

# Memorandum



**Date:** March 17, 2009

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

Agenda Item No. 5(J)

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

A handwritten signature in cursive script, appearing to read "G. Burgess", written over the printed name of the County Manager.

**Subject:** Class I Permit Application by Miami-Dade County to Install a Metrorail Transit Connector Between the Miami Intermodal Center and the Earlington Heights Metrorail Station which Spans the Miami River at 3700 NW North River Drive and 3795 NW South River Drive

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Attached, please find for your consideration an application by Miami-Dade County 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 cursive script, appearing to be initials, written above a horizontal line.

Assistant County Manager

# Memorandum



**Date:** March 17, 2009

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

**From:** Carlos Espinosa, PE, Director  
Environmental Resources Management

**Subject:** Class I Permit Application by Miami-Dade County to Install a Metrorail Transit Connector Between the Miami Intermodal Center and the Earlington Heights Metrorail Station which Spans the Miami River at 3700 NW North River Drive and 3795 NW South River Drive

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## Recommendation

I have reviewed the Class I permit application submitted by Miami-Dade County. 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 issuance of a Class I permit for the reasons set forth below.

## Scope

The project sites are located along the Miami River at 3700 NW North River Drive and 3795 NW South River Drive, Miami, in Commission Districts 2 and 5 (Commissioners Dorrin D. Rolle and Bruno A. Barriero).

## Fiscal Impact/Funding Source

Not applicable.

## Track Record/Monitor

Not applicable.

## Background

The subject Class I permit application involves the construction and installation of a Metrorail transit connector bridge which spans a tidal portion of the Miami River located downstream of the salinity control structure. The proposed project is required to be reviewed and approved by the BCC at a public hearing because the scope of work involves the installation of a new bridge. Said work is not specifically referenced in Section 24-48.2 of the Code of Miami-Dade County as work that can be processed administratively with a short form application and therefore requires a standard form application including a public hearing. The proposed bridge will span the Miami River with the foundations of the bridge to be built on the adjacent uplands at 3700 NW North River Drive and 3795 NW South River Drive, Miami, Miami-Dade County, Florida.

The proposed project is associated with the Metrorail transit connector between the Miami Intermodal Center and the Earlington Heights Metrorail Station. The bridge will span the Miami River on the east side of the existing South Florida Rail Corridor Bridge at an elevation to provide a minimum clearance of 40 feet over the river's mean high water level. The existing railway bridge will not be affected. The support structures and associated foundations will be constructed entirely on the adjacent uplands, resulting in a total area over water of 4,160 square feet.

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

George M. Burgess  
County Manager  
Page 2

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 proposed 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 DERM Project Report attached hereto are incorporated herein by references hereto.

**Attachments**

Attachment A: Class I Permit Application

Attachment B: Affidavit of Ownership and Hold Harmless Agreement

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: DERM Project Report

NOTICE OF PUBLIC HEARING ON AN APPLICATION BY  
MIAMI-DADE COUNTY FOR A CLASS I PERMIT TO  
INSTALL A METRORAIL TRANSIT CONNECTOR BETWEEN  
THE MIAMI INTERMODAL CENTER AND THE  
EARLINGTON HEIGHTS METRORAIL STATION WHICH  
SPANS THE MIAMI RIVER AT 3700 NW NORTH RIVER  
DRIVE AND 3795 NW SOUTH RIVER DRIVE

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 Miami-Dade County for a Class I permit to install a Metrorail transit Connector bridge over the Miami River at 3700 NW North River Drive and 3795 NW South River Drive. The Metrorail transit Connector will run between the Miami Intermodal Center and the Earlington Heights Metrorail Stations. Such public hearing will be held on the 17th day of March 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, 4th Floor, 701 NW 1st Court, Miami, Florida, 33136-3912.

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, 4th Floor, 701 NW 1st Court, Miami, Florida, 33136-3912.

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:** March 17, 2009

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

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

Please note any items checked.

- "4-Day Rule" ("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
- Bid waiver requiring County Mayor's written recommendation
- Ordinance creating a new board requires detailed County Manager's report for public hearing
- Housekeeping item (no policy decision required)
- No committee review

Approved \_\_\_\_\_ Mayor

Agenda Item No. 5(J)

Veto \_\_\_\_\_

3-17-09

Override \_\_\_\_\_

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

RESOLUTION RELATING TO AN APPLICATION BY MIAMI-DADE COUNTY FOR A CLASS I PERMIT TO INSTALL A METRORAIL TRANSIT CONNECTOR BETWEEN THE MIAMI INTERMODAL CENTER AND THE EARLINGTON HEIGHTS METRORAIL STATION WHICH SPANS THE MIAMI RIVER AT 3700 NW NORTH RIVER DRIVE AND 3795 NW SOUTH RIVER DRIVE

**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 of Miami-Dade County for a Class I permit to install a Metrorail Transit Connector between the Miami Intermodal Center and the Earlington Heights Metrorail Station which spans the Miami River at 3700 NW North River Drive and 3795 NW South River Drive, 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
Dorrin D. Rolle	Natacha Seijas
Katy Sorenson	Rebeca Sosa
Sen. Javier D. Souto	

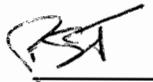
The Chairperson thereupon declared the resolution duly passed and adopted this 17<sup>th</sup> day of March, 2009. This resolution shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

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

HARVEY RUVIN, CLERK

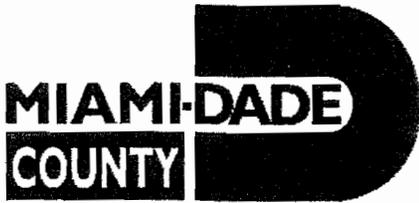
By: \_\_\_\_\_  
Deputy Clerk

Approved by County Attorney as  
to form and legal sufficiency.



Peter S. Tell

**Attachment A**  
**Class I Permit Application**



# Class I Permit Application

1. Application number

2007-CLI-PER-00027

2. Date Day/Month/Year

26/FEB/2009

3. For official use only

4. Applicant Information:

Name: Miami-Dade County

Address: 111 NW 1st Street, Stephen P. Clark Center

Miami, Florida Zip Code: 33128

Phone #: 305-375-1584 Fax #: 305-375-1501

5. Applicant's authorized permit agent

Name: URS Corporation Southern

Address: 7650 Corporate Center Drive, Suite 400

Miami, Florida Zip Code: 33126

Phone #: 305-262-7466 Fax #: 305-261-4017

6. Describe the proposed activity, its purpose and intended use, including a description of the type of structures, if any, to be erected on fills, or pipe or float-supported platforms, and the type, composition and quantity of materials to be discharged or dumped and means of conveyance.

Install a Metrorail Transit Connector Between the Miami Intermodal Center and the Earlington Heights Metrorail Station which Spans the Miami River at 3700 NW North River Drive and 3795 NW South River Drive

Dredged/Excavated		Filled/Deposited	
Volume of Material	CY	Volume of Material	CY
0.0		0.0	
<small>Waterward of O.H.W. or M.H.W.</small>		<small>Landward of O.H.W. or M.H.W.</small>	

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7. Proposed Use: (Check One)

Private

Public

Commercial

Other

8. Names and addresses of adjoining property owners whose property also adjoins the waterway.

Name: Miami-Dade County	Name: FPT Florida Land LLC
Address: 111 NW 1st Street, Stephen P. Clark Center	Address: 3700 NW North River Drive
Miami, Florida Zip Code: 33128	Miami, Florida Zip Code: 33142

9. Location where proposed activity exists or will occur.

Street Address: 3700 NW North River Drive (aka Parcel 501)

3795 NW South River Drive (aka Parcel 312)

Latitude: 25° 48' 21" E Longitude: 80° 15' 30" W

Section: 29 Township: 53S Range: 41E

State: Florida County: Miami-Dade In City or Town: Miami Near City Or Town:

10. Name of waterway at location of the activity.

Miami River (C6 Canal)



**Attachment B**

**Affidavit of Ownership  
and  
Hold Harmless Agreement**

**Affidavit of Ownership  
and Hold Harmless Agreement**

Personally Appeared Before Me, Ysela Llort, Assistant County Manager, Miami-Dade County, 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:

See Attached Legal Description

\* may attach legal description from public records or plat book or a 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. 2007-CLI-PER-00027 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:

Install a Metrorail Transit Connector Between the Miami Intermodal Center and the Earlington Heights Metrorail Station which Spans the Miami River at 3700 NW North River Drive and 3795 NW South River Drive.

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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.

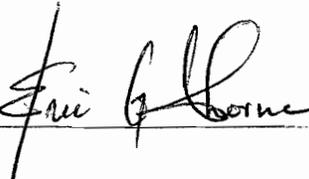
PLANNING & DEVELOPMENT  
ENVIRONMENTAL RESOURCES  
PERMITTING DIVISION

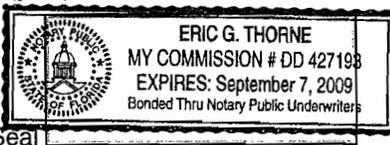
STATE OF FLORIDA  
COUNTY OF DADE

  
Owner/Applicant Ysela Llort, Assistant County Manager,  
Miami-Dade County

BEFORE ME, the undersigned authority, personally appeared Ysela Llort, 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 5 of March, 2009.  
(day) (month) (year)

Notary Signature 

Notary Seal   
ERIC G. THORNE  
MY COMMISSION # DD 427198  
EXPIRES: September 7, 2009  
Bonded Thru Notary Public Underwriters

Legal Description  
(Fee Simple)

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Parcel 312

Legal Description of Parcel:

Lots 7, 8, 9, 10, 11, and 12, of Block 1, CAPITAL MARITIME TERMINAL, according to the plat thereof as recorded in Plat Book 121, Page 31 of the Public records of Miami-Dade County, Florida.

AND

A portion of LOT 13, Block 1, CAPITAL MARITIME TERMINAL, according to the plat thereof as recorded in Plat Book 121, Page 31 of the Public Records of Miami-Dade County, Florida, more particularly described as follows:

Begin at the extreme southerly corner of said Lot 13, thence north  $41^{\circ}15'56''$  east along the southwesterly line of said Lot 13 for 190 feet to the easterly corner of said Lot 13; thence north  $48^{\circ}50'25''$  west along the northwesterly line of said Lot 13 for 223.40 feet; thence south  $00^{\circ}15'47''$  west for 53.08 feet to the point of curvature of a circular curve to the right having for its elements a radius of 1000.04 feet and a central angle of  $08^{\circ}42'10''$ ; thence southerly and westerly along the arc of said curve for an arc distance of 151.95 feet; thence south  $00^{\circ}15'47''$  west for 36.93 feet to a point on the southwesterly line of said Lot 13; thence south  $48^{\circ}50'25''$  east along the said southwesterly line for 73.72 feet to the Point of Beginning.

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Together with Lot 13A

Commence at the most southerly corner of Lot 13, Block 1, CAPITAL MARITIME TERMINAL, according to the plat thereof as recorded in Plat Book 121 at Page 31 of the Public Records of Miami-Dade County, Florida; thence run north  $48^{\circ}50'25''$  west along the southwesterly line of said Lot 13 for a distance of 73.72 feet to the Point of Beginning of the parcel hereinafter described; thence continue north  $48^{\circ}50'25''$  west along said southwesterly line for a distance of 58.85 feet to the southwest corner of said Lot 13; thence run north  $00^{\circ}15'47''$  east along the west line of said lot 13 for a distance of 5.21 feet to a point of intersection with a 955.40 foot radius circular curve, whose radius point bears north  $81^{\circ}02'03''$  west from said point; thence run northerly along the arc of said curve and the west line of said Lot 13 for an arc distance of 145.12 feet to a point of tangency; thence run north  $00^{\circ}15'47''$  east along said west line for a distance of 63 feet more or less to a point of intersection with the southwesterly face of an existing seawall and dock along the Miami Canal; thence run southeasterly along the said southwesterly face for a distance of 59.5 feet more or less to a point of intersection with a line 45.00 feet east of and parallel with the west line of said Lot 13; thence run south  $00^{\circ}15'47''$  west parallel with said west line for a distance of 24.00 feet to a point of curvature of a circular curve to the right having for its elements a radius of 1000.40 feet and a central angle of  $08^{\circ}42'10''$ ; thence run southerly and westerly along the arc of said curve and parallel with said west line for an arc distance of 151.95 feet; thence south  $00^{\circ}15'47''$  west along a line parallel with the said west line for 36.93 feet to a point on the southwesterly line of said Lot 13, and the Point of Beginning.

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Legal Description  
(Fee Simple)

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Parcel 501

**Legal Description of Parcel:**

That portion of Lots 5 through 21, inclusive, and that certain parcel or piece of land designated as a "Public Park" lying Southerly of Northwest North River Drive, and Westerly of said Lot 21, all in Block 75, **MELROSE HEIGHTS 5TH. SECTION**, according to the plat thereof recorded in Plat Book 17 at Page 22 of the Public Records of Miami-Dade County, Florida, being more particularly described as follows:

**COMMENCE** at the Northwest corner of said Block 75; thence run S 50°50'50" E , along the Southwesterly right of way line of Northwest North River Drive, for a distance of 111.14 feet, to a point of intersection with a non tangent circular curve concave to the Southeast from where the radius point bears S 82°45'38" E and the **POINT OF BEGINNING** of the parcel of land herein described; thence run Southwesterly along the said non tangent circular curve concave to the Southeast being also the Westerly right of way line of the Metrorail Extension MIC-Earlington Heights Connector, having a radius of 3239.83 feet through a central angle of 0°09'11" for an arc distance 8.65 feet to a point of tangency; thence run S 07°05'11" W, along the Westerly right of way line of the Metrorail Extension MIC-Earlington Heights Connector for a distance of 272.05 feet, more or less, to the Miami Canal; thence S 51°16'16" E , along the Miami Canal, for a distance of 48.16 feet, more or less, to the Easterly right of way line of the Metrorail Extension MIC-Earlington Heights Connector; thence run N 07°05'11" E, along the Easterly right of way line of the Metrorail Extension MIC-Earlington Heights Connector for a distance of 280.30 feet to the point of intersection with the Southwesterly right of way line of Northwest North River Drive; thence run N 50°50'50" W, along the Southwesterly right of way line of Northwest North River Drive, for a distance of 48.37 feet, to the **POINT OF BEGINNING**, together with all the riparian rights appurtenant thereto.

Reserving an easement for ingress and egress under the Metro Rail guide way across the above described lands except within five (5) feet of the columns as physically located on the ground after construction.

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**Attachment C**

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



February 27, 2009

Miami-Dade County DERM  
Class I Permitting Program  
701 NW 1st Court  
Miami, Florida 33136

RE: Class I Standard Form Permit Application Number 2007-CLI-PER-00027,  
Install a Metrorail Transit Connector Between the Miami Intermodal Center and  
the Earlington Heights Metrorail Station which Spans the Miami River at 3700  
NW North River Drive and 3795 NW South River Drive.

By the attached Class I Standard Form permit application with supporting documents, I, Carlos Garcia, am the **permit applicant** (**applicant's authorized agent** (circle one)) and hereby request permission to perform the following: install a Metrorail Transit Connector Between the Miami Intermodal Center and the Earlington Heights Metrorail Station which Spans the Miami River at 3700 NW North River Drive and 3795 NW South River Drive. I understand that a Miami-Dade County Class I Standard Form Permit is required to perform this work.

If approval is granted for the 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 a licensed landscape architect to supervise the trimming or cutting.

Respectfully submitted,  
**URS Corporation Southern**

Carlos Garcia P.E.  
Vice President  
Authorized Agent for Miami-Dade County

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REGULATION DIVISION

URS Corporation Southern  
7650 Corporate Center Drive, Suite 400  
Miami, FL 33126-1220  
Tel: 305.262.7466  
Fax: 305.261.4017



ENGINEER LETTER OF CERTIFICATION

February 24, 2009

Miami-Dade County DERM
Class I Permitting Program
701 NW 1st Court
Miami, Florida 33136

RE: Class I Standard Form Permit Application Number 2007-CLI-PER-00027, Install a Metrorail Transit Connector Between the Miami Intermodal Center and the Earlington Heights Metrorail Station which Spans the Miami River at 3700 NW North River Drive and 3795 NW South River Drive.

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REGULATION DIVISION

Ladies and Gentlemen:

This letter will certify that we, William Houppermans, P.E. and Enrique M. Zúñiga, P.E. are engineers registered/licensed in the State of Florida, qualified by education and experience in the area of construction, and that to the best of their 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 by the engineer responsible for the design process, William Houppermans, P.E.

William Houppermans of URS Corporation, is the engineer of record for the design process for the proposed work, and in his opinion based upon his knowledge and belief, the following will not occur:

- a. Harmful obstruction or undesirable alteration of the natural flow of 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)

URS Corporation
7650 Corporate Center Drive, Suite 400
Miami, FL 33126-1220
Tel: 305.513.3502
Fax: 305.717.3112



February 24, 2009  
 Miami-Dade County DERM  
 Class I Standard Form Permit  
 Application Number 2007-CLI-PER-00027

Enrique M. Zúñiga, P.E. of Pistorino & Alam Consulting Engineers, Inc. shall only be responsible for inspections through 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 him, and in his opinion, based upon his foregoing knowledge and belief, the following will not occur:

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

Sincerely,  
**URS Corporation Southern**

Bill Houppermans, PE  
 Sr. Project Manager  
 Design Engineer of Record  
 P.E. No. 61287

Sincerely,  
**PISTORINO & ALAM Consulting Engineers, Inc.**

Enrique M. Zúñiga, P.E.  
 Resident Engineer  
 P.E. No. 38883

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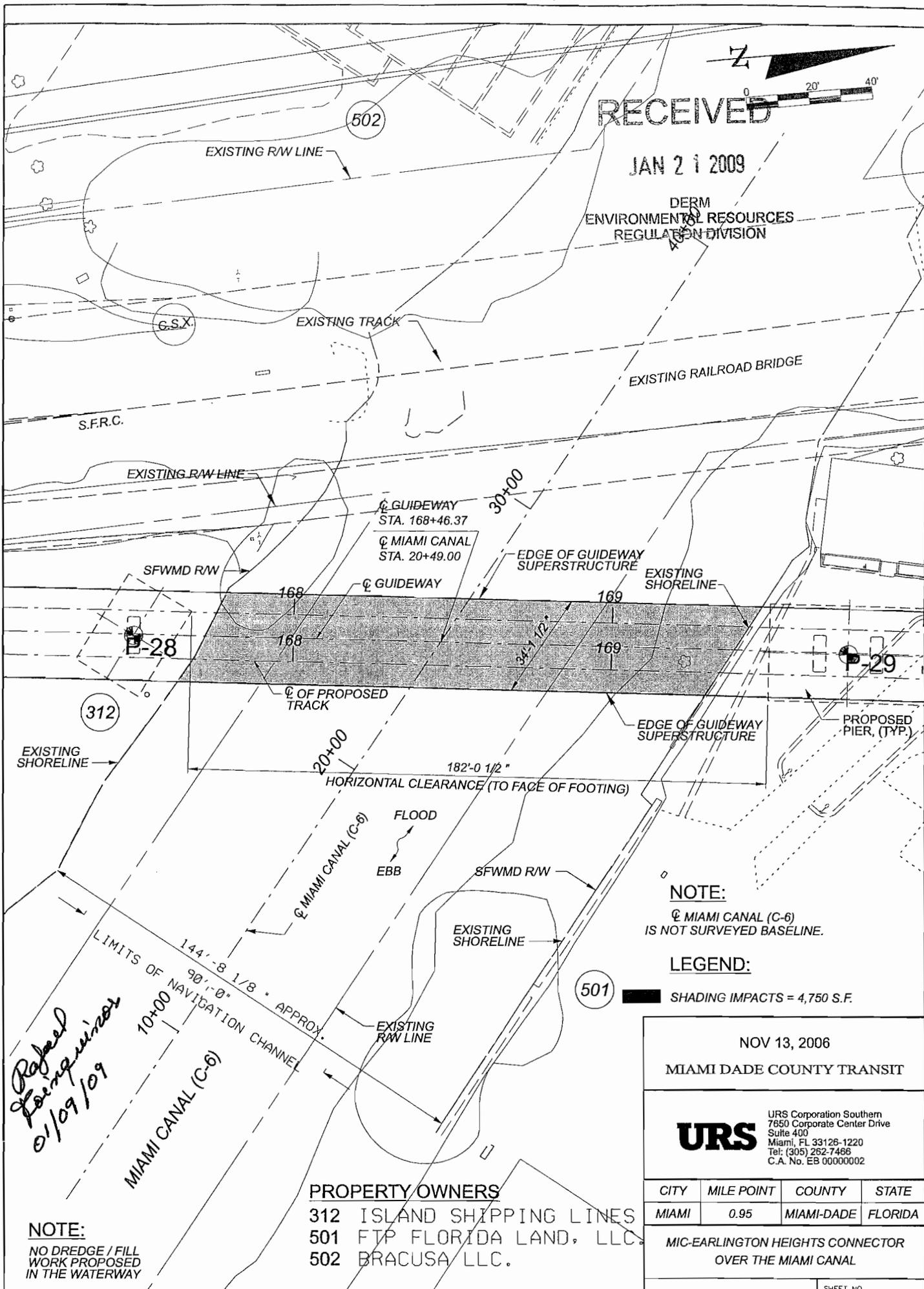
NOV. 13, 2006 (SFWMD PERMIT APPLICATION - NOT FOR CONSTRUCTION)



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REGULATION DIVISION



*Rafael Loinguis*  
01/09/09

**NOTE:**  
☉ MIAMI CANAL (C-6)  
IS NOT SURVEYED BASELINE.

**LEGEND:**  
■ SHADING IMPACTS = 4,750 S.F.

**NOTE:**  
NO DREDGE / FILL  
WORK PROPOSED  
IN THE WATERWAY

**PROPERTY OWNERS**  
312 ISLAND SHIPPING LINES  
501 FTP FLORIDA LAND, LLC  
502 BRACUSA LLC.

NOV 13, 2006  
MIAMI DADE COUNTY TRANSIT

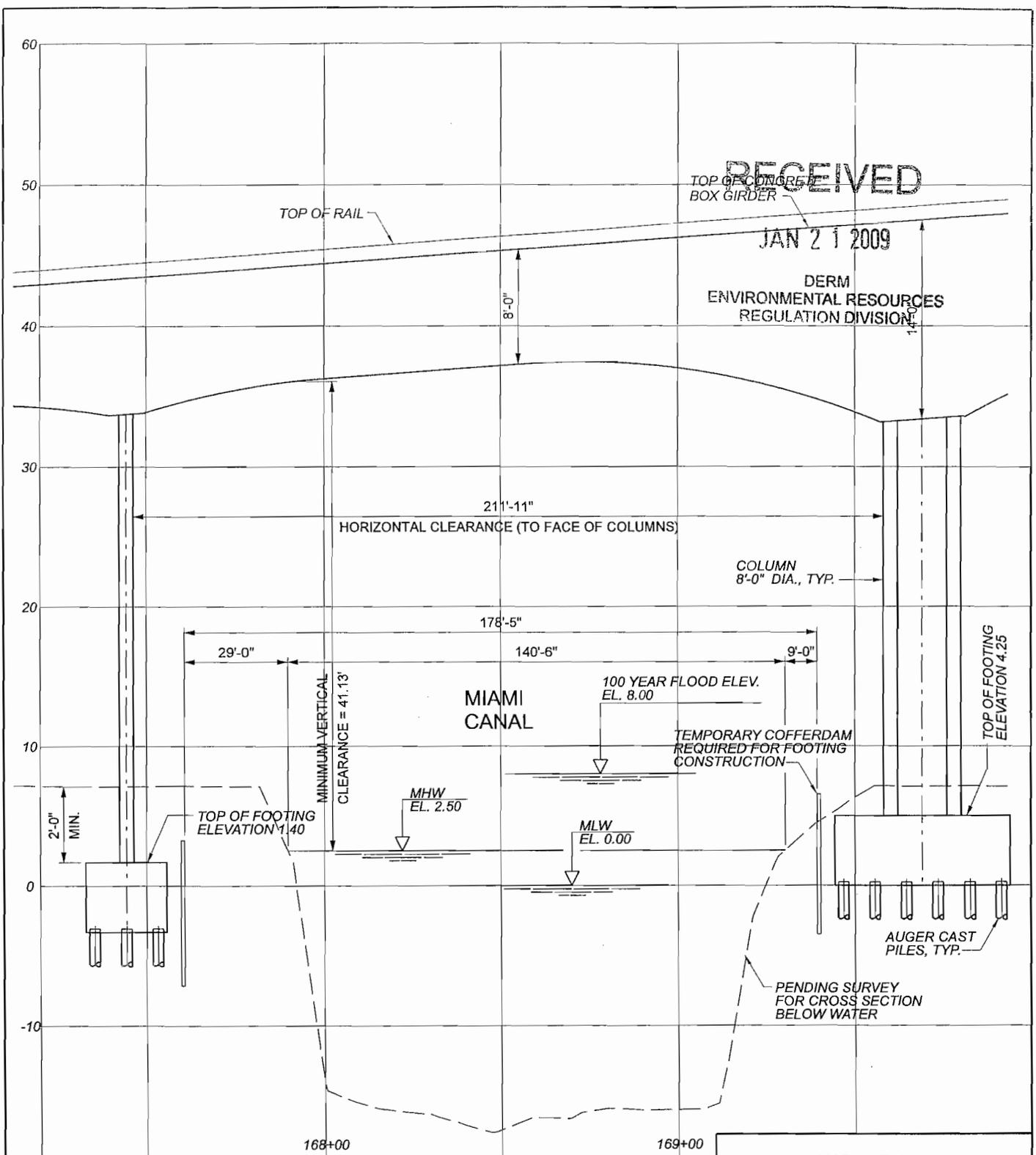
**URS**  
URS Corporation Southern  
7650 Corporate Center Drive  
Suite 400  
Miami, FL 33126-1220  
Tel: (305) 252-7466  
C.A. No. EB 00000002

CITY	MILE POINT	COUNTY	STATE
MIAMI	0.95	MIAMI-DADE	FLORIDA

MIC-EARLINGTON HEIGHTS CONNECTOR  
OVER THE MIAMI CANAL

PLAN SHEET NO. 01

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 DERM  
 ENVIRONMENTAL RESOURCES  
 REGULATION DIVISION

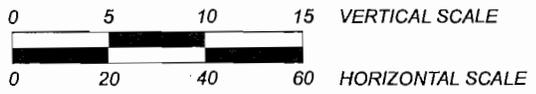


NOV. 13, 2006 (SFVMD PERMIT APPLICATION - NOT FOR CONSTRUCTION)

SCALE: 1" = 40' HORIZ.  
 1" = 10' VERT.

**GUIDEWAY OVER MIAMI CANAL**

**NOTE:**  
 DATUM IS REFERENCED TO NGVD OF 1929.



*Rafael  
 Rodriguez  
 01/09/09*

MARCH 7, 2006  
 MIAMI DADE COUNTY TRANSIT

**URS**  
 URS Corporation Southern  
 7650 Corporate Center Drive  
 Suite 400  
 Miami, FL 33126-1220  
 Tel: (305) 262-7466  
 C.A. No. EB 00000002

CITY	MILE POINT	COUNTY	STATE
MIAMI	0.95	MIAMI-DADE	FLORIDA

MIC-EARLINGTON HEIGHTS CONNECTOR  
 OVER THE MIAMI CANAL

ELEVATION	SHEET NO. 4 OF 4
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20

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

# Memorandum



**Date:** February 25, 2009

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

**From:** Christine D. Hopps, ERPS *CH*  
Coastal Resources Section  
Environmental Resources Management

**Subject:** Class I Permit Application by Miami-Dade County to Install a Metrorail Transit Connector Between the Miami Intermodal Center and the Earlington Heights Metrorail Station which Spans the Miami River at 3700 NW North River Drive and 3795 NW South River Drive.

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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**

Eugene Eisenberb TR  
21050 NE 38<sup>th</sup> Ave, Apt 3104  
Miami, FL 33180-4084

CSX Transportation Inc,  
Tax Department (J910)  
500 Water Street  
Jacksonville, FL 32202-0000

FPT Florida Land LLC  
3400 E Lafayette  
Detroit, MI 48207

BRACUSA LLC  
4300 SW 74<sup>th</sup> Avenue  
Miami, FL 33155-4406

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ENVIRONMENTAL RESOURCES  
REGULATION DIVISION

**Attachment F**  
**DERM Project Report**

**PROJECT REPORT**

**CLASS I PERMIT APPLICATION NO. 2007 CLI-PER 00027**

**MIAMI-DADE COUNTY, FOR A CLASS I PERMIT TO INSTALL A METRORAIL TRANSIT CONNECTOR BETWEEN THE MIAMI INTERMODAL CENTER AND THE EARLINGTON HEIGHTS METRORAIL STATION WHICH SPANS THE MIAMI RIVER AT 3700 NW NORTH RIVER DRIVE AND 3795 NW SOUTH RIVER DRIVE.**

**Date: February 25, 2008**



14. **Marine and Wildlife Habitats**– The proposed project is not reasonably expected to adversely affect marine and wildlife habitats. 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. Additionally, the Class I permit shall have a condition that requires the applicant to use best management practices to ensure that construction debris does not enter the water.
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 is not reasonably expected to adversely affect marine flora.
17. **Fauna Values** - The proposed project is not reasonably expected to adversely affect marine fauna.
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 construction permit conditions regarding manatees 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.
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. The subject waterway and submerged lands are owned by the South Florida Water Management District (SFWMD). The applicant has obtained authorization for the use of said waterway and submerged lands in the form of SFWMD Right-of-Way permit number one three zero five seven (13057).

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 (Sections 33D-1 through 33D-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 is not reasonably expected to result in either adverse environmental impacts or 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
  - 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 Class I permit will include conditions that require the applicant to use best management practices to minimize any impacts that may occur. In addition, a performance bond shall be held to ensure compliance with said conditions.

**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/Polycys 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. 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 construction permit conditions regarding manatees 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 mangroves.

**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 will not affect existing water-dependent use.

**Objective 5/Policy 5D** - Consistency with Chapter 33D, Miami-Dade County Code (shoreline access, environmental compatibility of shoreline development) – 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, Code of Miami-Dade County** (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 Sections 33D-1 through 33D-4 of the Code of Miami-Dade County) - 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. Therefore, the Class I permit will require that all standard construction permit conditions regarding manatees 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

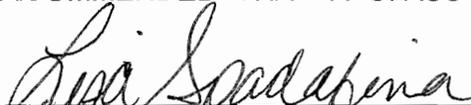
The proposed project was also evaluated for compliance with the standards contained in Section 24-48.3(2), (3), and (4) of the Code of Miami-Dade County, Florida. The following is a summary of how the standards relate to the proposed project:

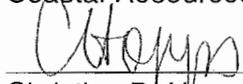
**24-48.3 (2) Dredging and Filling for Class I Permit** – Not applicable

**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** – Not applicable

**24-48.3 (4) Clean Fill in Wetlands** – Not applicable

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, ERPS  
Coastal Resources Section