

# Memorandum



**Date:** February 18, 2010

**To:** Honorable Chairman Dennis C. Moss and Members,  
Board of County Commissioners

Agenda Item No. 5(B)

**From:** George M. Burgess  
County Manager

A handwritten signature in black ink, appearing to read "Burgess", written over the printed name of the County Manager.

**Subject:** Class I Permit Application by Ernesto Cambo to Reinforce and Elevate One Hundred Five (105) Linear Feet of an Existing Seawall to an Elevation of Plus Five Point Zero (+5.0) Feet National Geodetic Vertical Datum (NGVD) and Replace an Existing Marginal Wood Dock with a Marginal Concrete Dock

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Attached, please find for your consideration an application by Ernesto Cambo for a Class I Permit. Also, attached is the recommendation of the Director of the Department of Environmental Resources Management and a Resolution seeking the Board's approval of the aforesaid Class I Permit.

A handwritten signature in black ink, consisting of stylized initials, written above a horizontal line.

Assistant County Manager

**Date:** February 18, 2010

**To:** George M. Burgess  
County Manager

**From:** Carlos Espinosa, P.E., Director  
Environmental Resources Management

**Subject:** Class I Permit Application by Ernesto Cambo to Reinforce and Elevate One Hundred Five (105) Linear Feet of an Existing Seawall to an Elevation of Plus Five Point Zero (+5.0) Feet National Geodetic Vertical Datum (NGVD) and Replace an Existing Marginal Wood Dock with a Marginal Concrete Dock

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## **Recommendation**

I have reviewed the Class I Permit application by Ernesto Cambo. Based upon the applicable evaluation factors set forth in Section 24-48.3 of the Code of Miami-Dade County, Florida, I recommend that the Board of County Commissioners (BCC) approve the issuance of a Class I Permit for the reasons set forth below.

## **Scope**

The project site is located along the south waterway of Sabal Lake at 4255 Lake Road in the Bay Point community, Miami, in Commission District 3 (Commissioner Audrey M. Edmonson).

## **Fiscal Impact/Funding Source**

Not applicable.

## **Track Record/Monitor**

Not applicable.

## **Background**

The subject property is a single-family residence located on the south waterway of Sabal Lake in the Bay Point community at 4255 Lake Road, Miami. The site conditions include a marginal wood dock and a concrete seawall and seawall cap at an elevation of plus two point seven (+2.7) feet NGVD. Periodically, during high tides, tidal water level increases to the point that the applicant's dock and seawall are completely submerged. The applicant states that installation of the new seawall cap at a higher elevation is necessary to protect his property. The proposed project includes the installation of a new seawall cap with batter piles and new concrete dock constructed at a higher elevation of plus five point zero (+5.0) feet NGVD, which is consistent with the official flood criteria for minimum fill elevation in this area of the County. Pursuant to Section D-5.03.1.c of Part II of the Miami-Dade County Public Works Manual, the elevation of the top of the seawall cap should be above the official flood criteria and other cap elevations may be approved but only when land usage, proximity of buildings, and effect on adjacent property have been considered. The applicant proposes to install return walls connected to the cap at both property lines to prevent water from the adjacent properties from affecting his own, or from damaging their seawalls. Although the scope of work proposed by the applicant can be processed administratively as a short form permit application, the Bay Point Property Owners Association Inc. has requested a public hearing before the BCC.

Section 24-48.2(II)(A)(1) of the Code of Miami-Dade County requires that a Class I permit application include evidence of ownership or a lease of the submerged land upon which work is proposed. The applicant has provided a copy of the Bay Point Plat PB40-63 (Attachment H) which states that "Sabal Lake and the Waterways connecting it with Biscayne Bay are dedicated to the use of the owners, from

time to time, of lots facing and abutting on said Lake and Waterways". The subject property is located on the waterway connecting Sabal Lake to Biscayne Bay and a portion of the work proposed by the applicant will occur upon submerged lands, thereby requiring evidence of ownership or a lease of submerged lands. In similar cases, the Department of Environmental Resources Management (DERM) has accepted consent from an owners association on behalf of property owners within a subdivision for processing of a Class I permit application when adjoining waterways are dedicated to the use of said owners. However, in this case, the applicant is unable to obtain consent from the Bay Point Property Owners Association (BPPOA) for this project because the association objects to the proposed work. Restrictive covenants running with the land on some of the waterfront properties within this community, including the applicant's property, restrict elevating seawalls above their existing height. On September 11, 2008, the applicant obtained a variance from Section 24-48.2(II)(A)(1) of the Code of Miami-Dade County from the Environmental Quality Control Board (EQCB) to allow continuation of the processing of the application without evidence of ownership or a lease of the submerged land upon which work is proposed (Attachment H).

The applicant is proposing to elevate his seawall to meet the county's official flood criteria for minimum fill elevation and to protect his property. DERM agrees that constructing the seawall to meet the county's official flood criteria for minimum fill elevation can protect properties from flooding, erosion, and impacts from wave energy associated with storm events. However, the BPPOA has requested a public hearing and has stated their objections to this project with regard to the restrictive covenant and the effect the elevated seawall cap will have on aesthetics and property values.

Mitigation for unavoidable impacts associated with the reconstruction of the marginal dock and associated slip area will be provided by the applicant through a contribution to the Biscayne Bay Environmental Enhancement Trust Fund equivalent to the value of 112.7 cubic yards of natural limestone riprap boulders at \$50 per cubic yard for a total contribution of \$5,635.

The proposed project has been designed in accordance with all relevant Miami-Dade County coastal construction criteria and is consistent with all other Miami-Dade County coastal protection provisions. Please find attached a DERM Project Report which sets forth the reasons the project is recommended for approval by DERM pursuant to the applicable evaluation factors set forth in Section 24-48.3 of the Code of Miami-Dade County, Florida. The conditions, limitations, and restrictions set forth in the Project Report attached hereto are incorporated herein by references hereto.

### **Attachments**

- Attachment A: Class I Permit Application
- Attachment B: Affidavit of Ownership
- Attachment C: Owner/Agent Letter, Engineer Certification Letter and Project Sketches
- Attachment D: Zoning Memorandum
- Attachment E: Names and Addresses of Owners of All Riparian or Wetland Property within Three Hundred (300) Feet of the Proposed Work
- Attachment F: Photographs
- Attachment G: Turbidity Control Plan
- Attachment H: Board Order 08-39 from the Miami-Dade County Environmental Quality Control Board and Bay Point Plat PB40-63
- Attachment I: DERM Project Report

NOTICE OF PUBLIC HEARING ON AN APPLICATION BY ERNESTO CAMBO FOR A CLASS I PERMIT TO REINFORCE AND ELEVATE ONE HUNDRED FIVE (105) LINEAR FEET OF AN EXISTING SEAWALL TO AN ELEVATION OF PLUS FIVE POINT ZERO (+5.0) FEET NATIONAL GEODIC VERTICAL DATUM (NGVD) AND REPLACE AN EXISTING MARGINAL WOOD DOCK WITH A MARGINAL CONCRETE DOCK AT 4255 LAKE ROAD, MIAMI, MIAMI-DADE COUNTY, FLORIDA

BOARD OF COUNTY COMMISSIONERS  
MIAMI-DADE COUNTY, FLORIDA

NOTICE IS HEREBY GIVEN pursuant to Article IV, Division 1 of Chapter 24 of the Code of Miami-Dade County that the Board of County Commissioners of Miami-Dade County will hold and conduct a Public Hearing on a request by Ernesto Cambo for a Class I Permit to reinforce and elevate one hundred five (105) linear feet of an existing seawall to an elevation of plus five point zero (+5.0) feet National Geodetic Vertical Datum (NGVD) and replace an existing marginal wood dock with a marginal concrete dock at 4255 Lake Road in the Bay Point community, Miami, Miami-Dade County, Florida. Such Public Hearing will be held on the 17th day of February 2009 at 9:30 AM, at the County Commission Chambers on the 2nd Floor of the Stephen P. Clark Center at 111 NW 1<sup>st</sup> Street in Miami, Florida.

Plans and details concerning the work requested in the application may be reviewed by interested persons at the office of the Miami-Dade County Department of Environmental Resources Management, 6th Floor, 701 NW 1<sup>st</sup> Court, Miami, Florida 33136.

Oral statements will be heard and appropriate records made. For accuracy of records, all important facts and arguments should be prepared in writing in triplicate, with two copies being submitted to the Deputy Clerk of the County Commission at the hearing or mailed to her beforehand (Kay Sullivan, Deputy Clerk), 111 NW 1st Street, Stephen P. Clark Center, Suite 17-202, Miami, Florida 33128; and with one copy being submitted beforehand to the Miami-Dade County Department of Environmental Resources Management, 701 NW 1<sup>st</sup> Court, Miami, Florida 33136.

A person who decides to appeal any decision made by any Board, Agency, or Commission with respect to any matter considered at its meeting or hearing will need a record of proceedings. Such person may need to ensure that a verbatim record of the proceedings is made, including the testimony and evidence upon which the appeal is to be based.

BOARD OF COUNTY COMMISSIONERS  
MIAMI-DADE COUNTY, FLORIDA

HARVEY RUVIN, CLERK

BY: \_\_\_\_\_  
Kay Sullivan, Deputy Clerk



**MEMORANDUM**  
(Revised)

**TO:** Honorable Chairman Dennis C. Moss  
and Members, Board of County Commissioners

**DATE:** February 18, 2010

**FROM:** R. A. Cuevas, Jr.  
County Attorney

**SUBJECT:** Agenda Item No. 5(B)

Please note any items checked.

- "3-Day Rule" for committees applicable if raised
- 6 weeks required between first reading and public hearing
- 4 weeks notification to municipal officials required prior to public hearing
- Decreases revenues or increases expenditures without balancing budget
- Budget required
- Statement of fiscal impact required
- Ordinance creating a new board requires detailed County Manager's report for public hearing
- No committee review
- Applicable legislation requires more than a majority vote (i.e., 2/3's \_\_\_\_, 3/5's \_\_\_\_, unanimous \_\_\_\_ ) to approve
- Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required

Approved \_\_\_\_\_ Mayor  
Veto \_\_\_\_\_  
Override \_\_\_\_\_

Agenda Item No. 5(B)  
2-18-10

RESOLUTION NO. \_\_\_\_\_

RESOLUTION RELATING TO AN APPLICATION BY ERNESTO CAMBO FOR A CLASS I PERMIT TO REINFORCE AND ELEVATE ONE HUNDRED FIVE (105) LINEAR FEET OF AN EXISTING SEAWALL TO AN ELEVATION OF PLUS FIVE POINT ZERO (+5.0) FEET NATIONAL GEODIC VERTICAL DATUM (NGVD) AND REPLACE AN EXISTING MARGINAL WOOD DOCK WITH A MARGINAL CONCRETE DOCK AT 4255 LAKE ROAD, MIAMI, MIAMI-DADE COUNTY, FLORIDA

**WHEREAS**, this Board desires to accomplish the purposes outlined in the accompanying memorandum, a copy of which is incorporated herein by reference,

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA**, that this Board having considered all the applicable factors contained within Section 24-48.3 of the Code of Miami-Dade County, hereby approves the application by Ernesto Cambo for a Class I Permit to reinforce and elevate one hundred five (105) linear feet of an existing seawall to an elevation of plus five point zero (+5.0) feet National Geodic Vertical Datum (NGVD) and replace an existing marginal wood dock with a marginal concrete dock at 4255 Lake Road, Miami, Miami-Dade County, Florida, subject to the conditions set forth in the memorandum from the Director of the Miami-Dade County Department of Environmental Resources Management, a copy of which is attached hereto and made a part hereof. The issuance of this approval does not relieve the applicant from obtaining all applicable Federal, State, and local permits.

The foregoing resolution was offered by Commissioner  
who moved its adoption. The motion was seconded by Commissioner  
and upon being put to a vote, the vote was as follows:

Dennis C. Moss, Chairman	
Jose "Pepe" Diaz, Vice-Chairman	
Bruno A. Barreiro	Audrey M. Edmonson
Carlos A. Gimenez	Sally A. Heyman
Barbara J. Jordan	Joe A. Martinez
Dorrian D. Rolle	Natacha Seijas
Katy Sorenson	Rebeca Sosa
Sen. Javier D. Souto	

The Chairperson thereupon declared the resolution duly passed and adopted this  
18<sup>th</sup> day of February, 2010. This resolution shall become effective ten (10) days after  
the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become  
effective only upon an override by this Board.

MIAMI-DADE COUNTY, FLORIDA  
BY ITS BOARD OF  
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By: \_\_\_\_\_  
Deputy Clerk

Approved by County Attorney as  
to form and legal sufficiency. 

Peter S. Tell



12. Is any portion of this activity for which authorization is sought now complete?  
 Yes  
 No  
 If answer is "yes", give reasons in the remarks section. Indicate the existing work on the drawings.  
 Month and Year the activity was completed \_\_\_\_\_

13. List all approvals or certifications required by other Federal, state or local agencies for any structures, construction, discharges, deposits or other activities described in this application, including whether the project is a Development of Regional Impacts.

Issuing Agency	Type of Approval	Identification Number	Date of Application	Date of Approval
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14. Has any other agency denied approval for any activity directly related to the activity described herein?  
 Yes  
 No

15. Remarks

16. Estimated project cost = \$ 38,000.00	18. Application is hereby made for a permit or permit(s) to authorize the activities described herein. I agree to provide any additional information/data that may be necessary to provide reasonable assurance or evidence to show that the proposed project will comply with the applicable State Water Quality Standards or other environmental protection standards both during construction and after the project is completed. I also agree to provide entry to the project site for inspectors from the environmental protection agencies for the purpose of making the preliminary analyses of the site and monitoring permitted works, if permit is granted. I certify that I am familiar with the information contained in this application and that to the best of my knowledge and belief, such information is true, complete and accurate. I further certify that I possess the authority to undertake the proposed activities.
17. Contractor's name and address Name: <b>Bunnell Foundation, Inc</b> License #: <b>E-236</b> Address: <b>3033 NW North River Drive</b> <b>Miami, FL 33142</b> Phone #: <b>305-633-3369</b> Fax #: <b>305-633-3391</b>	
19. To obtain proprietary authorization for work on state-owned submerged lands, please include an additional copy of the following: <input type="checkbox"/> 8½ x 11 Location Map <input type="checkbox"/> 8½ x 11 Project Drawing <input type="checkbox"/> Copy of Application	

Signature of owner \_\_\_\_\_  
 Date 12-2-08 **ERNESTO CAMBO**

SUBSCRIBED AND SWORN TO ME THIS 2 DAY OF Dec, 2008, BY Ernesto Cambo  
 PERSONALLY KNOWN  PRODUCED IDENTIFICATION (PLEASE CHECK ONE)  
 TYPE OF ID PRODUCED \_\_\_\_\_

*Marisel A. Othon*  
 NOTARY PUBLIC  
 NOTARY PUBLIC-STATE OF FLORIDA  
**Marisel A. Othon**  
 Commission # DD413561  
 Expires: MAR. 31, 2009  
 Bonded Thru Atlantic Bonding Co., Inc.

**Attachment B**  
**Affidavit of Ownership**

Affidavit of Ownership  
and Hold Harmless Agreement

Personally Appeared Before Me ERNESTO CAMBO That  
(Property owner, lessee or Corporate Officer if owner is a corporation)

Undersigned authority, and hereby swears and affirms under oath as follows:

- 1. That your affiant is the record owner or lessee of that certain property\* more fully described as:

**4255 Lake Road  
Miami, Florida 33137  
Folio # 01-3219-008-0630**

**19 53 42 BAY POINT PB 40-63 LOT 25 BLK 3 AND PROP INT IN & TO COMMON ELEMENTS NOT DEDICATED TO PUBLIC OR 20374-1124 04 2002 1**

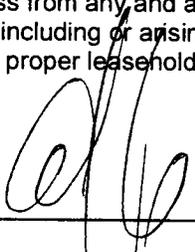
may attach legal description from public records or plat book or copy of the warranty deed

- 2. That your affiant is also the riparian and/or littoral owner or lessee of that certain Property that is the subject matter of Application No. CC05-310 for a Class I Permit under and pursuant to Section 24-48 of the Code of Miami Dade County to construct or engage in the following activity:

**Reinforce and Elevate One Hundred Five (105) Linear Feet of an Existing Seawall to an Elevation of Plus Five Point Zero (+5.0) Feet National Geodic Vertical Datum (N.G.V.D.) and Replace an Existing Marginal Wood Dock with a Marginal Concrete Dock**

- 3. That your affiant hereby swears and affirms its ownership or leasehold in the above noted property necessary for the work noted in Paragraph 2 above, and hereby agrees to: defend same and hold the County harmless from any and all liability, claims and damages of any nature whatsoever occurring, including or arising as a result of your affiant not having the proper title to all lands or proper leasehold to all lands that are the subject matter of this application.

STATE OF FLORIDA  
COUNTY OF DADE

  
\_\_\_\_\_

Before me, the undersigned authority, personally appeared Ernesto Cambo, who, After being duly sworn, deposes and says that he/she has read the foregoing, and that the statements contained therein are true and correct to the best of his/her knowledge and belief.

Sworn to and subscribed before me this 2 of Dec., 2005.  
(day) (month) (year)

Notary Signature 

NOTARY PUBLIC-STATE OF FLORIDA  
 Marisel A. Othon  
Commission # DD413561  
Expires: MAR. 31, 2009  
Bonded Thru Atlantic Bonding Co., Inc.

## **Attachment C**

### **Owner/Agent Letter, Engineer Certification Letter and Project Sketches**

**PERMIT APPLICATION / AUTHORIZED AGENT STATEMENT**

Date: **December 1, 2008**

To:

Miami-Dade County DERM  
Class I Permitting Program  
701 N.W. 1<sup>st</sup> Court  
Miami, Florida 33136

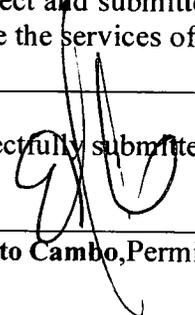
Re: **Class I Standard Form Permit Application Number CC05-310.**

By the attached ~~Class I Standard Form~~ permit application with supporting documents, I, **Ernesto Cambo**, am the  **permit applicant** /  **applicant authorized agent** (circle one) and hereby request permission to perform the following: **Reinforce and Elevate One Hundred Five (105) Linear Feet of an Existing Seawall to an Elevation of Plus Five Point Zero (+5.0) Feet National Geodic Vertical Datum (N.G.V.D.) and Replace an Existing Marginal Wood Dock with a Marginal Concrete Dock.** I understand that a Miami-Dade County Class I Standard Form Permit is required to perform this work.

If approval is granted for proposed work by the Board of County Commissioners, complete and detailed plans and calculations of the proposed work shall be prepared by an engineer registered/licensed in the State of Florida in accordance with the minimum requirements of Chapter 24 of the Code of Miami-Dade County, Florida. Said plans and calculations shall be subject to the review and approval of the Department of Environmental Resources Management. The permit applicant will secure the services of an engineer registered/licensed in the State of Florida to conduct inspections throughout the construction period, and said engineer shall prepare all required drawings of record. In the event that the proposed work which is the subject of this Class I Permit application involves the cutting or trimming of a mangrove tree(s), a detailed plan of the proposed cutting or trimming shall be prepared by a licensed landscape architect and submitted to the department for review and approval, and the permit applicant will secure the services of licensed landscape architect to supervise the trimming or cutting.

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Respectfully submitted,

  
\_\_\_\_\_  
**Ernesto Cambo, Permit Applicant**  
or

\_\_\_\_\_  
,Authorized Agent

## ENGINEER LETTER OF CERTIFICATION

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**December 1, 2008**

Miami-Dade County DERM  
Class I Permitting Program  
701 N.W. 1<sup>st</sup> Court  
Miami, Florida 33136

RE: **Class I Standard Form Permit Application Number CC05-310: Reinforce and Elevate One Hundred Five (105) Linear Feet of an Existing Seawall to an Elevation of Plus Five Point Zero (+5.0) Feet National Geodetic Vertical Datum (N.G.V.D.) and Replace an Existing Marginal Wood Dock with a Marginal Concrete Dock.**

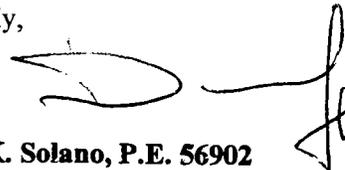
Ladies and Gentlemen:

This letter will certify that I am an engineer registered/licensed in the State of Florida, qualified by education and experience in the area of construction, and that to the best of my knowledge and belief, the proposed work does not violate any laws of the State of Florida or any provision of the Code of Miami Dade County which may be applicable, that diligence and recognized standard practices of the engineering profession have been exercised in the engineer's design process for the proposed work, and in my opinion based upon my knowledge and belief, the following will not occur:

- A. Harmful obstruction or undesirable alteration of the natural flow of the water within the area of the proposed work.
- B. Harmful or increased erosion, shoaling of channels or stagnant areas of water. (Not applicable to class IV permits)
- C. Material injury to adjacent property.
- D. Adverse environmental impacts from changes in water quality or quantity. (Applicable to class IV permits only)

Further, I have been retained by the applicant to provide inspections throughout the construction period and to prepare a set of reproducible record prints of drawings showing changes made during the construction process based upon the marked-up prints, drawings, and other data furnished by the contractor to me.

Sincerely,



**Denis K. Solano, P.E. 56902**  
**Solver Structural Partnership, Inc.**

GENERAL NOTES

CONCRETE AND REINFORCING STEEL

1. ALL CONCRETE (EXCEPT PRECAST PILES) SHALL ATTAIN A MIN. COMPRESSIVE STRENGTH OF 5000 P.S.I. AT THE END OF 28 DAYS. FOUR (4) CONCRETE CYLINDERS SHALL BE TAKEN FOR EACH 50 CUBIC YARDS OR FRACTION THEREOF AND SHALL BE TESTED AT 3, 7 & 28 DAYS. SLUMP SHALL NOT EXCEED 4" (± 1").
2. ALL REINFORCEMENT SHALL BE 60,000 P.S.I. MINIMUM YIELD NEW BILLET STEEL IN ACCORDANCE WITH ASTM A615 GRADE 60. ALL BAR LAPS SHALL BE A MINIMUM OF 36 BAR DIAMETERS. PLACING OF REINFORCEMENT SHALL CONFORM TO THE LATEST ACI CODE AND MANUAL OF STANDARD PRACTICE.
3. ALL CONCRETE SHALL BE PLACED WITHIN 90 MINUTES FROM BATCH TIME, AND VIBRATED AS REQUIRED BY THE ACI MANUAL OF CONCRETE PRACTICE. TEMPERATURE OF CONCRETE AT TIME OF PLACEMENT SHALL BE BETWEEN 75° AND 100° F.
4. ALL CONCRETE DECK SURFACES SHALL HAVE A LIGHT BROOM FINISH.
5. ALL EXPOSED CONCRETE EDGES SHALL BE CHAMFERED 3/4" OR AS SHOWN ON THE PLANS.

PRECAST CONCRETE PILING

1. PRECAST CONCRETE DOCK PILES SHALL BE 12" x 12" PILES W/5000 P.S.I. MIN. CONCRETE & 4-7/16" Ø 270 K.5.1. ASTM A416 LOW-ALLOY STRANDS W/ 2 1/2" MIN. CONCRETE COVER TO TIES. DRIVEN TO A MINIMUM BEARING CAPACITY OF 15 TONS WITH 12" MIN. PENETRATION INTO FIRM MATERIAL BELOW SLIT LAYER.
2. PILES SHALL BE CUT OFF ATR ELEVATIONS SHOWN ON THE PLANS & SECTIONS.

STEEL

1. ALL BOLTS SHALL BE TYPE 316 STAINLESS STEEL.

MISCELLANEOUS

1. FASTENERS EMBEDDED INTO DOCK STRUCTURE SHALL BE ANCHORED WITH TWO PART EPOXY ADHESIVE (FRANK' CHEM-FAST CARTRIDGE SYSTEM OR EQUAL). ANCHOR HOLES SHALL BE DRILLED TO 1/8" GREATER THAN THE SPECIFIED FASTENER. HOLES SHALL BE DRILLED TO MINIMUM DEPTH SHOWN ON THE PLANS, AND SHALL BE THOROUGHLY CLEANED OUT AND DRY PRIOR TO INJECTION OF EPOXY.

GENERAL

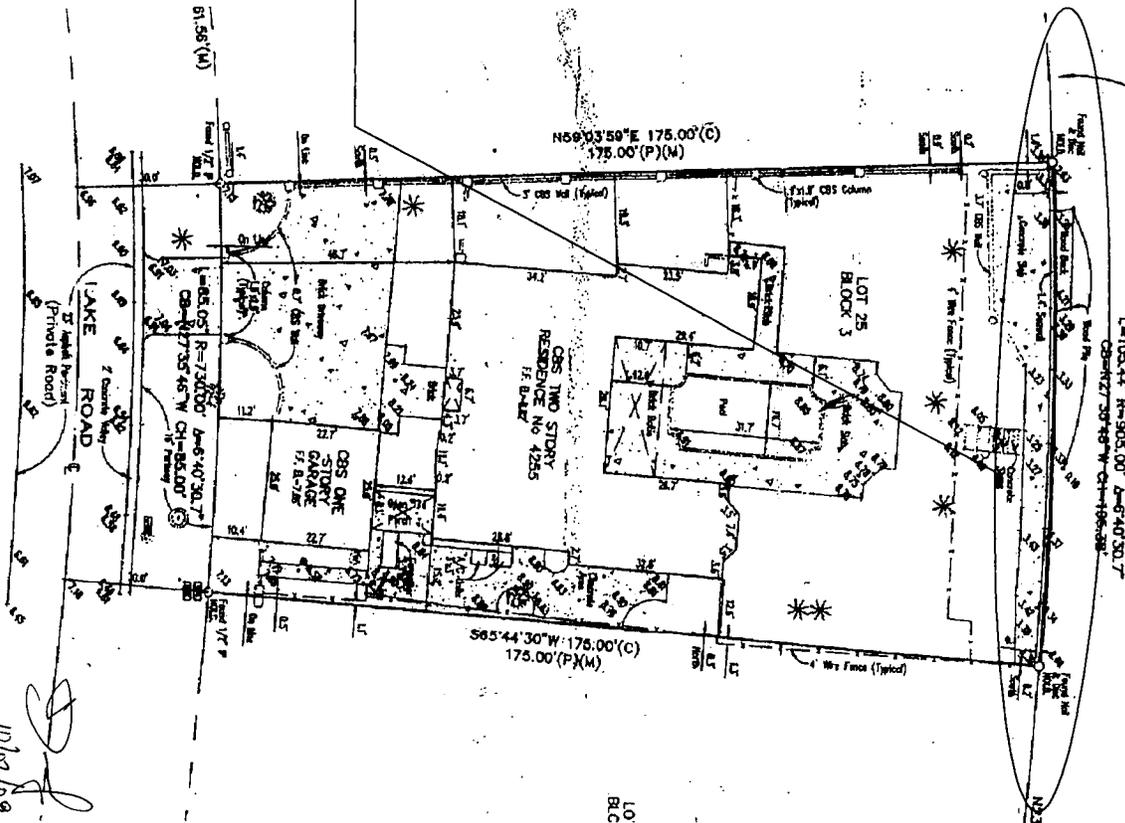
ELEVATIONS SHOWN REFER TO THE NATIONAL GEODETIC VERTICAL DATUM (NGVD) OF 1929. ALL DIMENSIONS ON PLANS ARE SUBJECT TO VERIFICATION IN THE FIELD. IT IS THE INTENT OF THESE PLANS TO BE IN ACCORDANCE WITH APPLICABLE CODES AND AUTHORITIES HAVING JURISDICTION. ANY DISCREPANCIES BETWEEN THESE PLANS AND APPLICABLE CODES SHALL BE IMMEDIATELY BROUGHT TO THE ATTENTION OF ENGINEER BEFORE PROCEEDING WITH WORK.

IT IS THE INTENT OF THESE PLANS AND THE RESPONSIBILITY OF THE CONTRACTOR TO COMPLY WITH LOCAL, STATE AND FEDERAL ENVIRONMENTAL PERMITS ISSUED FOR THIS PROJECT. IT SHALL BE THE CONTRACTORS RESPONSIBILITY TO FAMILIARIZE AND GOVERN HIMSELF BY ALL PROVISIONS AF THESE PERMITS. APPLICABLE BUILDING CODE: FLORIDA BUILDING CODE, 2004 EDITION.

DESIGN LOADS

1. DOCK LL 60 PSF

PROJECT LOCATION



10/02/08  
Dennis K. Soliano  
P.E. 5907  
S.I. 206  
C.O.A. 0000095

10/02/08

Sheet no.	D-1
1 of 3	
date	09-03-06
issued	
drawn	
checked	O.S.
project no.	
revision	

job name: **ERNESTO CAMBO**

ADDRESS: **4255 LAKE ROAD MIAMI, FL.**

title: **SEAWALL AND CONCRETE DOCK REPLACEMENT**

CONSULTANTS:

**Solver Structural Partnership, Inc.**  
1700 NW 25 St. Suite 212 Miami, Florida 33122  
Phone: (305) 581-3241 Fax: (305) 581-3447  
E-Mail: solver@sol.com

DESIGN - INSPECTION - INVESTIGATION - REPORTS

**BUNNELL FOUNDATION**

305-832-2268 (o)  
305-832-3311 (f)

Member engineering & foundation contractors  
Design - build - maintain - jacking - underpinning

3522 N.W. 50th Ave. Ft. Lauderdale, Florida 33322

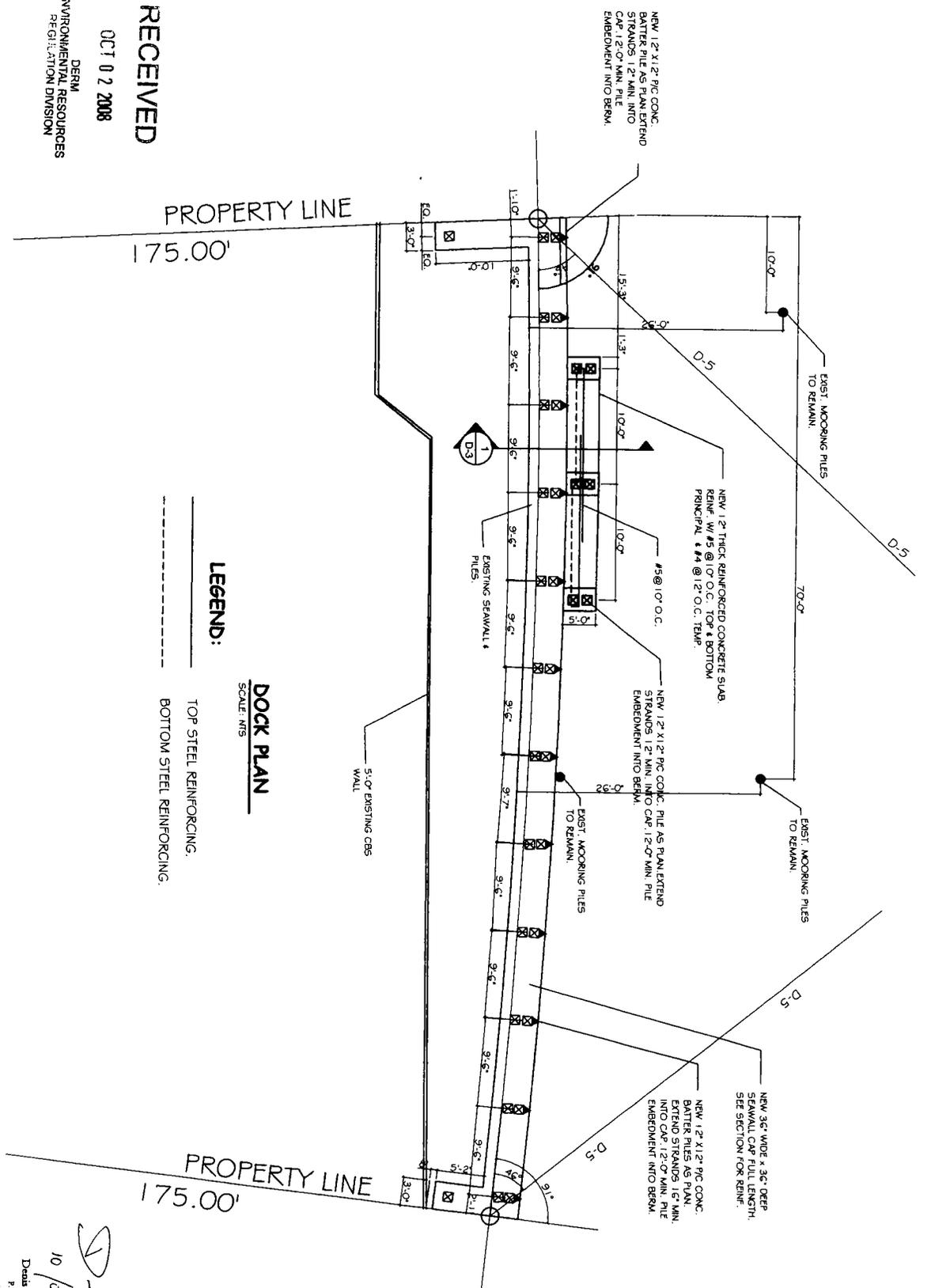
bunnell@bunell.com

15

DERM  
ENVIRONMENTAL RESOURCES  
REGULATION DIVISION

OCT 02 2008

RECEIVED



**LEGEND:**

- \_\_\_\_\_ TOP STEEL REINFORCING.
- BOTTOM STEEL REINFORCING.

**DOCK PLAN**

SCALE: NTS

10/22/08  
Dean K. Salano  
P.E. 5962  
S.L. 2046  
C.O.A. 000095

Sheet No.  
**D-2**  
2 of 3

date: 03-03-08  
revised:  
checked: D.K.S.  
project no.:  
revisions:

job name: **ERNESTO CAMBO**  
address: **4255 LAKE ROAD, MIAMI, FL**  
client: **SEA WALL AND CONCRETE DOCK REPLACEMENT**

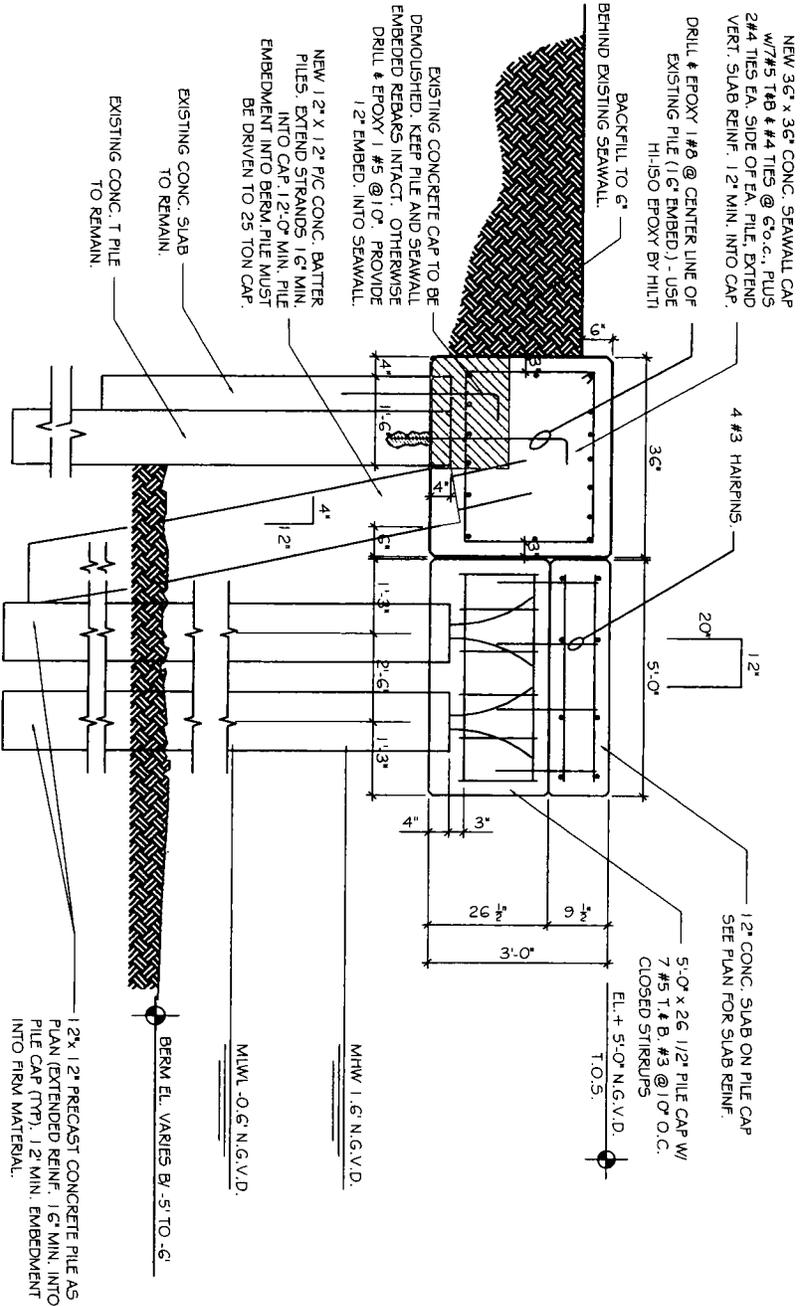
**CONSULTANTS:**  
Solwer Structural Partnership, Inc.  
7800 NW 28 St., Suite 212 Phone: (305) 581-3311  
Miami, Florida 33122 Fax: (305) 581-3447  
E-Mail: solwer@solwer.com  
DESIGN · INSPECTION · INVESTIGATION · REPORTS

**BUNNELL FOUNDATION, INC.**  
3033 N.W. 44th Ave. d. Miami, Florida 33142  
bunnell@bunnell.com

DERM  
ENVIRONMENTAL RESOURCES  
REGULATION DIVISION

OCT 02 2008

RECEIVED



**SECTION**  
SCALE: NTS

1  
D-3

10/21/08  
Dennis K. Solano  
P.E. 5090  
31 2046  
C.O.A. 002095

Sheet no.  
D-3  
3 of 3

DATE: 03-03-08  
DRAWN: D.K.S.  
CHECKED: D.K.S.  
PROJECT NO.:  
REVISIONS:

job name: ERNESTO CAMBO  
ADDRESS: 4255 LAKE ROAD.  
MIAMI, FL.  
144: SEAWALL AND CONCRETE DOCK REPLACEMENT

CONSULTANTS:  
Solver Structural Partnership, Inc.  
7800 HWY 26 St. Suite 212 Phone: (305) 551-3341  
Miami, Florida 33122 Fax: (305) 551-3447  
E-Mail: info@sspi.com  
DESIGN - INSPECTION - INVESTIGATION - REPORTS

BUNNELL FOUNDATION, INC.  
305-423-3369 (9)  
305-423-3381 (7)  
Soils, geotechnical & foundation construction  
Contractors, design, construction, job-site supervision, bridge  
3033 N.W. 96th Ave.  
Miami, Florida 33142  
bunnell@aol.com

**Attachment D**  
**Zoning Memorandum**

# Memorandum



**Date:** November 18, 2008

**To:** Lisa M. Spadafina, Manager  
Coastal Resources Section  
Environmental Resources Management

A handwritten signature in black ink, appearing to be "LS" or similar initials.

**From:** Christine D. Hopps, Biologist II  
Coastal Resources Section  
Environmental Resources Management

A handwritten signature in black ink, appearing to be "CH" or similar initials.

**Subject:** Class I Permit Application by Ernesto Cambo to Reinforce and Elevate One Hundred Five (105) Linear Feet of an Existing Seawall to an Elevation of Plus Five Point Zero (+5.0) Feet National Geodetic Vertical Datum (N.G.V.D.) and Replace an Existing Marginal Wood Dock with a Marginal Concrete Dock.

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Pursuant to Section 24-48.2(II)(A)(7), Code of Miami-Dade County, Florida, a substantiating letter shall be submitted by the applicant stating that the proposed project does not violate any zoning laws. Said letter will be submitted after approval by the Miami-Dade County Board of County Commissioners and prior to issuance of the Class I Permit.

**Attachment E**

**Names and Addresses of Owners of All Riparian or Wetland  
Property Within Three Hundred (300) Feet of the Proposed  
Work**

Mr. & Mrs. Michael J. Schou  
4245 Lake Road  
Miami, Florida 33137

Ms. Barbara R. Mcelroy  
4300 Lake Road  
Miami, Florida 33137

Mr. Jose E. Gamas  
4241 Palm Lane  
Miami, Florida 33137

Mr. Andrew Meltzer  
3550 Biscayne Blvd., Suite 406  
Miami, Florida 33137

Mr. Paul A. Louis  
4411 Palm Lane  
Miami, Florida 33137

Ms. Emily C. Damiano  
4403 Palm Lane  
Miami, Florida 33137

Mr. & Mrs. Bernardo Duran  
4221 Palm Lane  
Miami, Florida 33137

Mr. Oscar Seikaly  
4401 Island Road  
Miami, Florida 33137

Mr. & Mrs. Peter E. Kilissanly  
4305 Lake Road  
Miami, Florida 33137

Mrs. Kim Jacobsen  
4235 Lake Road  
Miami, Florida 33137

Ms. Michelle P. Whalen  
4261 Palm Lane  
Miami, Florida 33137

Mr. Wilfredo J. Chirino  
4400 Island Road  
Miami, Florida 33137

Mr. & Mrs. Scott Jontiff  
4275 Lake Road  
Miami, Florida 33137

Mr. Richard W. Foss  
4225 Lake Road  
Miami, Florida 33137

21

**Attachment F**

**Photographs**

05 - 3 0

ERNIE CAMBO  
4255 Lake Road  
Miami, FL 33137

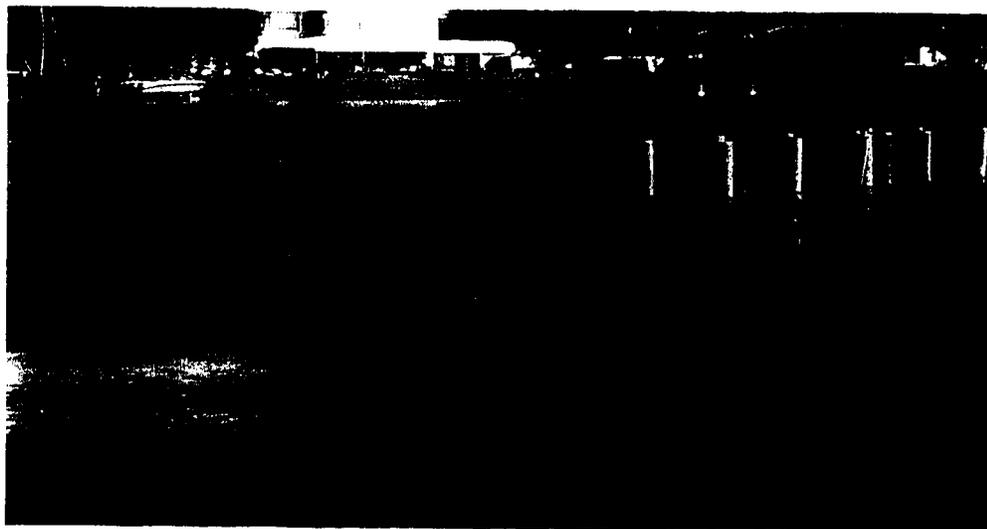
Febraury 2, 2006

Mr. Howard Nelson

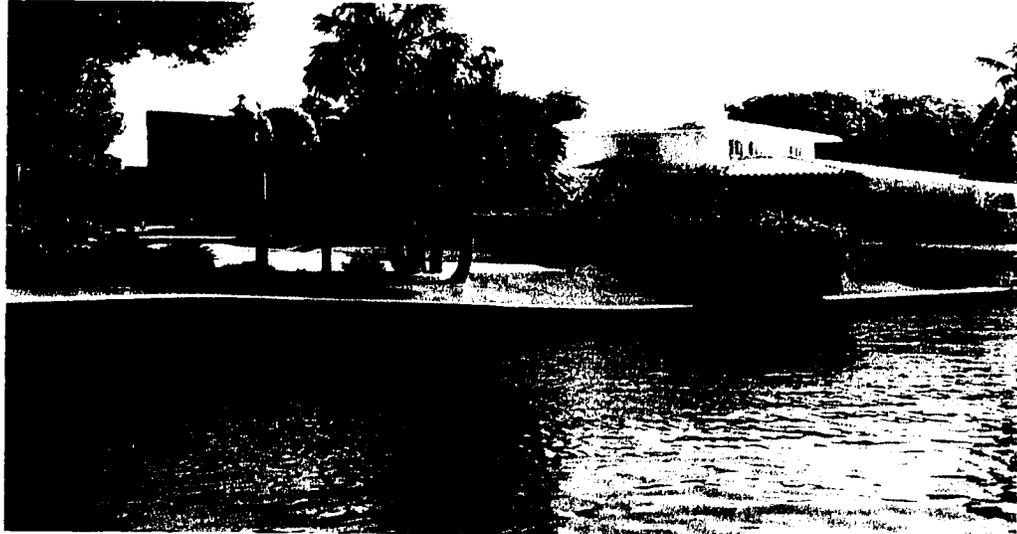
RE: Flooding Bay Point Community Miami, FL

Dear Mr Nelson:

A few years ago, I was invited to participate on the Marine Committee to evaluate the abnormal height of the tides in the fall/winter of each calendar year in Bay Point. Below is a picture of my Backyard dock area.



Above is a picture of Sabal Lake which is just north of my property on the north side  
Of the bridge that connects Bay Point Island to the Bay Point Mainland.



We sought proposals from various contractors, All of the construction proposals came back with 5 feet as a recommended height. Many of them recognized that that at 2.7 feet NGVD, Bay Point was the lowest waterfront community In Dade County.

We have sued the community BPPOA that is currently restricting our ability to cure the situation. We are aware of the Section D-5 of the Public Works Manual as it ties the height of the seawall cap To the Flood Criteria Map provided by DERM and adopted as a Resolution in March 1982.

I am requesting an affidavit that DERM would not allow this situation to continue without A resolution and secondly that any change to the seawall cap must conform to the 5.0 NGVD That applies to our area. Please advise.

Sincerely,

Ernie Cambo

**Attachment G**  
**Turbidity Control Plan**

December 3, 2008

DERM Coastal Resources Section  
701 NW 1st Ct. - 6th  
Floor - Miami, FL 33136  
Phone: (305) 372-6549 Fax: (305) 372-6479

RE: **CC05-310**  
**Ernesto Cambo**  
**4255 Lake Road**  
**Miami, Florida 33137**

Attn.: Chrissy Hopps, Biologist II

Subj: **Turbidity Control Plan**

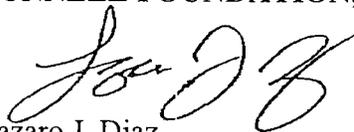
**Turbidity Control Plan**

Turbidity curtains will be deployed as a precaution to isolate the construction site from ambient waters. The placement of the turbidity curtains will contain the entire construction area. Specifically, the curtain will encompass the work area, back to the seawall, and extend into the water at least five foot. All activity will be enclosed within the curtained area. The curtain will remain in until construction is complete and water clarity has returned to preconstruction conditions.

If you need further information regarding this Turbidity Control Plan, please do not hesitate to contact us.

Sincerely,

**BUNNELL FOUNDATION, INC.**

  
Lazaro J. Diaz  
Project Manager

**Attachment H**

**Board Order 08-39 from the Miami-Dade County  
Environmental Quality Control Board (EQCB)**

**BEFORE THE MIAMI-DADE COUNTY  
ENVIRONMENTAL QUALITY CONTROL BOARD**

**IN RE** : **Board Order No. 08-39**  
:   
**Ernesto Cambo and Ana Maria Cambo** :

THIS MATTER came before the Board as a request by Petitioners, Ernesto Cambo and Ana Maria Cambo, for a variance from the requirements of Section 24-48 of the Code of Miami-Dade County, Florida. The request is to allow the processing of a Class I Coastal permit from the Department of Environmental Resources Management (DERM) for work to be performed in, on, over, or upon tidal waters of Miami-Dade County, Florida, without evidence of ownership or a lease of the submerged lands upon which the work is being proposed. The subject property is located at 4255 Lake Road, Miami-Dade County, Florida and is more particularly described in Exhibit "A" attached hereto and incorporated herein by reference.

Section 24-48.1 of the Code of Miami-Dade County, Florida, requires a Class I permit for any type of work to take place in, on, over or upon any tidal waters, bay bottom lands anywhere in Miami-Dade County or in wetlands supporting halophytic vegetation anywhere in Miami-Dade County. Section 24-48.2(II)(A)(1) of the Code of Miami-Dade County requires that a Class I permit application include evidence of ownership or a lease of the submerged land upon which work is proposed.

The Board finds that the subject property is a single-family residence with a marginal wood dock and a concrete seawall and seawall cap at an elevation of 2.7 feet National Geodetic Vertical Datum (N.G.V.D.). Periodically during high tides, tidal water level increases to the point that Petitioners' dock and seawall are completely submerged. The Petitioners are proposing to install a new seawall cap with batter piles, and new concrete dock constructed at a higher elevation of 5 feet N.G.V.D. The Petitioners state that installation of the new seawall cap at a higher elevation is necessary to protect their property.

The Board also finds that the Petitioners have advised DERM that restrictive covenants running with the land on waterfront properties within this subdivision restrict elevating seawalls above their existing height, and they are therefore unable to obtain support for this project from the

home owners association. The Board further finds that DERM has received a letter of objection and a request for a public hearing before the Board of County Commissioners on behalf of the Bay Point Property Owners Association Inc. regarding the subject Class I permit application.

The Board finds that the Petitioners have provided a copy of the Bay Point Plat, as recorded in Plat Book 40, Page 63 of the Public Records of Miami-Dade County, Florida, which in pertinent part states that "Sabal Lake and the Waterways connecting it with Biscayne Bay are dedicated to the use of the owners, from time to time, of lots facing and abutting on said Lake and Waterways". The subject property is located on the waterway connecting Sabal Lake to Biscayne Bay and a portion of the work proposed by the Petitioners will occur upon submerged lands. In similar cases, DERM has accepted consent from a home owners association on behalf of property owners within a subdivision for processing of a class I permit application when adjoining waterways are dedicated to the use of said owners. However, in this case, the Petitioners are unable to obtain consent from the association for this project because they are proposing to elevate their seawall. While the above referenced dedication may not represent fee simple ownership or a lease of the submerged lands by the Petitioners, the Board finds that construction of a seawall and dock on the submerged lands within the subject waterway are consistent with the intended dedicated use of the waterway to waterfront property owners.

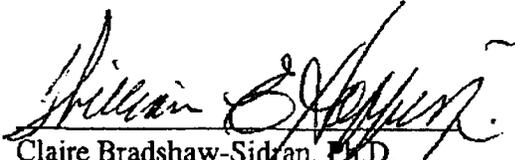
Section 24-48.3 of the Code requires that the DERM base its recommendation for approval or denial upon evaluation factors including conformance with standard construction procedures and practices and design and performance standards, including but not limited to all applicable portions of the Miami-Dade County Public Works Manual. Pursuant to Section D-5.03.1.c of Part II of the Miami-Dade County Public Works Manual, the elevation of the top of the cap should be above the official flood criteria, and that other cap elevations may be approved but only when land usage, proximity of buildings, and effect on adjacent property have been considered. The Board finds that the Petitioners are proposing to construct a new seawall cap at elevation 5.0 feet N.G.V.D. which is consistent with the official flood criteria for minimum fill elevation in this area of the County.

Finally, the Board finds that, based upon the evidence and testimony presented and the foregoing findings, granting the Petitioners' request for a variance to allow continued processing of the subject a Class I Permit application upon which the work would occur, and to allow scheduling of same for a public hearing before the Board of County Commissioners will not be detrimental to the public health, welfare and safety, will not create a nuisance, and will not materially increase the level of pollution in this County.

**ACCORDINGLY, IT IS**

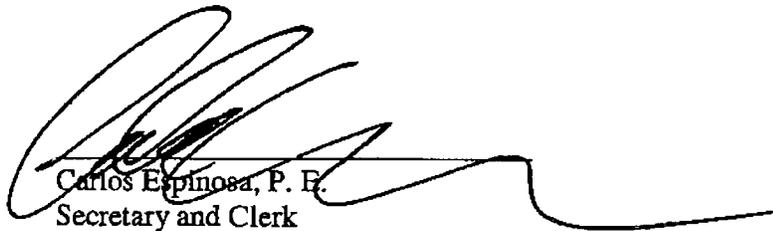
**ORDERED AND ADJUDGED** that, based upon the evidence and testimony presented and the foregoing findings, Petitioners' request for a variance from the requirements of Section 24-48 of the Code be and the same is hereby granted.

Done and Ordered this 18 day of November, 2008 in Miami-Dade County, Florida.

  
Claire Bradshaw-Sidran, Ph.D.  
Chairperson

**FILING AND ACKNOWLEDGEMENT**

Filed on this 18 day of November, 2008 with the Secretary of the Board as Clerk of the Environmental Quality Control Board, receipt of which is hereby acknowledged and the seal of the Board affixed below.

  
Carlos Espinosa, P. E.  
Secretary and Clerk

SEAL

Approved as to form and legal sufficiency:

R. A. CUEVAS, JR.  
Miami-Dade County Attorney  
Attorney for the Board

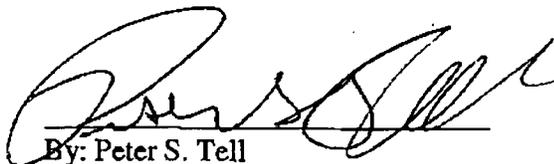
  
By: Peter S. Tell  
Assistant County Attorney



Exhibit "A"

Lot 25, Block 3 of "Bay Point", according to the plat thereof as recorded in Plat Book 40 at Page 63 of the Public Records of Miami-Dade County, Florida.



**Attachment I**  
**DERM Project Report**

**PROJECT REPORT**

**CLASS I PERMIT APPLICATION NO. CC05-310**

**ERNESTO CAMBO, FOR A CLASS I PERMIT TO REINFORCE AND ELEVATE ONE HUNDRED FIVE (105) LINEAR FEET OF AN EXISTING SEAWALL TO AN ELEVATION OF PLUS FIVE POINT ZERO (+5.0) FEET NATIONAL GEODIC VERTICAL DATUM (N.G.V.D.) AND REPLACE AN EXISTING MARGINAL WOOD DOCK WITH A MARGINAL CONCRETE DOCK.**

**Date: December 4, 2008**

Staff's recommendation of approval for the above-referenced permit application is based on the applicable evaluation factors under Section 24-48.3 of the Code of Miami-Dade County, Florida. The following is a summary of the proposed project with respect to each applicable evaluation factor:

1. **Potential Adverse Environmental Impact** – The potential for any adverse environmental impacts from reinforcing and elevating an existing seawall and replacing an existing marginal wood dock will be minimized to the maximum extent. The Class I Permit shall have conditions to minimize turbidity, and protect rare, threatened and endangered species.
2. **Potential Cumulative Adverse Environmental Impact** – Not applicable.
3. **Hydrology** - The proposed project, as designed, is not reasonably expected to adversely affect surface water drainage or retention of stormwater.
4. **Water Quality** – The proposed project is expected to temporarily affect surface water quality during the construction phase of the project, however these impacts will be minimized to the maximum extent practicable by the implementation of proper turbidity control devices. The Class I Permit will require the applicants to employ appropriate turbidity control devices such as, but not limited to, turbidity curtains during all phases of construction (see Attachment F).
5. **Wellfields** – Not applicable.
6. **Water Supply** – Not applicable.
7. **Aquifer Recharge** – Not applicable.
8. **Aesthetics** – The proposed project is designed in a manner to minimize aesthetic impacts to neighboring riparian properties. Although the proposed seawall cap will be higher and wider than other seawall caps at adjacent and neighboring properties, raising the cap to be consistent with the official flood criteria for minimum fill elevation will provide increased flood protection at the applicant's property. During the construction process there may be temporary aesthetic impacts related to the presence of barges and other vessels associated with the construction activities.
9. **Navigation** –The proposed project is not reasonably expected to adversely affect navigation.
10. **Public Health** - The proposed project is not reasonably expected to adversely affect public health.
11. **Historic Values** - The proposed project is not reasonably expected to adversely affect historic values. The project includes the replacement and expansion of an existing seawall cap.
12. **Archaeological Values** - The proposed project is not reasonably expected to adversely affect archaeological values.

13. **Air Quality** – The proposed project is not reasonably expected to adversely affect air quality.
14. **Marine and Wildlife Habitats**– The proposed project will cause temporary disturbances of the benthic soils located adjacent to the existing shoreline. Although the soils support marine infauna (i.e. benthic fauna living within the substrate), and submerged aquatic vegetation, the impacts are being minimized to the maximum extent. Mitigation for unavoidable impacts associated with the reconstruction of the marginal dock and associated slip area will be provided by the applicant through a contribution to the Biscayne Bay Environmental Enhancement Trust Fund (BBEETF) in the amount of five thousand six hundred thirty-five dollars (\$5,635.00), equivalent to the value of one hundred twelve point seven (112.7) cubic yards of natural limerock riprap boulders at a cost of fifty dollars (\$50.00) per cubic yard.

The proposed project is located within an area identified by the Miami-Dade County Manatee Protection Plan (MPP) as essential manatee habitat for the West Indian Manatee (*Trichechus manatus*). Therefore, the Class I permit will require that all standard manatee construction permit conditions shall be followed during all in-water construction operations.

15. **Wetland Soils Suitable for Habitat** – There are no wetland soils suitable for habitat in the footprint of the proposed work.
16. **Floral Values** –The proposed project will potentially impact submerged aquatic vegetation (SAV). However, all impacts are being minimized to the maximum extent, and the long-term benefits of increased flood protection for the applicant's property outweigh the one-time impacts to SAV. Mitigation for unavoidable impacts associated with the reconstruction of the marginal dock and associated slip area will be provided by the applicant through a contribution to the Biscayne Bay Environmental Enhancement Trust Fund (BBEETF) in the amount of five thousand six hundred thirty-five dollars (\$5,635.00), equivalent to the value of one hundred twelve point seven (112.7) cubic yards of natural limerock riprap boulders at a cost of fifty dollars (\$50.00) per cubic yard.
17. **Fauna Values** - The proposed project may cause temporary impacts to marine fauna resulting from turbidity as a result of the installation of the concrete batter and support piles. However, these impacts will be minimized to the maximum extent through the implementation of proper turbidity control devices. Additionally, the Class I Permit will require the implementation of standard manatee protection provisions during all phases of construction.
18. **Rare, Threatened and Endangered Species** –The proposed project is not reasonably expected to adversely affect any rare, threatened or endangered species provided standard manatee protection measures are implemented. The proposed project is located within an area identified by the Miami-Dade County Manatee Protection Plan (MPP) as essential manatee habitat for the West Indian Manatee (*Trichechus manatus*). Therefore, the Class I permit will require that all standard manatee construction permit conditions shall be followed during all in-water construction operations.

19. **Natural Flood Damage Protection** - The proposed project is not reasonably expected to adversely affect surface water drainage or retention of stormwater. The increased elevation of the property will result in more stormwater being absorbed, and less stormwater runoff into adjacent tidal waters.
20. **Wetland Values** - The proposed project does not involve dredging or filling of wetlands.
21. **Land Use Classification** – Pursuant to Section 24-48.2(II)(A)(7), of the Code of Miami-Dade County, Florida, a substantiating letter shall be submitted stating that the proposed project does not violate any zoning laws. Said letter will be submitted after the approval by the Board of County Commissioners and prior to the issuance of a Class I Permit.
22. **Recreation** - The proposed project does not conflict with the recreation element of the Miami-Dade County Comprehensive Development Master Plan and recreation element of the Biscayne Bay Management Plan.
23. **Other Environmental Values Affecting the Public Interest** – The proposed project is not reasonably expected to adversely affect environmental values affecting the public interest.
24. **Conformance with Standard Construction Procedures and Practices and Design and Performance Standards** – The proposed project complies with the standard construction procedures and practices and design and performance standards of the applicable portions of the following:
  - a) Miami-Dade County Public Works Manual
  - b) Biscayne Bay Management Plan (Section 33D-1 through 33-D-4 of the Code of Miami-Dade County)
  - c) Chapter 33B of the Code of Miami-Dade County
25. **Comprehensive Environmental Impact Statement (CEIS)** - In the opinion of the Director, the proposed project will result in neither adverse environmental impacts nor cumulative adverse environmental impacts. Therefore, a CEIS was not required by DERM to evaluate the project.
26. **Conformance with All Applicable Federal, State and Local Laws and Regulations** - The proposed project is in conformance with the following applicable State, Federal and local laws and regulations:
  - a) Chapter 24 of the Code of Miami-Dade County – See Attachment G
  - b) United States Clean Water Act
  - c) Rule 40E-4, Florida Administrative Code (FAC)
27. **Conformance with the Miami-Dade County Comprehensive Development Master Plan (CDMP)** - In the opinion of DERM, the proposed project is in conformance with the CDMP. The following is a summary of the proposed project as it relates to the CDMP:

**LAND USE ELEMENT I:**

**Objective 2/Policy 2A** - Level of Service. The proposed project does not involve new or significant expansion of existing urban land uses.

**Objective 3/Policies 3A, 3B, 3C** - Protection of natural resources and systems. – The proposed project is consistent with the Conservation and Coastal Management Elements of the CDMP. The project is compatible with surrounding land uses in Biscayne Bay and does not involve development in the Big Cypress area of Critical State concern or the East Everglades.

**TRANSPORTATION ELEMENT II**

**Aviation Subelement/Objective 9** - Aviation System Expansion - There is no aviation element to the proposed project.

**Port of Miami River Subelement/Objective 3** - Minimization of impacts to estuarine water quality and marine resources. The proposed project is not located within the Miami River.

**CONSERVATION, AQUIFER RECHARGES AND DRAINAGE ELEMENT IV:**

**Objective 3/Polycys 3A, 3B, 3D** - Wellfield protection area protection. - The proposed project is not located within a wellfield protection area.

**Objective 3/Policy 3E** - Limestone mining within the area bounded by the Florida Turnpike, the Miami-Dade/Broward Levee, N.W. 12 Street and Okeechobee Road. - The proposed project is not located within this area.

**Objective 4/Polycys 4A, 4B, 4C** - Water storage, aquifer recharge potential and maintenance of natural surface water drainage. - The proposed project will not adversely affect water storage, aquifer recharge potential or natural surface water drainage. The proposed project does not involve positive drainage of wetland area and will not affect water storage or aquifer recharge potential.

**Objective 5/Policies 5A, 5B, 5F** - Flood protection and cut and fill criteria. – The proposed project does not compromise flood protection, involve filling for development purposes, and is not related to cut and fill activities.

**Objective 6/Policy 6A** - Areas of highest suitability for mineral extraction. - The proposed project is not located in an area proposed or suitable for mineral extraction.

**Objective 6/Policy 6B** - Guidelines for rock quarries for the re-establishment of native flora and fauna. - The proposed project does not involve the dredging of a rock quarry.

**Objective 6/Policy 6D** - Suitable fill material for the support of development. – The proposed project does not involve filling for the purposes of development.

**Objective 7/Policy 7A** - No net loss of high quality, relatively unstressed wetlands. – The proposed project will not result in a net loss of any such wetlands.

**Objective 9/Policies 9A, 9B, 9C** - Protection of habitat critical to Federal or State-designated threatened or endangered species. – The proposed project is located in an area which is designated as essential habitat for the West Indian Manatee (*Trichechus manatus*) by the Miami-Dade County Manatee Protection Plan (MPP). The proposed project is not reasonably expected to adversely affect any rare, threatened or endangered species provided standard manatee protection measures are implemented. Therefore, the Class I Permit will require that all standard manatee construction permit conditions shall be followed during all in-water construction operations.

**COASTAL MANAGEMENT ELEMENT VII:**

**Objective 1/Policy 1A** - Tidally connected mangroves in mangrove protection areas – There are no mangroves in the project area and the project is not located within a designated “Mangrove Protection Area.”

**Objective 1/ Policy 1B** - Natural surface flow into and through coastal wetlands. – The project will not affect natural surface flow into and through coastal wetlands.

**Objective 1/ Policy 1C** - Elevated boardwalk access through mangroves. – The project does not involve access through a Mangrove Protection Area.

**Objective 1/Policy 1D** - Protection and maintenance of mangrove forests and related natural vegetational communities. - The proposed project does not involve work in mangrove forests, coastal hammock, or other natural vegetational communities.

**Objective 1/Policy 1E** - Mitigation for the degradation and destruction of coastal wetlands. Monitoring and maintenance of mitigation areas. – The proposed project does not involve the degradation and destruction of coastal wetlands and therefore does not involve monitoring of mitigation for impacts to coastal wetlands.

**Objective 1/Policy 1G** - Prohibition on dredging or filling of grass/algal flats, hard bottom or other viable benthic communities, except as provided for in Chapter 24 of the Code of Miami-Dade County, Florida. – The project does not involve the dredging or filling of grass/algal flats, hard bottom or other viable benthic communities.

**Objective 2/Policies 2A, 2B** - Beach restoration and renourishment objectives. - The proposed project does not involve beach restoration or renourishment.

**Objective 3/Policies 3E, 3F** - Location of new cut and spoil areas for proper stabilization and minimization of damages. - The proposed project does not involve the development or identification of new cut or spoil areas.

**Objective 5/Policy 5B** - Existing and new areas for water-dependent uses. - The proposed project involves the construction of a vessel mooring slip.

**Objective 5/Policy 5D** - Consistency with Chapter 33D, Miami-Dade County Code (shoreline access, environmental compatibility of shoreline development) - The proposed project has been evaluated by the Shoreline Development Review Committee. The thresholds for review under the Shoreline Ordinance do not apply and the proposed project is not subject to shoreline development review.

**Objective 5/Policy 5F** - The siting of water dependent facilities. - The proposed project does not involve the creation of any new water dependent facilities.

28. **Conformance with Chapter 33B, Miami-Dade County Code** (East Everglades Zoning Overlay Ordinance) – The proposed project is not located within the East Everglades Area.
29. **Conformance with Miami-Dade County Ordinance 81-19** (Biscayne Bay Management Plan Section 33D-1 through 33D-4) - The proposed project is consistent with the Biscayne Bay Management Plan.
30. **Conformance with the Miami-Dade County Manatee Protection Plan** - The proposed project is not reasonably expected to adversely affect any rare, threatened or endangered species provided standard manatee protection measures are implemented. The proposed project is located in an area which is designated as essential habitat for the West Indian Manatee (*Trichechus manatus*) by the Miami-Dade County Manatee Protection Plan (MPP). Therefore, the Class I Permit will require that all standard manatee construction permit conditions shall be followed during all in-water construction operations.
31. **Consistency with Miami-Dade County Criteria for Lake Excavation** – The proposed project does not involve lake excavation.
32. **Municipality Recommendation** – Pursuant to Section 24-48.2(II)(A)(7), Code of Miami-Dade County, Florida, a substantiating letter shall be submitted stating that the proposed project does not violate any zoning laws. Said letter will be submitted after the approval by the Board of County Commissioners and prior to the issuance of the Class I Permit.
33. **Coastal Resources Management Line** - A coastal resources management line was not required for the proposed project, pursuant to Section 24-48.2(II)(A)(10)(b) of the Code of Miami-Dade County, Florida.
34. **Maximum Protection of a Wetland's Hydrological and Biological Functions** – The proposed project is not expected to impact wetland hydrological and biological functions.
35. **Class I Permit Applications Proposing to Exceed the Boundaries Described in Section D-5.03(2)(a) of the Miami-Dade County Public Works Manual** – Not applicable

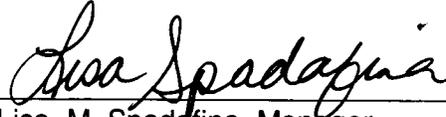
The proposed project was also evaluated for compliance with the standards contained in Section 24-48.3(2),(3), and (4) of the Code of Miami-Dade County, Florida. The following is a summary of how the standards relate to the proposed project:

**24-48.3 (2) Dredging and Filling for Class I Permit** – Not applicable

**24-48.3 (3) Minimum Water Depth Required for Boat Slips Created by the Construction or Placement of Fixed or Floating Docks and Piers, Piles and Other Structures Requiring a Permit Under Article IV, Division 1 of Chapter 24 of the Code of Miami-Dade County** – The proposed project is consistent with the water depth requirements set forth in Section 24-48.3(3) of the Code of Miami-Dade County

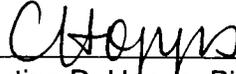
**24-48.3 (4) Clean Fill in Wetlands** – The proposed project does not involve placing clean fill in wetlands.

BASED ON THE FOREGOING, IT IS RECOMMENDED THAT A CLASS I PERMIT BE APPROVED.



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Lisa M. Spadafina, Manager  
Coastal Resources Section



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Christine D. Hopps, Biologist II  
Coastal Resources Section