a distance of 12.42 feet; thence North 42°07'00" West, a distance of 38.06 feet to the POINT OF BEGINNING.

Containing 151,203.57 square feet or 3.471 acres, more or less.

NOTE: THIS IS NOT A SKETCH OF SURVEY, BUT ONLY A GRAPHIC DEPICTION OF THE DESCRIPTION SHOWN HEREON. THERE HAS BEEN NO FIELD WORK, MEASURING OF THE SUBJECT PROPERTY OR MONUMENTS SET IN CONNECTION WITH THE PREPARATION OF THE INFORMATION SHOWN HEREON.

NOTE: LANDS SHOWN HEREON WERE NOT ABSTRACTED FOR RIGHT-OF-WAY AND/OR EASEMENTS OF RECORD.

Professional Surveyor & Mapper Florida Certificate No. 3864

Michael T. Kolodziejczyk Date

Sheet 1 of 2

DESCRIPTION OF CONSERVATION EASEMENT Exhibit 4.0 Application No. 120801-2 Page 17 of 18

File: 12-05832d wet1&2.dwg Date: 10-10-2012

Tech: GLM



CULPEPPER & TERPENING, INC CONSULTING ENGINEERS & LAND SURVEYORS 2880 SOUTH 25th STREET - FORT PIERCE, FLORIDA 34981 PHONE 888-664-5557 - FAX 772-464-5497 - www.culpepper.com 251 SW KLAGER AVENUE - STUART, FLORIDA 34994 PHONE 772-220-3376 - FAX 772-464-5497 - www.culpepper.com STATE OF FLORIDA CERTIFICATE NO. 14-226

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SKETCH TO ACCOMPANY LEGAL DESCRIPTION

THIS IS NOT A SURVEY

LINE	LENGTH	BEARING
L1	60.75	N56°21'48"E
L2	28.02	N89°59'38"W
L3	73.25	N18°45'30"W
L4	72.71	N04°05'02"W
L5	29.98	N42°07'00"W
L6	33.87	N00°19'15"W
L7	58.10	N82°35'37"E
L8	37.81	N50°28'09"W
L9	114.32	S89°49'34"E
L10	9.42	S87°12'59"W
L11	58.14	S41°37'47"E
L12	47.04	S199°56'55"E
L13	47.25	S170°26'W
L14	49.31	S16°44'44"E
L15	26.15	S10°59'52"E
L16	22.18	S47°29'46"E
L17	52.28	S37°41'11"E
L18	38.57	S58°41'11"E
L19	62.03	S109°48'37"E
L20	34.90	S170°49'11"E
L21	51.13	S103°43'11"E
L22	45.52	S103°43'11"E
L23	40.65	S103°43'11"E
L24	31.88	S82°19'31"E
L25	28.78	N89°17'53"W
L26	28.33	N82°41'11"W
L27	37.00	N82°41'11"W
L28	27.15	S71°31'28"W
L29	57.40	S71°31'28"W
L30	58.30	S47°41'28"W
L31	36.86	N91°53'33"W
L32	50.72	N31°09'48"W
L33	12.90	N44°02'04"W
L34	68.83	N14°02'04"W
L35	71.3	N17°53'08"W
L36	20.52	N89°40'43"W
L37	11.57	N89°40'43"W
L38	12.42	N19°21'21"E
L39	36.06	N43°07'00"W

HARBOUR RIDGE PLAT NO. 3
PLAT BOOK 24, PAGE 18
EXISTING GOLF COURSE

GOVERNMENT LOT 3
GOVERNMENT LOT 4
SW CORNER GOVERNMENT LOT 4

△ = DELTA
R = RADIIUS
L = LINE LENGTH
POB = POINT OF BEGINNING
POC = POINT OF CURVATURE
PIS = PROFESSIONAL AND SURVEYOR
C = CHORD BEARING & DISTANCE

CURVE RADIIUS	DELTA	LENGTH	CHORD BEARING	CHORD
C1	25.00	78.2125	33.32	30.81
C2	132.00	21.2530	49.26	49.07
C3	132.00	03.0051	10.10	10.10
C4	25.00	143.8927	63.45	507.4844
C5	25.00	90.0122	39.28	588.1637
C6	25.00	107.2455	61.95	N88°17'37"W 54.18
C7	25.00	131.4280	57.51	N24°25'20"W 45.64

Sheet 2 of 2

SKETCH OF DESCRIPTION OF CONSERVATION EASEMENT

Exhibit A-D

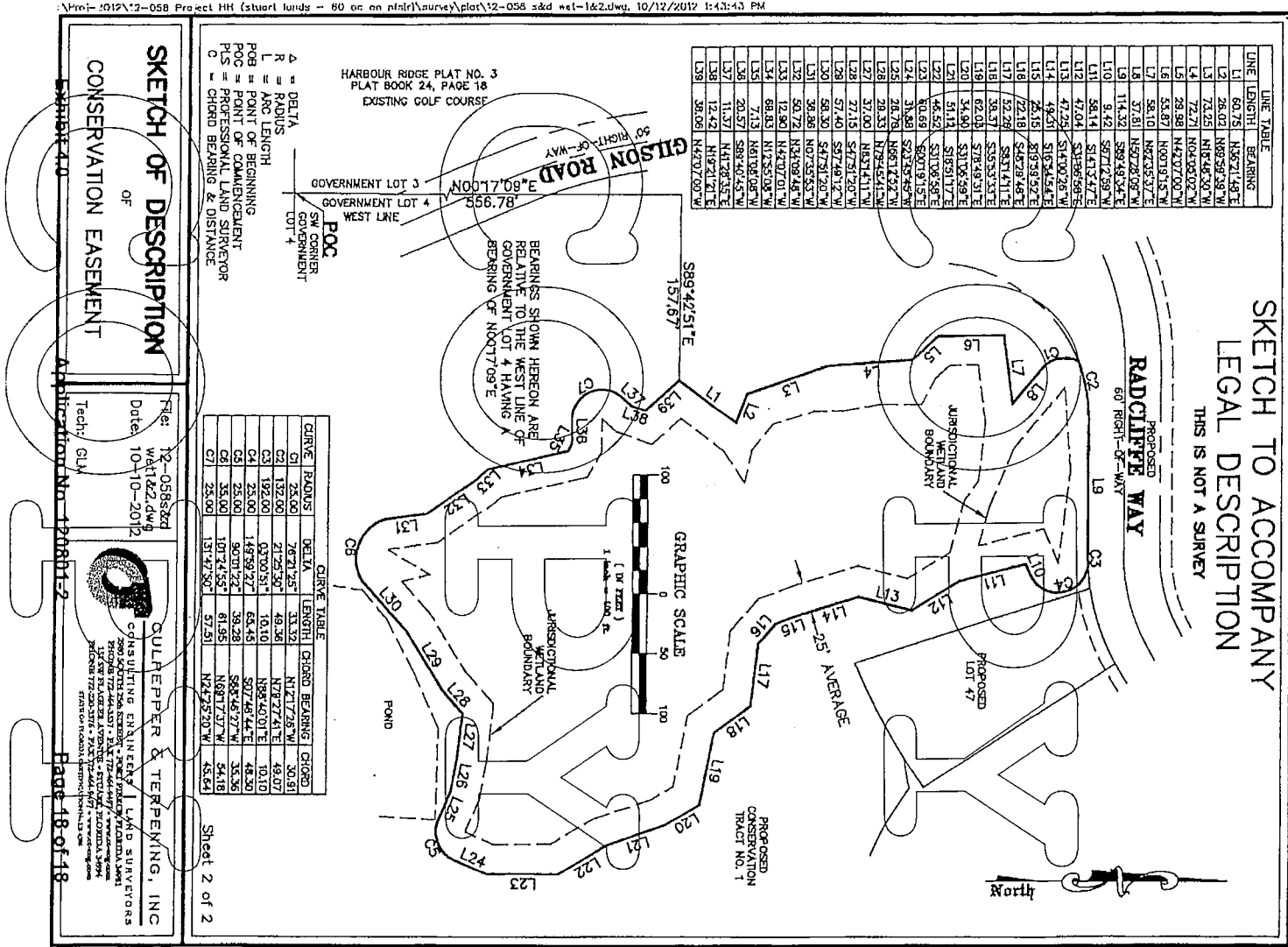
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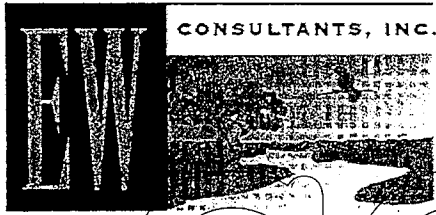
File: 12-058s&d
West62.dwg
Date: 10-10-2012

Tech: GUY

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CONSULTING ENGINEERS / LAND SURVEYORS
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3610 N.W. 20TH ST., SUITE 100, MIAMI, FL 33157
STARBUCKS BUILDING



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NATURAL RESOURCE MANAGEMENT, WETLAND, AND ENVIRONMENTAL PERMITTING SERVICES



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RIVERBEND PUD
ST. LUCIE COUNTY, FLORIDA

**WETLAND MONITORING AND
MAINTENANCE PLAN**

COPY
Prepared for:
CULPEPPER & TERPENING, INC.
Prepared by:
EW CONSULTANTS, INC.

July 2012

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Exhibit 5.0

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INTRODUCTION -

The Riverbend project site is a 53.81+/- acre parcel of land located on the west bank of the North Fork, St. Lucie River in southeastern St. Lucie County. The property is in Section 25, Township 37S, Range 40E. A Location Map is provided as Figure 1. Preserved wetlands include a 2.2-acre bay swamp located in the west portion (W-2) of the project site and a 0.7-acre freshwater marsh located in the eastern portion of the property (W-3). Both wetlands will be monitored as part of this plan (see Figure 2, Monitoring Map).

WETLAND PRESERVE -**Eradication of Nuisance and Exotic Vegetation -**

All nuisance and Category I & II exotic vegetation as listed by the Florida Exotic Pest Plant Council will be eradicated from the wetland and upland buffer preserve areas.

- All eradication will be through herbicide application, hand clearing, and removal of cut material off-site.
- The criterion for acceptance of eradication of exotic vegetation will be 100 percent kill. If initial eradication efforts do not achieve this criterion, follow-up treatments will be conducted.
- Cutting/treatment of the trunk and/or stump with an appropriately labeled herbicide will eradicate all Brazilian pepper, melaleuca and other woody exotics.
- The criterion for completion of the woody exotic eradication will be 100 percent kill. If initial eradication efforts do not achieve this criterion, follow up treatment will be conducted.
- All eradication of non-woody exotic vegetation will be through application of appropriately-labeled herbicide. Any debris removed from the preserves will be handled in accordance with the disposal specifications.
- The criterion for acceptance of eradication for all non-woody exotic vegetation will be 100 percent kill. If initial eradication efforts do not achieve this criterion, follow up treatment will be conducted.

The exotic vegetation eradication in the wetland and upland buffer preserve may generate vegetative debris that requires disposal. There will be a staging and storage area provided outside the limits of the preserve area.

- Transport of vegetative debris from the wetland and upland buffer preserve area to the staging area will be conducted in a fashion that minimizes the distribution and dispersal of seeds.

- No living exotic or nuisance vegetative material will be left in the wetland and upland buffer preserve area. This plan allows for killing in place by herbicide application for non-woody plant material only.

All vegetative debris, either whole or chipped/mulched will be hauled off-site and disposed of at a landfill or other such appropriately licensed facility.

Herbicides are required for the treatment of all stumps/trunks of woody vegetation to prevent regrowth, and for eradication of non-woody exotic and nuisance vegetation.

- All herbicide application activity will be conducted under the supervision of a Florida Department of Agriculture licensed applicator.
- All herbicide applied must include a visible tracer dye in the mix to facilitate observation of treated vegetation.

Vegetation Success Criteria -

The vegetative success criteria for the wetland preserves includes the requirement for 80 percent coverage of desirable native vegetation and areal coverage of exotic vegetation at zero percent and nuisance vegetation limited to 5 percent or less by the second annual monitoring report submittal. If, after the second annual monitoring report submittal, these criteria are not achieved, replanting with appropriate native wetland species may be required.

WETLAND PRESERVE MONITORING PLAN -

This monitoring plan includes two transects established through W-2 and one within W-3. The northern transect within W-2 will have two data collection stations while the southern transect will have three stations. The transect within W-3 will have two data collection stations. Each transect includes photo stations, as well.

Vegetative coverage will be documented at each station shown on the attached Monitoring Map. The vegetative coverage will be measured as absolute coverage within an area of approximately 2,500 square feet at each monitoring station. The vegetation will be measured in percent coverage of the canopy/understory layer and ground cover. The total percent cover will not exceed 100 percent, and each species documented will be reported in both common and Latin names. The coverage will be measured by visual observation and will extend approximately 25 feet from the observer in each direction thus covering approximately 2,500 square feet at each station. Photos will be collected from each of the established monitoring stations to provide documentation of vegetative coverage. In addition to vegetative coverage documentation, any observed wildlife utilization or indicators of wildlife (i.e. tracks, scat, etc.) will be reported.

PROJECT: RIVERBEND PUD
WETLAND MONITORING AND MAINTENANCE PLAN

ST. LUCIE COUNTY, FL

The monitoring will be conducted on an annual basis and reports will be provided to SFWMD during the first five years so that maintenance activity can be closely tracked. The reports provided at the end of two years and five years will include a discussion and conclusion regarding achievement of the relative success criteria per the permit conditions.

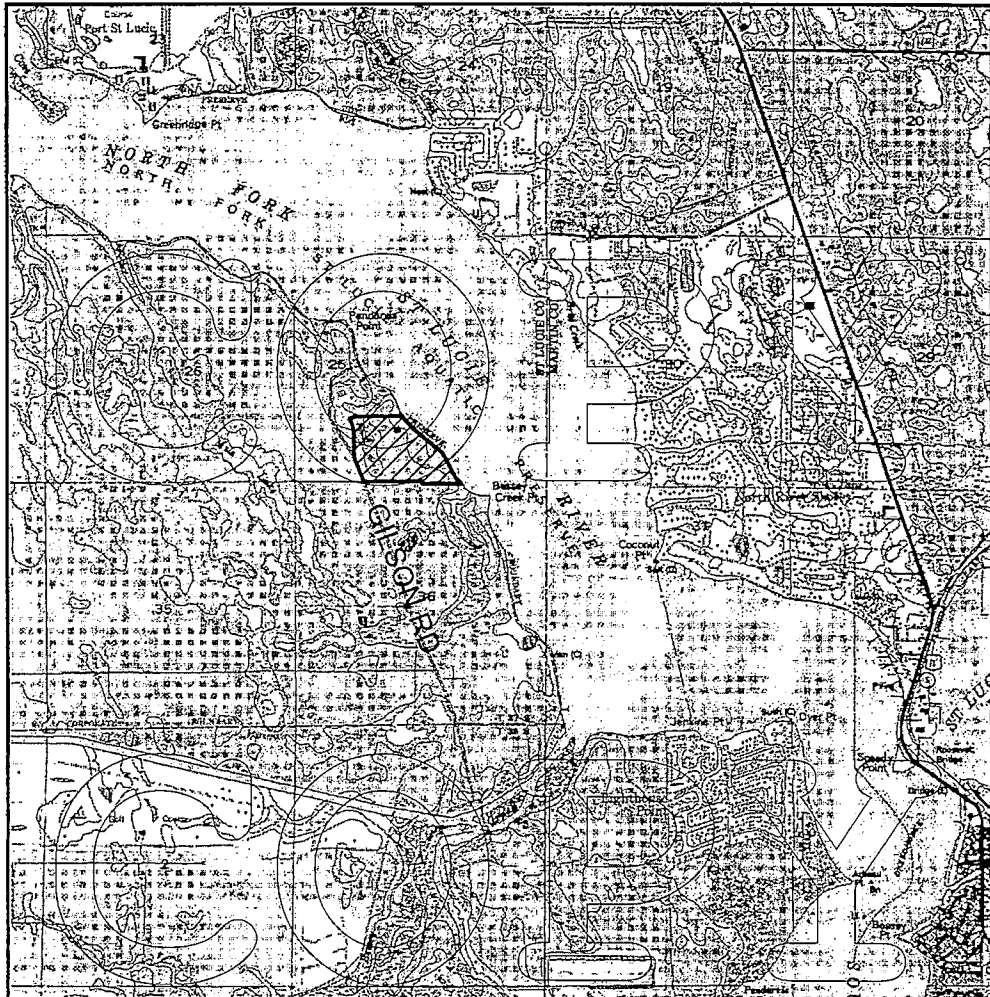
Each monitoring report will include recommendations for vegetative maintenance if necessary. The threshold for maintenance requirements will be any area which contains Category I or II exotic plant species and 5 percent or more total vegetative coverage of nuisance or exotic vegetation at any time during the monitoring period.

In order to further protect the wetland and upland buffer preserve, preserve area signage will be installed as shown on Figure 2.

<u>Activity</u>	<u>Months after Construction Permit Issuance</u>
Record Conservation Easement	One Month
Initiate Exotic Eradication	Two Months
Complete Exotic Eradication	Four Months
Conduct/Submit Time Zero Monitoring	Six Months
Submit First Annual Monitoring Report	12 Months
Submit Second Annual Monitoring Report	24 Months
Submit Third Annual Monitoring Report	36 Months
Submit Fourth Annual Monitoring Report	48 Months
Submit Fifth Annual Monitoring Report	60 Months

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USGS QUAD MAP "PALM CITY", SECTION 25, TOWNSHIP 37 SOUTH, RANGE 40 EAST, ST. LUCIE COUNTY, FLORIDA, LATITUDE 27°13'19" LONGITUDE 80°17'42"

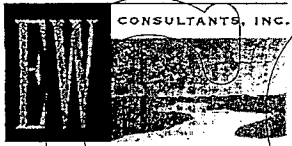


LEGEND

 - SITE (53.8 AC±)

**RIVERBEND PUD
LOCATION MAP**

HUIZENGA, SLC 53 AC PARCEL #496 LOCATION



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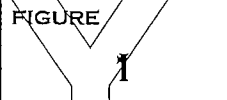
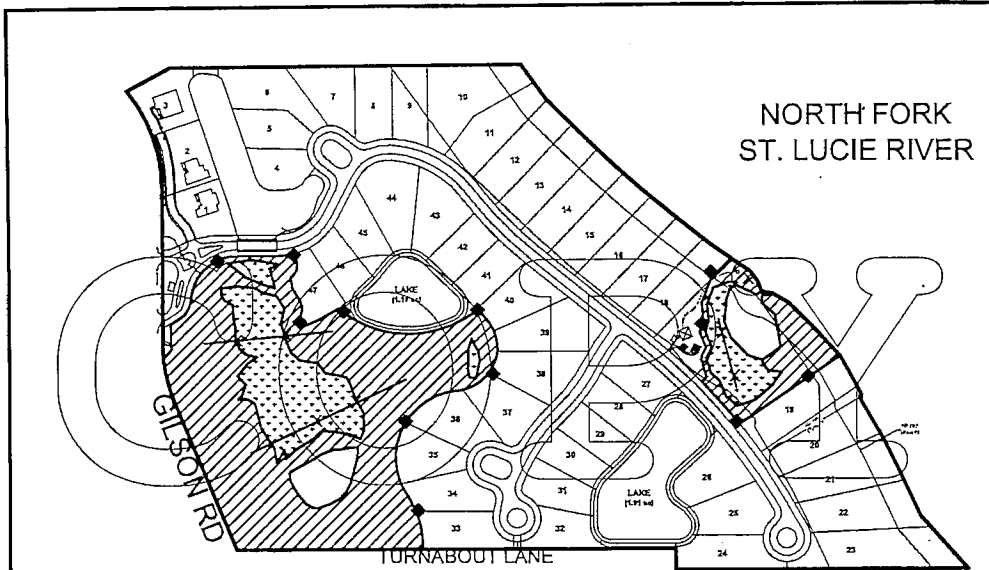
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FIGURE


Exhibit 5.0

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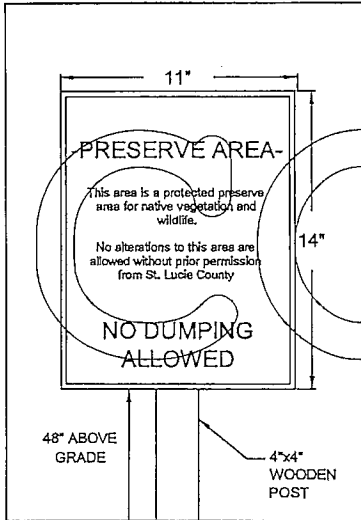
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NORTH FORK
ST. LUCIE RIVER

PRESERVE SIGN DETAIL

SITE PLAN BY LUCIDO & ASSOCIATES



LEGEND

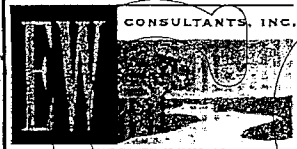
- X - PHOTO/SAMPLING STATION
- MONITORING TRANSECT
- ◆ - PRESERVE SIGN LOCATIONS
- ▨ - UPLAND PRESERVE AREA
- ⋯ - WETLAND PRESERVE



RIVERBEND PUD

PRESERVE MONITORING MAP

RIVERBEND.dwg SPWMD MONITORING



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FIGURE

2

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South Florida Water Management District
Work Schedule Requirements

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Mitigation Plan ID: RIVERBEND

SUBMIT GIS DISK	31-JAN-13
SUBMIT GPS DISK OF BOUNDARIES OF CONSERVATION EASEMENT	31-JAN-13
SUBMIT RECORDED CONSERVATION EASEMENT	31-JAN-13
SUBMIT TIME ZERO MONITORING REPORT	30-JUN-13
SUBMIT FIRST MONITORING REPORT	31-DEC-13
SUBMIT SECOND MONITORING REPORT	31-DEC-14
SUBMIT THIRD MONITORING REPORT	31-DEC-15
SUBMIT FOURTH MONITORING REPORT	31-DEC-16
SUBMIT FIFTH MONITORING REPORT	31-DEC-17

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- X St. Lucie County Planning and Development Services
Mark Satterlee, AICP, Director

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