

THE GOLDSTEIN ENVIRONMENTAL LAW FIRM, P.A.  
*Brownfields, Transactions, Due Diligence, Permitting, Development, Cleanups & Compliance*

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## MEMORANDUM

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**TO:** Palm Beach County Zoning Division  
Cypress Creek Property Owners' Association

**FROM:** The Goldstein Environmental Law Firm, P.A.

**DATE:** October 18, 2024

**SUBJECT:** First Quarterly Status Report for Former Cypress Creek Golf Course, 9400 S. Military Trail, Palm Beach County, FL 33436, Parcel Numbers 00-42-45-24-12-001-0010, 00-42-45-24-03-000-5851, and 00-42-45-24-03-000-5852 (the "Subject Property")

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On July 17, 2024, the Palm Beach Board of County Commissioners ("BCC") approved Resolution R-2024-0863, which, among other things, requires that Toll Brothers, Inc. ("Toll"), provide quarterly updates on the status of soil remediation to the County Zoning Division and the Cypress Creek Property Owners' Association ("POA"). This memorandum constitutes the first such quarterly status report.

1. Toll's environmental consultant, Langan Engineering and Environmental Services, LLC ("Langan"), has completed its initial phase of site assessment pursuant to Chapter 62-780.600, Florida Administrative Code, and is preparing a Site Assessment Report ("SAR") for submittal to the Florida Department of Environmental Protection ("FDEP") via FDEP's Southeast District Office. It is anticipated that the SAR will be filed no later than October 31, 2024.
2. A copy of the SAR will be made available to the public at the same time as it is filed with FDEP,<sup>1</sup> including but not limited to the Cypress Creek POA and other members of the Cypress Creek community who have requested copies.
3. Toll's environmental team, consisting of Langan and The Goldstein Environmental Law, P.A. ("GELF"), anticipate that FDEP will issue its comment letter no later than sixty (60) days after receipt of the SAR. The comment letter is likely to require contamination assessment offsite and additional contamination assessment onsite.

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<sup>1</sup> All documents submitted to or issued by FDEP related to site rehabilitation associated with the Subject Property are publicly available through FDEP's online information management under Facility ID Number ERIC\_10930 and can be accessed here: [https://prodenv.dep.state.fl.us/DepNexus/public/electronic-documents/ERIC\\_10930/facility!search](https://prodenv.dep.state.fl.us/DepNexus/public/electronic-documents/ERIC_10930/facility!search)

4. In advance of receipt of FDEP's SAR comment letter, Langan and GELF are developing a plan for the supplemental assessment activities, including identifying offsite locations where soil and groundwater testing may be conducted (subject to consultation with and approval by FDEP).<sup>2</sup>
5. During this interim period, Toll will begin contacting property owners and/or rights-of-way owners where sampling is likely to be required to discuss what will be involved and seek permission (access) to conduct the testing (when approved by FDEP).
6. On October 16, 2024, Toll convened a properly noticed community meeting at the Courtyard by Marriot Boynton Beach, 1601 N. Congress Avenue, Boynton Beach, FL, pursuant to Section 376.80(2)(c)4, Florida Statutes, for purposes of affording an opportunity for comments and suggestions about rehabilitation, including remediation.<sup>3</sup> The meeting began at 5:30 p.m., as scheduled, and concluded at approximately 8:10 p.m., 40 minutes after the scheduled end time.

Questions, comments, or concerns regarding the matters discussed or otherwise referenced herein may be directed to Michael R. Goldstein, Esq., at (305) 777-1682, which is an office phone line, (305) 962-7669, which is a cell phone line, or [mgoldstein@goldsteinenvlaw.com](mailto:mgoldstein@goldsteinenvlaw.com). Thank you.

/mrg

cc: Toll Brothers, Inc.  
Langan Engineering and Environmental Services, LLC



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<sup>2</sup> The results of that supplemental assessment will eventually be filed with FDEP as a SAR Addendum.

<sup>3</sup> The Power Point for the meeting, which includes summary assessment data for the Subject Property from the SAR, as well as several exhibits that will also be included in the SAR, can be downloaded here: [https://wetransfer.com/downloads/d087d6022487cca1540242da72e9619420241017170427/6c708ac51e8e2055ef7d184bcae87d7d20241017170427/4cc96e?t\\_exp=1760720667&t\\_lsId=063a4c61-926c-4d11-a5c7-d56a0ef7573b&t\\_network=email&t\\_rid=Z29vZ2xlLW9hdXRoMnwxMDI5ODkzMjMyMTg0MzI4NDcyMzM=&t\\_s=download link&t\\_ts=1729184667](https://wetransfer.com/downloads/d087d6022487cca1540242da72e9619420241017170427/6c708ac51e8e2055ef7d184bcae87d7d20241017170427/4cc96e?t_exp=1760720667&t_lsId=063a4c61-926c-4d11-a5c7-d56a0ef7573b&t_network=email&t_rid=Z29vZ2xlLW9hdXRoMnwxMDI5ODkzMjMyMTg0MzI4NDcyMzM=&t_s=download link&t_ts=1729184667)