Memorandum

MIAMI-DADE COUNTY

Date: November 17, 2009

Agenda Item No. 5(C)

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

From: George M. Burgess
County Manager

Subject: Class I Permit Applications by Noreen G. Sablotsky and Entrada Corporation to Excavate Sediment from an Upland Area to Create a Private Residential Boat Slip, Install a New Bulkhead, and Maintenance Dredge Sediment from the South Canal to a Depth of Minus Six (-6) North American Vertical Datum

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Attached, please find for your consideration applications by Noreen G. Sablotsky and Entrada Corporation 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.

Assistant County Manager

Memorandum

MIAMI-DADE COUNTY

Date: October 13, 2009

To: George M. Burgess
County Manager

From: Carlos Espinosa, PE, Director
Environmental Resources Management

Subject: Class I Permit Applications by Noreen G. Sablotsky and Entrada Corporation to Excavate Sediment from an Upland Area to Create a Private Residential Boat Slip, Install a New Bulkhead, and Maintenance Dredge Sediment from the South Canal to a Depth of Minus Six (-6) North American Vertical Datum

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Recommendation
I have reviewed the attached Class I permit applications by Noreen G. Sablotsky and Entrada Corporation. 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 (Board) approve the issuance of a Class I permit for the reasons set forth below.

Scope
The work is located in the South Canal Waterway at 3575 Stewart Avenue, Miami, Miami-Dade County, Florida, in Commission District 7 (Comm. Gimenez).

Fiscal Impact/Funding Source
Not applicable.

Track Record/Monitor
Not applicable.

Background
The subject Class I permit applications involve the excavation of sediment from an upland area to create a private residential boat slip, the installation of an associated new bulkhead, and maintenance dredging of sediment from the South Canal to a depth of minus six (-6) North American Vertical Datum (NAVD) at 3575 Stewart Avenue, Miami, Miami-Dade County, Florida. The proposed project is required to be reviewed and approved by the Board at a public hearing because the scope of work is not specifically referenced in Section 24-48.2 of the Code of Miami-Dade County (Code) as work that can be processed administratively with a short form application. Therefore, a standard form application, including a public hearing, is required.

The project site consists of a single family residence, owned by Noreen G. Sablotsky, and is located on a corner lot with two hundred eighteen (218) linear feet of shoreline bordering Biscayne Bay and two hundred (200) linear feet of shoreline along the South Canal. The South Canal runs adjacent to the subject upland parcel and is privately owned by the Entrada Corporation. Due to shallow water depth and potential impacts to marine resources, the mooring of vessels is prohibited along the shoreline bordering Biscayne Bay. Along the South Canal shoreline, the upland property has two (2) authorized boat slip areas: the first, an upland concrete pad with two (2) existing davits and the second, three (3) wood mooring piles with eight (8) aluminum bulkhead mounted fenders. The applicants indicate that the mooring of a large vessel along the South Canal bulkhead raises navigational concerns due to the narrow width of the waterway which measures thirty nine (39) feet across. To address navigational concerns, the applicants are proposing to excavate sediment from a one thousand three hundred fifty (1,350) square foot upland area that will result in the removal of the existing davits and concrete pad. One hundred twenty four (124) linear feet of new bulkhead will be

installed to create a boat slip measuring seventeen point five (17.5) feet wide by ninety (90) feet long.

The applicants also propose to maintenance dredge a four thousand eight hundred (4,800) square foot area of privately-owned submerged lands adjacent to the proposed boat slip to meet the controlling water depth of the canal and allow for vessel access. The boat slip and adjoining submerged bottom area are proposed to be dredged to depths ranging from minus six (-6) to minus six and seventy three hundredths (-6.73) NAVD.

A seagrass survey conducted by biologists from the Department of Environmental Resources Management (DERM) along the South Canal bottom revealed no significant resources in the area of the proposed work. However, in order to mitigate for unavoidable impacts to water quality associated with maintenance dredging and the installation of the new bulkhead, the applicants have agreed to provide a payment to the Biscayne Bay Environmental Enhancement Trust Fund in the amount of $15,507. This amount is based on the length of new bulkhead and the area to be dredged.

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 why 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. 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 Applications
Attachment B: Affidavits of Ownership and Hold Harmless Agreement
Attachment C: Owner/Agent Letter, Engineer Certification Letter and Project Sketches
Attachment D: Spoil Management and Turbidity Control Plans
Attachment E: Names and Addresses of Owners of All Riparian or Wetland Property Within Three Hundred (300) Feet of the Proposed Work
Attachment F: Zoning Memorandum
Attachment G: DERM Project Report

NOTICE OF PUBLIC HEARING ON APPLICATIONS BY NOREEN G. SABLOTSKY AND ENTRADA CORPORATION FOR A CLASS I PERMIT TO EXCAVATE SEDIMENT FROM AN UPLAND AREA TO CREATE A PRIVATE RESIDENTIAL BOAT SLIP, INSTALL A NEW BULKHEAD, AND MAINTENANCE DREDGE SEDIMENT FROM THE SOUTH CANAL TO A DEPTH OF MINUS SIX (-6) NORTH AMERICAN VERTICAL DATUM AT 3575 STEWART AVENUE, 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 Noreen G. Sablotsky and Entrada Corporation for a Class I permit to excavate sediment from an upland area to create a private residential boat slip, install a new bulkhead, and maintenance dredge sediment from the South Canal to a depth of minus six (-6) North American Vertical Datum at 3575 Stewart Avenue, Miami. Such Public Hearing will be held on the 17th day of November 2009 at 9:30 AM in the County Commission Chambers on the 2nd Floor of the Stephen P. Clark Center at 111 NW 1st 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 (Diane Collins, 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: _____
Diane Collins, Deputy Clerk

MEMORANDUM

(Revised)

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

DATE: November 17, 2009

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

SUBJECT: Agenda Item No. 5(C)

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
Override _____
Veto _____

Agenda Item No. 5(C)
11-17-09

RESOLUTION NO. _____

RESOLUTION RELATING TO APPLICATIONS BY NOREEN G. SABLOTSKY AND ENTRADA CORPORATION FOR A CLASS I PERMIT TO EXCAVATE SEDIMENT FROM AN UPLAND AREA TO CREATE A PRIVATE RESIDENTIAL BOAT SLIP, INSTALL A NEW BULKHEAD, AND MAINTENANCE DREDGE SEDIMENT FROM THE SOUTH CANAL TO A DEPTH OF MINUS SIX (-6) NORTH AMERICAN VERTICAL DATUM AT 3575 STEWART AVENUE, 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 applications of Noreen G. Sablotsky and Entrada Corporation for a Class I permit to excavate sediment from an upland area to create a private residential boat slip, install a new bulkhead, and maintenance dredge sediment from the South Canal to a depth of minus six (-6) North American Vertical Datum at 3575 Stewart Avenue, Miami, Miami-Dade County, 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 applicants 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 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 17th day of November, 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 Applications

MIAMI-DADE COUNTY

Class I
Permit Application

1. Application number	2. Date Day/Month/Year	3. For official use only
2007-CLI-Per-06022	10/9/09	

4. Applicant Information:

Name: Entrada Corporation
Address: 3645 Stewart Ave
Miami, FL Zip Code: 33133
Phone #: Fax #:

5. Applicant's authorized permit agent

Name: Dock & Marine Construction Inc
Address: 752 NE 79st
Miami, FL Zip Code: 33138
Phone #: 305-751-9911 Fax #: 751-4825

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. Class I permit application by Noreen G. Sablotsky and Entrada Corporation to excavate sediment from an upland area to create a private residential boatslip, install a new bulkhead and maintenance dredge from the south canal to a depth of minus six (-6) feet North American Datum.

Volume of Material:	Dredged/Excavated				Filled/Deposited			
	200 CY	450 CY			0 CY	0 CY		
	Waterward of O.H.W. or M.H.W.	Landward of O.H.W. or M.H.W.			Waterward of O.H.W. or M.H.W.	Landward of O.H.W. or M.H.W.		

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7. Proposed Use: (Check One)

- [x] Private
- [ ] Public
- [ ] Commercial
- [ ] Other

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

Name: Allan Bomdorf
Address: 3577 Stewart Ave
Miami, FL Zip Code 33133

Name: Kensai Development Corp.
Address: 3560 Stewart Ave
Miami, FL Zip Code 33133

9. Location where proposed activity exists or will occur.

Street Address: 3575 Stewart Ave
Latitude Longitude
Section Township Range
State FL County Miami-Dade In City or Town Miami Near City Or Town Coral Gables

10. Name of waterway at location of the activity.

South Canal

11. Date activity is proposed to:
Commence ASAP Be completed

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
City of Miami Building Department				

14. Has any other agency denied approval for any activity directly related to the activity described herein?
☐ Yes
☑ No

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15. Remarks
none

16. Estimated project cost = $75,600.00

17. Contractor's name and address
Dock Marine Construction Inc.
Name: Max Larson License #: E410
Address: 752 NE 79st
Miami FL Zip Code: 33138
Phone #: 305-751-9911 Fax #: 305-751-4825

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.
Entrada Corporation
Signature of owner Vice President
Date 10/9/09

19. To obtain proprietary authorization for work on state-owned submerged lands, please include an additional copy of the following:
☐ 8½ x 11 Location Map
☐ 8½ x 11 Project Drawing
☐ Copy of Application

SUBSCRIBED AND SWORN TO ME THIS 9 DAY OF Oct, 20 09, BY Bennett Feldman
☑ PERSONALLY KNOWN ☐ PRODUCED IDENTIFICATION (PLEASE CHECK ONE)
TYPE OF ID PRODUCED
NOTARY PUBLIC

NOTARY PUBLIC-STATE OF FLORIDA
Alyssa Larson
Commission #DD728487
Expires: DEC. 27, 2011
BONDED THRU ATLANTIC BONDING CO., INC.

MIAMI-DADE COUNTY

Class I
Permit Application

1. Application number	2. Date Day/Month/Year	3. For official use only
2007-CLASSI-00082		

4. Applicant Information:

Name: Noreen G. Sablotsky
Address: 3575 Stewart Ave
Miami, FL Zip Code: 33133
Phone #: 305-6661-2551 Fax #: 305-6661-8211

5. Applicant's authorized permit agent

Name: Dock & Marine Construction Inc
Address: 752 NE 79th St
Miami, FL Zip Code: 33138
Phone #: 305-751-9911 Fax #: 305-751-4835

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. Class I Permit Applications by Noreen G. Sablotsky and Ensiada Corporation to Excavate Sediment from an Upland area to create a Private Residential Boat Slip, Install a New Bulkhead, and Maintenance Dredge Sediment from the South Canal to a Depth of minus Six (-6) feet North American Vertical Datum.

Volume of Material:	Dredged/Excavated		Filled/Deposited	
	Waterward of O.H.W. or M.H.W	Landward of O.H.W. or M.H.W.	Waterward of O.H.W. or M.H.W	Landward of O.H.W or M.H.W
	____ CY	____ CY	____ CY	____ CY

7. Proposed Use: (Check One)

- ☑ Private
- ☐ Public
- ☐ Commercial
- ☐ Other

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REGULATION DIVISION

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

Name: Allen Bombart
Address: 3577 Stewart Ave
Miami, FL Zip Code 33133

Name: Kensai Development Corporation
Address: 3560 Stewart Ave
Miami, FL Zip Code 33133

9. Location where proposed activity exists or will occur.

Street Address: 3575 Stewart Ave
Latitude ____ Longitude ____
Section ____ Township ____ Range ____
State FL County Miami-Dade In City or Town Miami Near City Or Town Coral Gables

10. Name of waterway at location of the activity.

South Canal

11. Date activity is proposed to:
Commence ASAP Be completed

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
City of Miami Building Department				

14. Has any other agency denied approval for any activity directly related to the activity described herein?
☐ Yes
☒ No

15. Remarks
None

16. Estimated project cost = $75,000.00

17. Contractor's name and address
Name: Jack + Maine Construction Inc (Max Laison) License #: E-410
Address: 752 NE 79th St
Miami, FL Zip Code: 33138
Phone #: 305-751-9911 Fax #: 305-751-4825

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.
Signature of owner Doreen Schlesinger
Date 8/18/09

19. To obtain proprietary authorization for work on state-owned submerged lands, please include an additional copy of the following:
☐ 8½ x 11 Location Map
☐ 8½ x 11 Project Drawing
☐ Copy of Application

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SUBSCRIBED AND SWORN TO ME THIS 18 DAY OF August, 2009 BY Doreen Schlesinger
☒ PERSONALLY KNOWN ☐ PRODUCED IDENTIFICATION (PLEASE CHECK ONE)
TYPE OF ID PRODUCED

ANNA L FORER NOTARY PUBLIC
MY COMMISSION # DD601674
EXPIRES: Oct. 3, 2010
(407) 398-0153 Florida Notary Service.com

12

Attachment B

Affidavits of Ownership and Hold Harmless Agreement

Affidavit of Ownership
and Hold Harmless Agreement

Personally Appeared Before Me, Noreen G. Sablotsky, 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:

   3575 Stewart Ave
   Miami, FL 33133
   Lot 1 Block 1 of Korth Estates
   Plat Book 148 Page 27

   * 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. 2009-Cl-Per-00022 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: Class I Permit Applications by Noreen G. Sablotsky and Estrada Corporation to Excavate Sediment from an upland area to Create a Private Residential Boat Slip; Install a new Bulkhead, and maintenance Dredge Sediment from the South canal to a Depth of minus Six (-6) Feet North American Vertical Datum.

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

Noreen Sablotsky
Owner/Applicant

BEFORE ME, the undersigned authority, personally appeared Noreen Sablotsky 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 18 (day) of August (month) 2009 (year)

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REGULATION DIVISION

Notary Signature _____ Notary Seal _____

NOTARY PUBLIC STATE OF FLORIDA (407) 398-0153
ANNA L FORER
MY COMMISSION # DD601674
EXPIRES: Oct. 3, 2010
Florida Notary Service.com

Affidavit of Ownership
and Hold Harmless Agreement

Personally Appeared Before Me, Bennett Feldman Vice President of Entrada Corporation, 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:

   South Canal

   * 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-CW-Per-00022 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: Class I Permit Applications by Noreen G. Sabolotsky and Entrada Corporation to Excavate Sediment from an Upland Area to Create a Private Residential Boatslip, Install a new Bulkhead, and maintenance Dredge Sediment from the South canal to a Depth of Minus Six (-6) Feet North American Vertical Datum.
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.

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REGULATION DIVISION

STATE OF FLORIDA
COUNTY OF DADE

Entrada Corporation
Bennett Feldman Vice President
Owner/Applicant

BEFORE ME, the undersigned authority, personally appeared BENNETT FELDMAN, 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 19 (day) of AUGUST (month) 2009 (year)

Notary Signature Rita Mauric

Notary Seal

NOTARY PUBLIC-STATE OF FLORIDA
Rita Mauric
Commission #DD721754
Expires: NOV. 22, 2011
BONDED THRU ATLANTIC BONDING CO., INC.

Attachment C

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

DOCK AND MARINE CONSTRUCTION CORPORATION
752 N.E. 79th Street • Miami, Florida 33138 • (305) 751-9911 • Fax (305) 751-4825

July 28, 2009

MIAMI DADE COUNTY DERM
Class I Permitting Program
701 NW 1st Court 6th Floor
Miami, FL 33136

RE: Class I Standard Form Application Number: 2007-CLI-PER-00022, Class I Permit Applications by Noreen G. Sablotsky and Entrada Corporation to Excavate Sediment from an Upland Area to Create a Private Residential Boat Slip, Install a New Bulkhead, and Maintenance Dredge Sediment from the South Canal to a Depth of Minus Six (-6) Feet North American Vertical Datum.

By the attached Class I Standard Form permit application with supporting documents, I, **Max Larson**, am the **permit applicant/ applicant's authorized agent** and hereby request permission to perform the following: **Class I Permit Applications by Noreen G. Sablotsky and Entrada Corporation to Excavate Sediment from an Upland Area to Create a Private Residential Boat Slip, Install a New Bulkhead, and Maintenance Dredge Sediment from the South Canal to a Depth of Minus Six (-6) Feet North American Vertical Datum.**
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,
DOCK AND MARINE CONSTRUCTION, INC
Max Larson, President

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REGULATION DIVISION

ENGINER LETTER OF CERTIFICATION

TRACY CONSULTANTS INC. CA3958
4660 SW 128TH AVE
SOUTHWEST RANCHES, FL 33330-2302
PH(954)434-5035 Fax: (954) 434-1675

July 28, 2009

MIAMI DADE COUNTY DERM
Class I Permitting Program
701 NW 1st Court 6th Floor
Miami, FL 33136

RE: Class I Standard Form Application Number: 2007-CLI-PER-00022, Class I Permit Applications by Noreen G. Sablotsky and Entrada Corporation to Excavate Sediment from an Upland Area to Create a Private Residential Boat Slip, Install a New Bulkhead, and Maintenance Dredge Sediment from the South Canal to a Depth of Minus Six (-6) Feet North American Vertical Datum.

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,

Robert N Tracy, P.E., #11363
President L07-010

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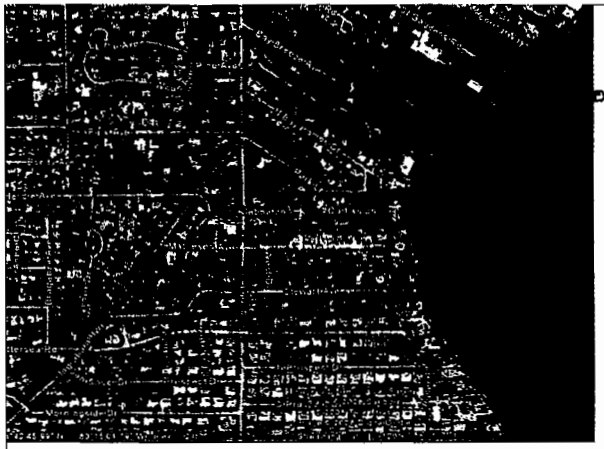
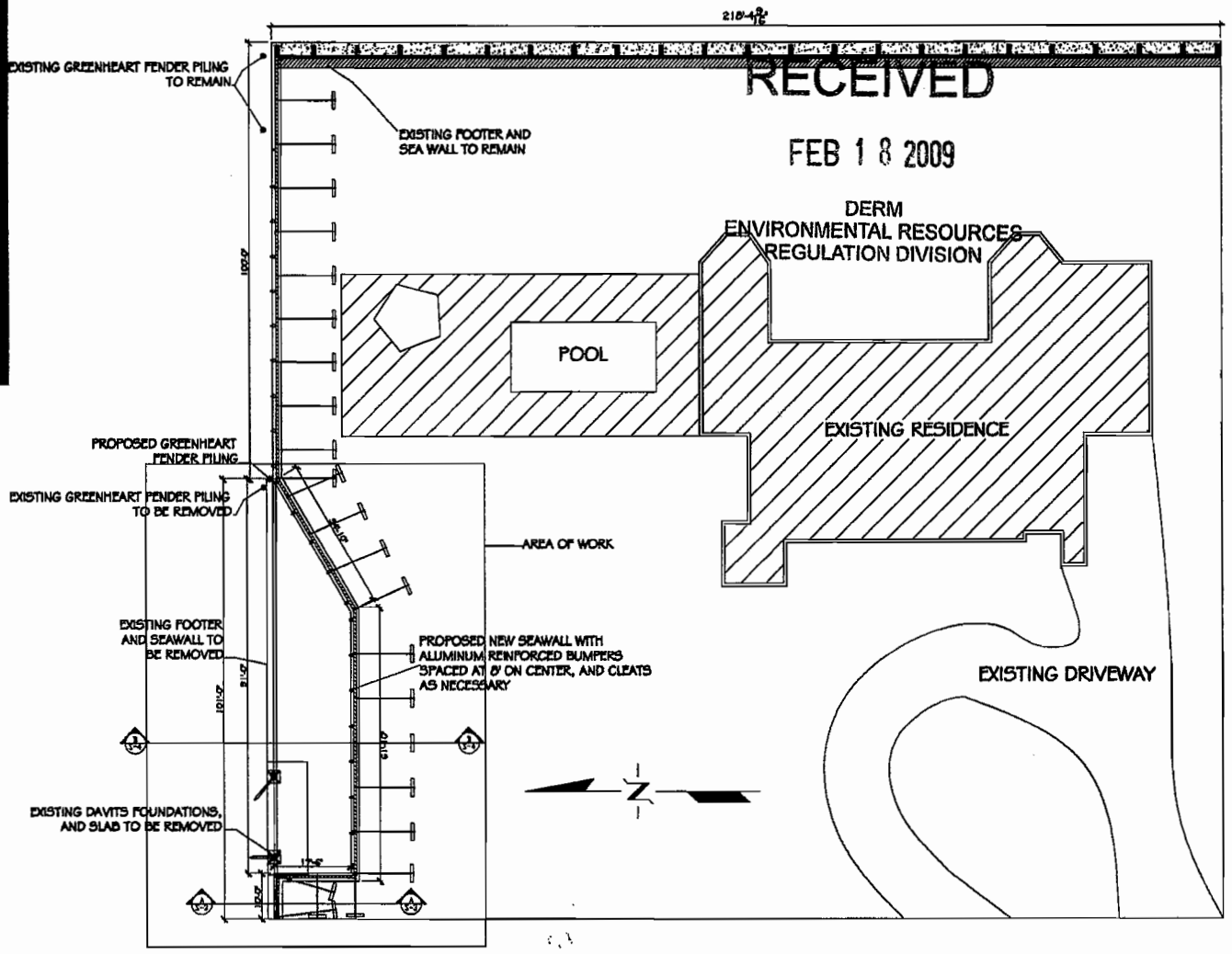
DERM
ENVIRONMENTAL RESOURCES
REGULATION DIVISION

SABLOTSKY RESIDENCE
3575 STEWART AVENUE
MIAMI, MIAMI-DADE COUNTY, FLORIDA





LEGAL DESCRIPTION: LOT 1, BLOCK 1 OF 'KORTH ESTATES', ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 148, PAGE 27 OF THE PUBLIC RECORDS OF THE MIAMI DADE COUNTY, FLORIDA.

FOLIO NUMBER: 01-4128-045-0010

20

TRACY CONSULTANTS C.A. 3958, LICENSE #11363 (954)-434-5035 FAX: (954)-434-1675 4660 SW 128TH AVE FT LAUDERDALE, FL 33330	DOCK AND MARINE CONSTRUCTION, INC 752 NE 79TH STREET MIAMI, FL 33138 305-751-9911 F: 305-751-4825	NEW BOAT NOTCH AND DREDGING SABLOTSKY RESIDENCE 3575 STEWART AVE MIAMI, FL	PAGE TITLE: MAP, SURVEY SITE PLAN	ORIGINAL DRAWN: 03/03/08 REVISIONS: 1._____ 2._____	DWG#:07-015 DRAWN BY: ARL	ROBERT N. TRACY P.E. LIC.,# 11363 PAGE 1 OF 8

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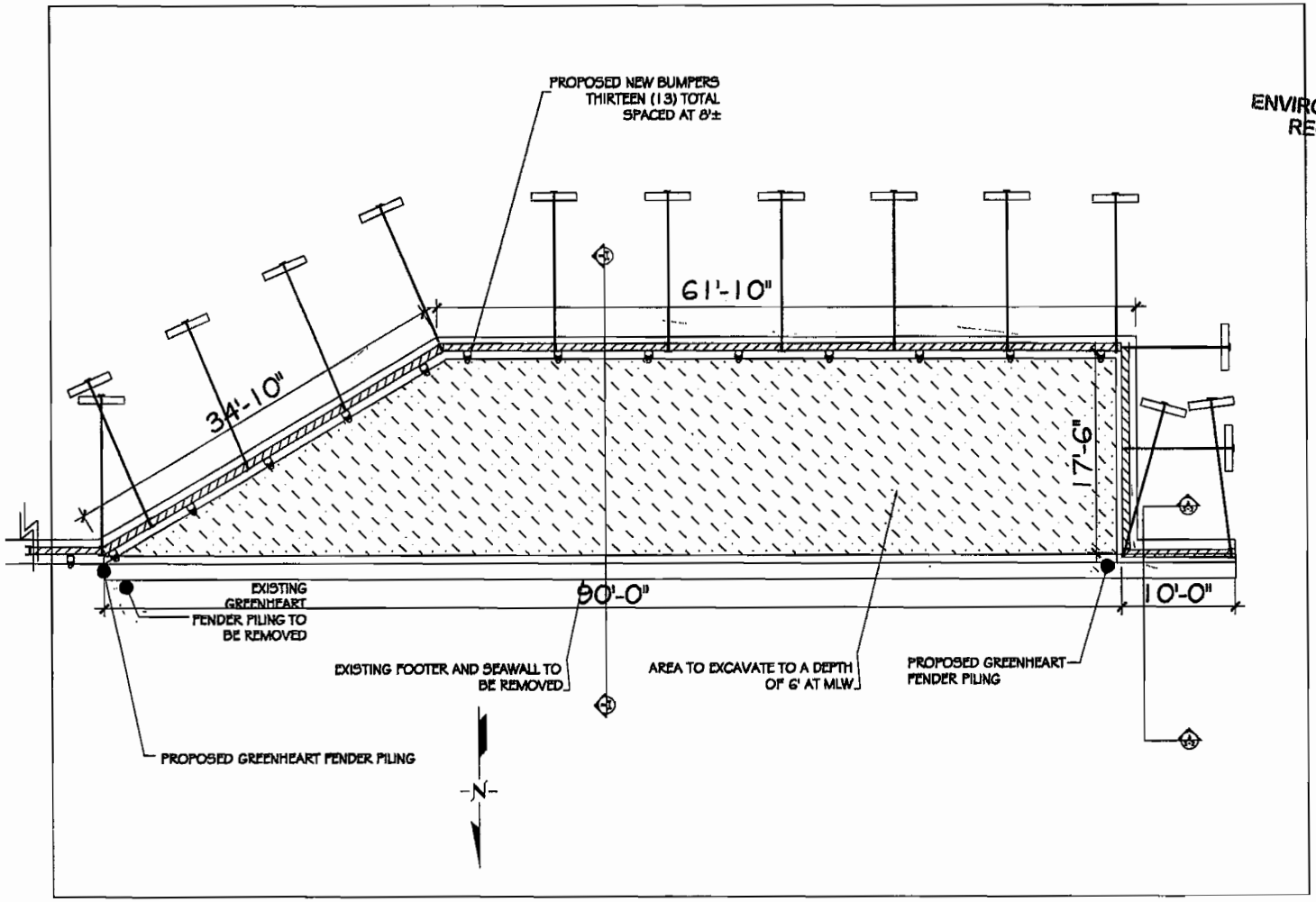

TRACY CONSULTANTS C.A. 3958, LICENSE #11363 (954)-434-5035 FAX: (954)-434-1675 4660 SW 128TH AVE FT LAUDERDALE, FL 33330	DOCK AND MARINE CONSTRUCTION, INC 752 NE 79TH STREET MIAMI, FL 33138 305-751-9911 F: 305-751-4825	NEW BOAT NOTCH AND DREDGING SABLOTSKY RESIDENCE 3575 STEWART AVE MIAMI, FL	PAGE TITLE: SITE PLAN	ORIGINAL DRAWN: 03/03/08 REVISIONS: 1._____ 2._____	DWG#:07-015 DRAWN BY: ARL	ROBERT N. TRACY P.E. LIC.,# 11363 PAGE 2 OF 8

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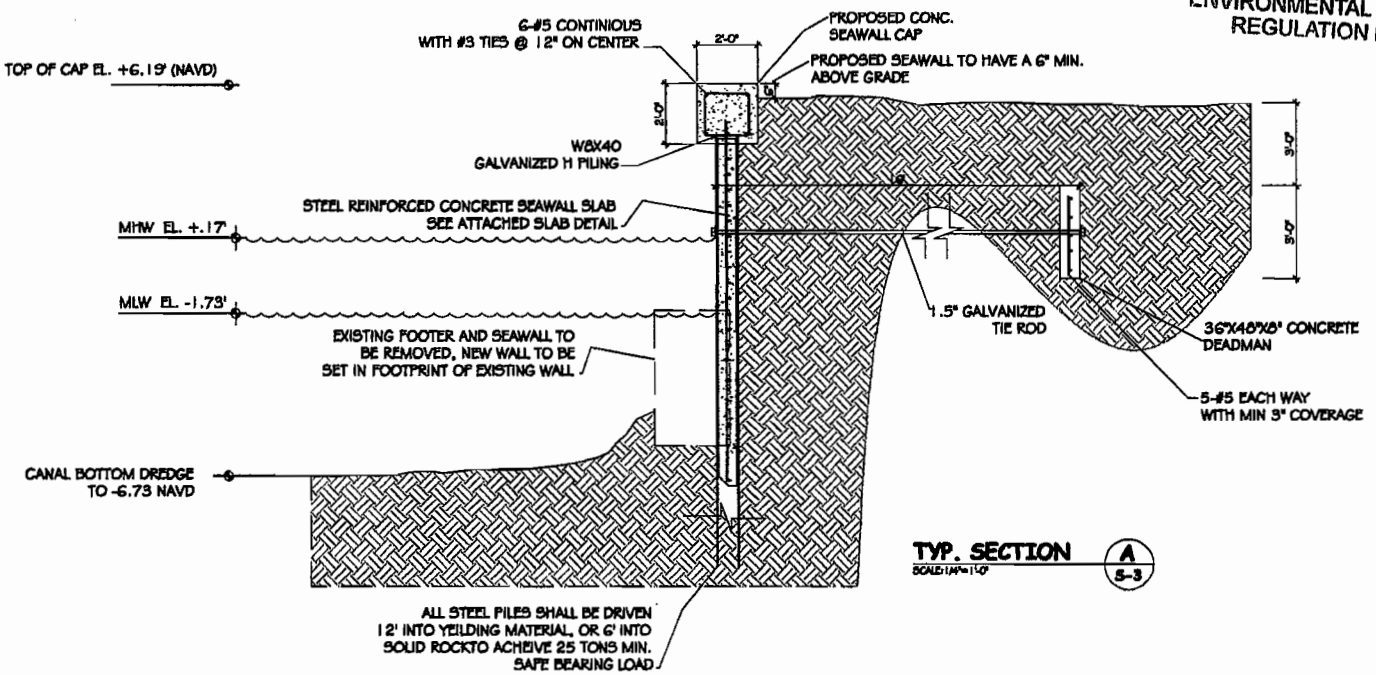

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ALL MATERIAL REMOVED TO BE PLACED IN CONTAINERS AND TRANSPORTED TO APPROVED LANDFILL FOR DISPOSAL.

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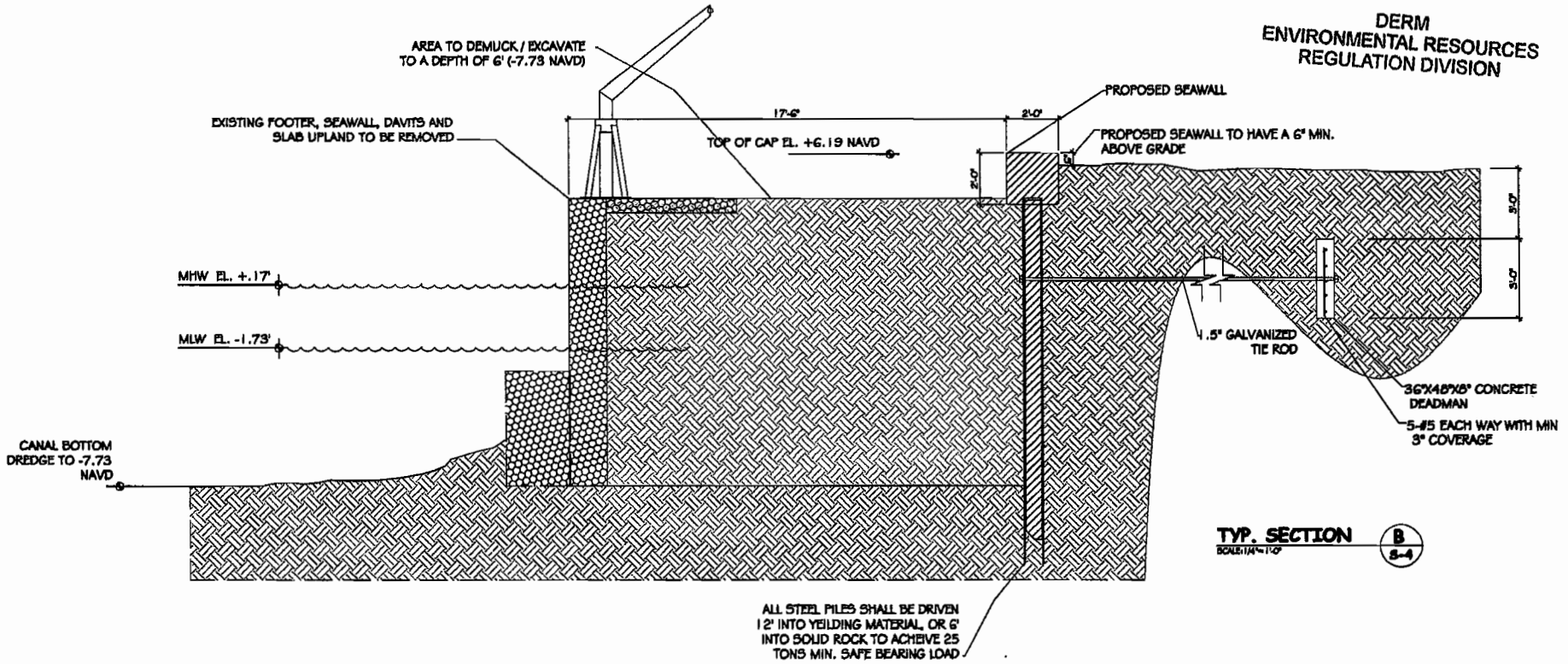

TYP. SECTION B S-4
SCALE: 1/4"=1'-0"

C3

TRACY CONSULTANTS C.A. 3958, LICENSE #11363 (954)-434-5035 FAX: (954)-434-1675 4660 SW 128TH AVE FT LAUDERDALE, FL 33330	DOCK AND MARINE CONSTRUCTION, INC 752 NE 79TH STREET MIAMI, FL 33138 305-751-9911 F: 305-751-4825	NEW BOAT NOTCH AND DREDGING SABLOTSKY RESIDENCE 3575 STEWART AVE MIAMI, FL	PAGE TITLE: SECTION	ORIGINAL DRAWN: 03/03/08 REVISIONS: 1._____ 2._____	DWG#: 07-015 DRAWN BY: ARL	ROBERT N. TRACY P.E. LIC.,# 11363 PAGE 4 OF 8

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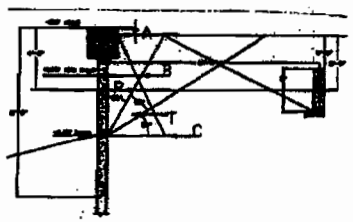
TRACY CONSULTANTS INCORPORATED
STRUCTURAL ANALYSIS

FEBRUARY 3, 2007

SEA-WALL DESIGN WITH TIE-BACKS & H PILES. SEE 07-015, SABLOTSKY RESIDENCE
3575 STWART AVE., MIAMI, FL.

1. DREDGE (BERM) LINE FROM TOP OF CAP----------7.5'
2. WATER LEVEL FROM TOP OF CAP---------- 3.25'

3. DRY DENSITY OF SAND(PCF)---------- 110
4. SATURATED DENSITY (PCF)---------- 65
5. ANGLE OF INTERNAL FRICTION---------- 34
6. SURCHARGE---------- 0
7. SPACING OF TIE RODS ---------- 11'-8"MAX
8. SIZE OF TIE-RODS ---------- 1.5" dia.STEEL ROD, MASTIC COATED
9. SIZE OF DEAD MEN FOOTING----------3'x 3'



vertical pressure @ A, B & C.
PA= 0, no surcharge
PB=3.25x110=358 psi
PC=358+ 4.25x65 = 634

Ca= tan^(45 - 1/2Q)= .283

lateral pressure @ A, B & C
pa= 0
pb= 358x.283=101psf
pc= 634x.283=179psf
Total Thrust= ½(3.25)(0, 0 + 101)+
½(4.25)(101 + 179) = 759#
T= (7x2/3)=759#, T=163#/'
H PILE REACTION =163#/'x11.667'=1898#
Ma=0, (7x2/3)x1898-3.75R=0,
TIE-ROD REACTION= 8855/3.75=2361#
M=2361x1.25x2.5/3.75=1968/1000=1.97'k
Sreq'd= 1.97X12/(.6X36)=1.09"~
w8X40 s=35.5"- OK
1898/24000= 0.079"^, 1.5" dia STEEL ROD OK
FOOTING =3xJx8", AREA=9^',
depth of deadmen @ center = 3.75', average soil density= 110pcf,, P=413psf, 1898/413=4.59SF, <9SF PROVIDED OK
Reinforcing of (3) #5 bars each way in a mat ok by inspection

HORIZONTAL LOAD ON NEW CAP= 151#/',
M=151x(11.667')^/8=2569'#, As= 2569x12/24000x16=0.08"^
(6)#5 BARS PROVIDED, 6 x .31=1.86"^> 0.08"^ OK.
See drawing 07-015 for other details.

PRECAST PANEL DESIGN TENSION REINFORCEMENT ONLY PER NOTES ON ACI 318-99 BUILDING CODE REQUIREMENTS FOR STRUCTURAL CONCRETE FOR SABLOTSKY RESIDENCE AT 3575 STEWART AVE., MIAMI, FL.

PRECAST PANEL:
MAXIMUM EARTH PRESSURES FROM SEA WALL ANALYSIS: SEE DM07-015
LOWER HALF = 179psf
UPPER HALF = 101psf

		FACTORED(x1.7)
MOMENT IN LOWER HALF= WL^/8= 179x11.667^/8= 3046'#		5178psf
MOMENT IN UPPER HALF=	101x11.667^/8= 1719'#	2921psf
		FACTORED(x1.4)
FROM HANDLING: w= 150x8/12= 100#/',		
	M=100x11.667^/8= 1701'#	2382psf

BALANCED RATIO FROM TABLE 6.1-FOR f'c=5000, fy=60000, p=0.0335, B1=0.80
p(min)=.375xp=0.0126^,

Mu= 2178 + 2921 = 5099'#
Rn=pfy(1-0.5pfy/.85f'c)=.0126x60000(1-.5x.0126x60000/.85x5000)= 689psi
bd^=Mu/øRn=5099x12/.9x689=99, d^=99/12= 8.22, d=2.87", OK

As req'd from table 10-1, Mu/Of'cbd^= 5099x12/.9x5000x12x2.87^= 0.138
, FROM TABLE 10-1 w=0.152, p=wf'c/fy= 0.152x5/60=0.0127
As (req'd)= pbd =.0127x12x2.87= 0.44"^
Spacing of #5 bars = 12x.31/.44=8.45"o/c use 8" o/c OK BOTTOM

CHECK UPPER HALF: USE SAME AS LOWER. OK

VERTICAL BARS- USE #5 BARS @ 12" O/C W/ 2 BARS HOOPED FOR LIFT.

TRACY CONSULTANTS C.A.
3958, LICENSE #11363
(954)-434-5035
FAX: (954)-434-1675
4660 SW 128TH AVE
FT LAUDERDALE, FL 33330

DOCK AND MARINE CONSTRUCTION, INC
752 NE 79TH STREET
MIAMI, FL 33138
305-751-9911
F: 305-751-4825

NEW BOAT NOTCH AND DREDGING
SABLOTSKY RESIDENCE
3575 STEWART AVE
MIAMI, FL

PAGE TITLE:
CALCULATIONS

ORIGINAL DRAWN: 03/03/08
REVISIONS:
1._____
2._____

DWG#: 07-015
DRAWN BY: ARL

ROBERT N. TRACY
P.E. LIC.,# 11363

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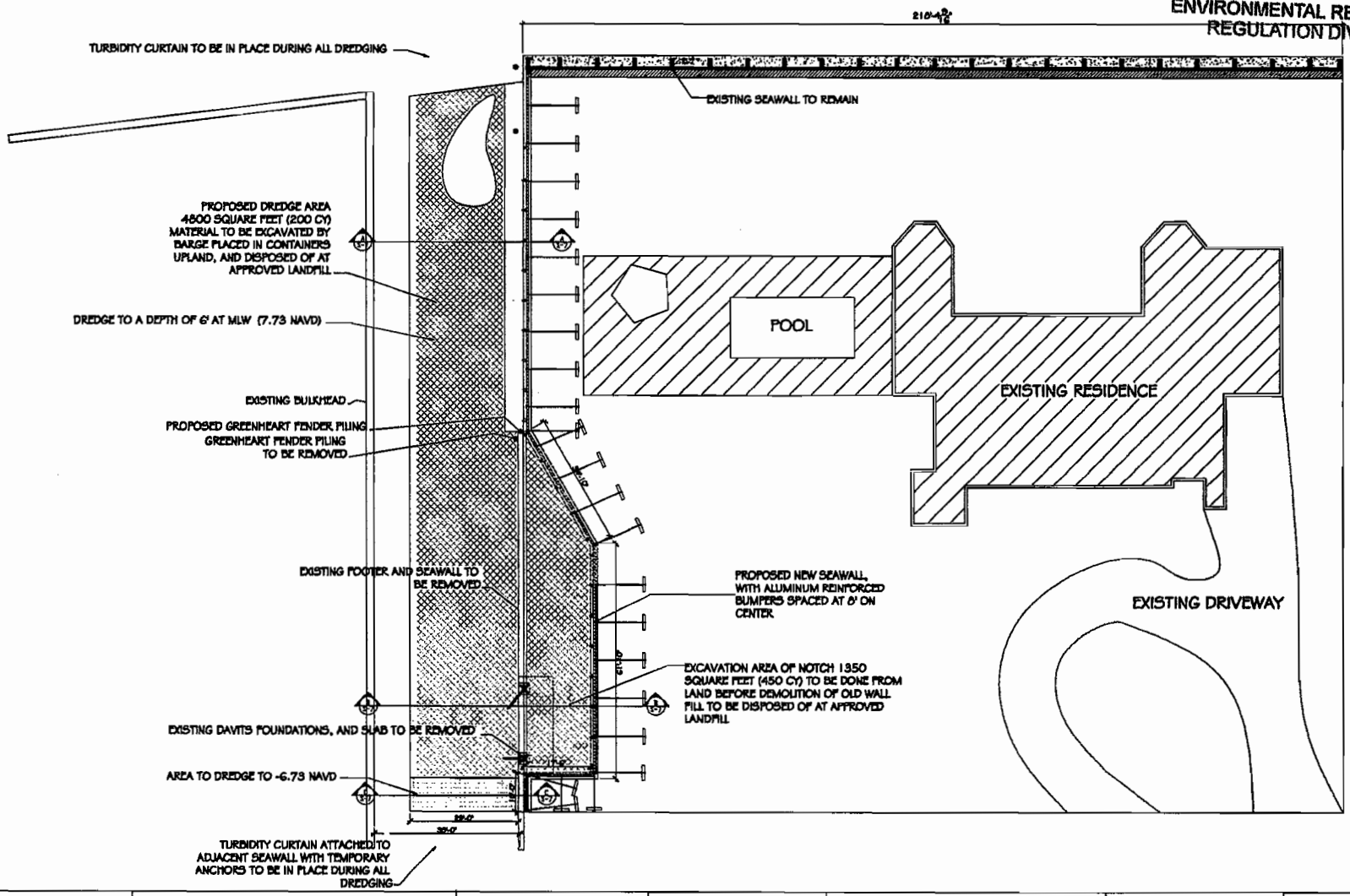

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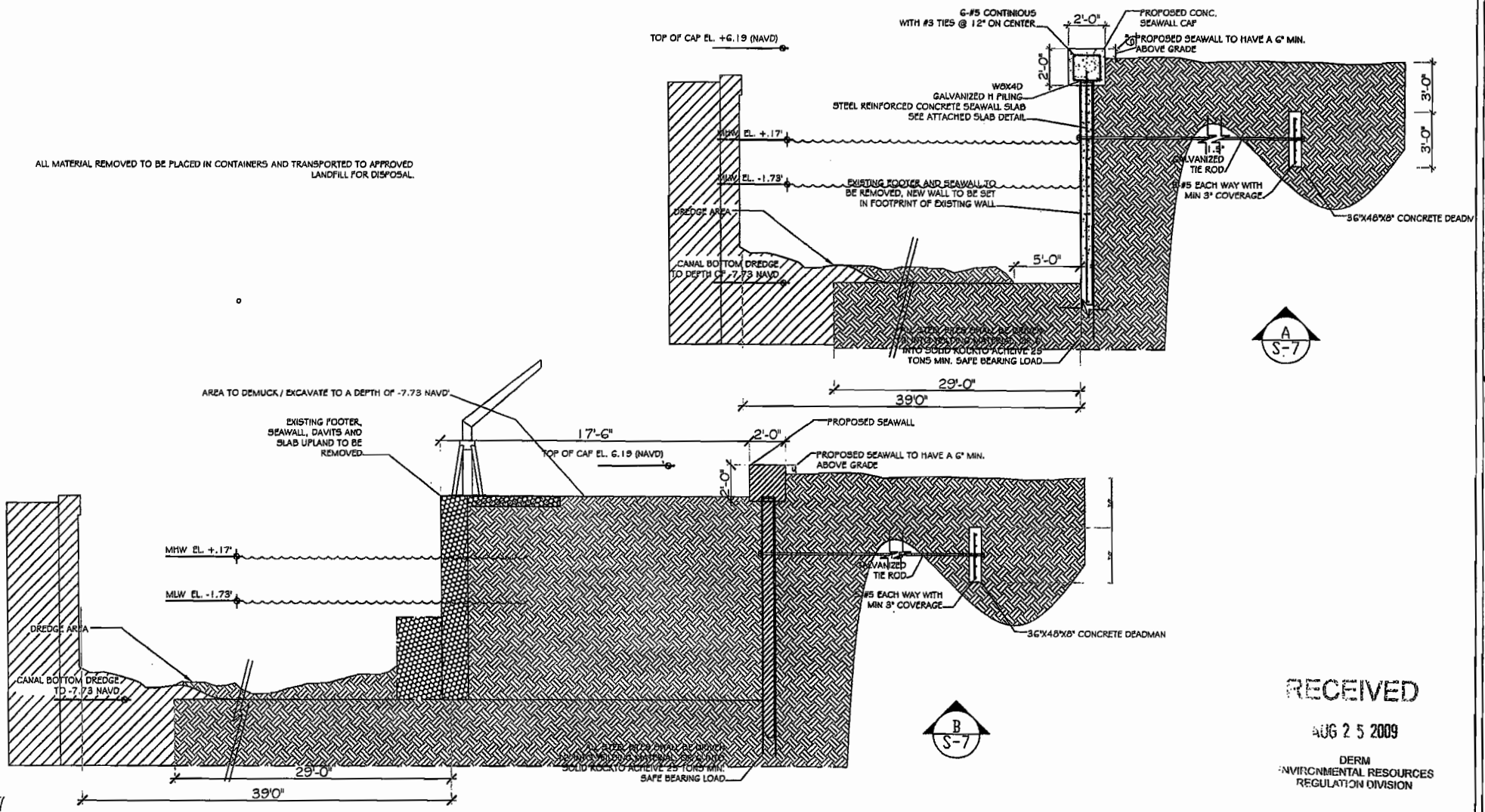

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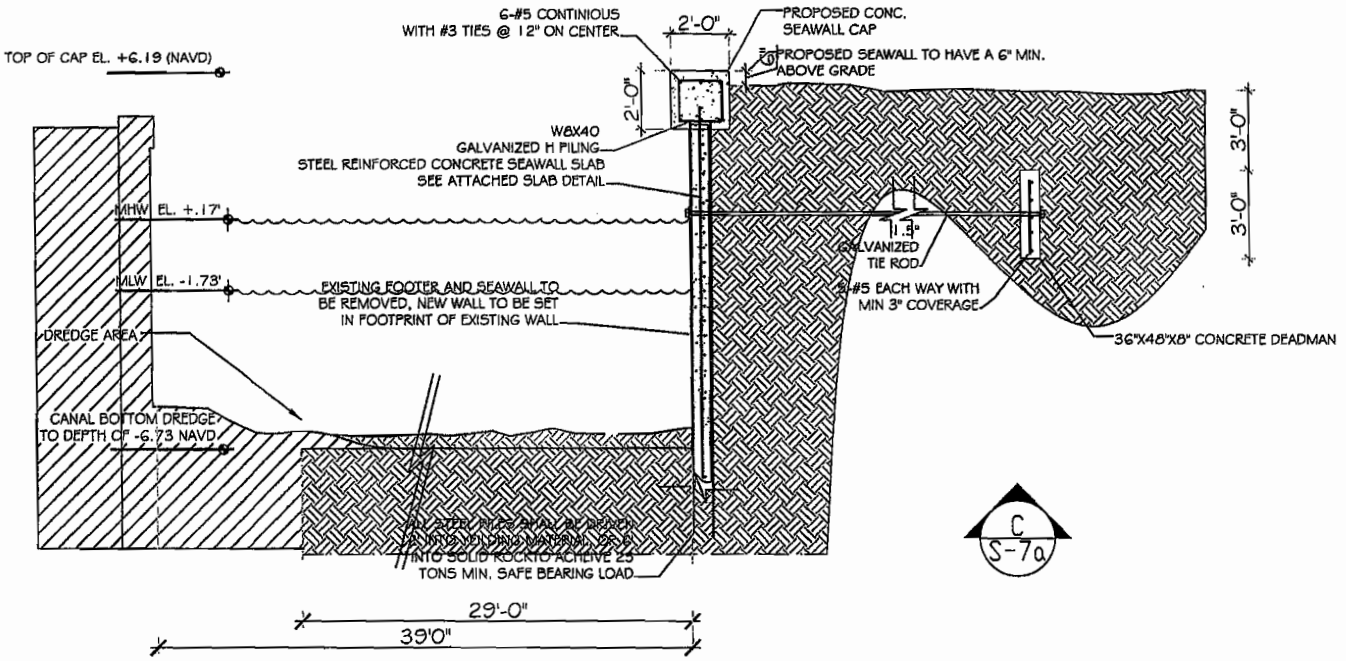

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Attachment D

Spoil Management and Turbidity Control Plans

DOCK AND MARINE CONSTRUCTION CORPORATION
752 N.E. 79th Street • Miami, Florida 33138 • (305) 751-9911 • Fax (305) 751-4825

Prepared for: MIAMI-DADE COUNTY DERM
Class I Permitting Program
701 NW 1st Court
Miami, Florida 33136

Re: Sablotsky Residence
File No.: 2007-CLI-PER-00022

"TURBIDITY CONTROL AND SPOIL MANAGEMENT PLAN"

Upon arrival of our tug crew with a 24' x 70' barge that drafts 14", two "Type-Three" turbidity curtains (see attached diagram) will be deployed to close off the South Canal on both ends of the barge. The said curtains will be secured in place prior to the commencement of any work.

Once the turbidity curtains are in place, our crew will begin phase one of the project which includes dredging 200 cubic yards of material. All spoil material will be removed using a clamshell bucket and placed into containers that will be located on the uplands then sent to an approved lined landfill and disposed of properly.

The turbidity curtains will be removed the moment the turbidity levels within the enclosed work area return back to levels outside of the curtains. Curtains will not be utilized again until phase four of the project which includes the removal of the original seawall.

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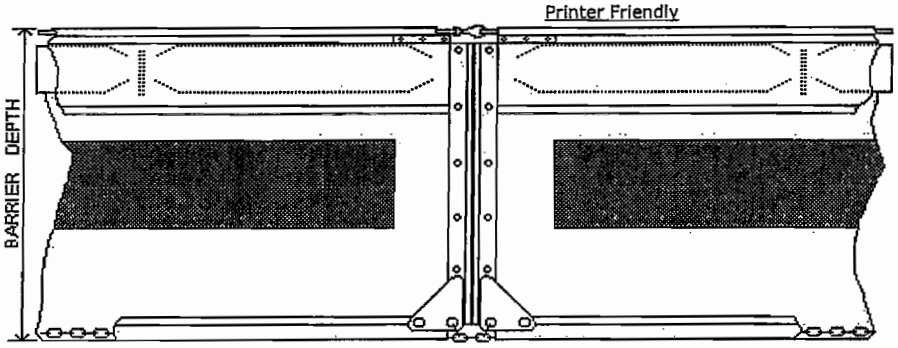
LICENSED & INSURED

Printer Friendly



Type III is a special adaption of the Type II barrier. Approximately 20 % of the area of the barrier skirt fabric is replaced with a polypropylene filter fabric conforming to some State DOT specifications. The filter fabric is inserted to reduce the pressure on the curtain while retaining silt. In actual practice, a filter fabric which is woven tightly enough to retain silt will not significantly reduce pressure on the curtain. Conversely, if the filter fabric is woven loose enough to reduce the pressure on the curtain, it will not be able to retain most silt and sediment particles. In addition, the filter fabric cannot be heatsealed, and must be sewn into the curtain, resulting in a reduction in curtain strength and longevity.

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Attachment E

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

Akerue Corp
3579 Stewart Avenue
Miami, Florida 33133-6828

Allen Bombart
3577 Stewart Avenue
Miami, Florida 33133-6828

Redmond P. Burke & W kimberly
3576 Matheson Avenue
Miami, Florida 33133-6846

Bach Ardalan & W Christine
3570 Matheson Avenue
Miami, Florida 33133-6846

Jacqueline N. Huggett Living Trust
3550 Matheson Avenue
Miami, Florida 33133-6846

\\Eas-srv-01\correspondance\wp2005\2005-14\Labels.wpd

AVERY® Address Labels Laser 5162®

Attachment F

Zoning Memorandum

Memorandum

MIAMI-DADE COUNTY

Date: October 2, 2009

To: Lisa Spadafina, Manager
Coastal Resources Section
Environmental Resources Management

From: Lourdes Barrelli, Biologist II
Coastal Resources Section
Environmental Resources Management

Subject: Class I Permit Applications by Noreen G. Sablotsky and Entrada Corporation to Excavate Sediment from an Upland Area to Create a Private Residential Boat Slip, Install a New Bulkhead, and Maintenance Dredge Sediment from the South Canal to a Depth of Minus Six (-6) North American Vertical Datum

---

Pursuant to Section 24-48.2(II)(A)(7), of the Code of Miami-Dade County, Florida, a substantiating letter shall be submitted by the applicants 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 G

DERM Project Report

PROJECT REPORT

CLASS I PERMIT APPLICATION NO. 2007-CLI-PER-00022

NOREEN G. SABLOTSKY AND ENTRADA CORPORATION FOR A CLASS I PERMIT TO EXCAVATE SEDIMENT FROM AN UPLAND AREA TO CREATE A PRIVATE RESIDENTIAL BOAT SLIP, INSTALL A NEW BULKHEAD, AND MAINTENANCE DREDGE SEDIMENT FROM THE SOUTH CANAL TO A DEPTH OF MINUS SIX (-6) NORTH AMERICAN VERTICAL DATUM

Date: June 29, 2009

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 impact from the proposed project is minimal. The proposed project involves the excavation of upland sediment for the creation of a private residential boat slip. The submerged soils along the South Canal do not support any significant marine resources and provide minimal habitat values. Therefore, the environmental impacts associated with the proposed maintenance dredging along said South Canal will be minimal. The potential for adverse environmental impacts will be further minimized during construction operations through the use of standard erosion and turbidity control methods and the DERM approved Spoil Management and Turbidity Control Plans (Attachment D). In order to mitigate for unavoidable environmental impacts associated with the proposed project, the applicants have agreed to provide a payment to the Biscayne Bay Environmental Trust Fund in the amount of $15,507.00.

2. **Potential Cumulative Adverse Environmental Impact** – The proposed project is not reasonably expected to result in cumulative adverse environmental impacts.

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 may affect surface water quality on a temporary basis during maintenance dredging activities. The Class I permit shall require that standard erosion and turbidity control methods be implemented during all phases of maintenance dredging, upland excavation, bulkhead installation and backfilling activities. The spoil material generated during construction activities shall be temporarily stored on the uplands accordance with the DERM approved Spoil Management and Turbidity Control Plans (Attachment D).

5. **Wellfields** – Not applicable.

6. **Water Supply** – Not applicable.

7. **Aquifer Recharge** – Not applicable.

8. **Aesthetics** – The project is designed to be aesthetically compatible with the surrounding area and is not reasonably expected to have any negative aesthetic impacts. However, during the construction process, there may be temporary aesthetic impacts related to the presence of barges with dredge equipment and other machinery associated with the maintenance dredging, upland excavation, bulkhead installation and back filling activities.

9. **Navigation** – The proposed project shall facilitate navigation of vessels to and from the South Canal. The South Canal measures thirty-nine (39) feet wide in the area of the proposed project. The applicants intend to maintain access to the narrow canal by utilizing the proposed boat slip to moor a large vessel.

10. **Public Health** - The proposed project is not reasonably expected to adversely affect the public health. The final dredge material disposal will be determined by the contractor, subject to the approval of DERM, in a manner that will be consistent with State and County regulations for the protection of surface and groundwater at the disposal/containment site.

11. **Historic Values** - The proposed project is not reasonably expected to adversely affect historic values.

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 to marine habitat. Marine soils in the area of the proposed excavation may support marine epifauna (animals living on the sediment surface or on the surface of other plants or animals) and infauna (animals living within submerged sediment). However, impacts to the marine habitat shall be minimal because the soils do not support any significant marine resources. The South Canal is designated as essential habitat for the West Indian Manatee (*Trichechus manatus*). Therefore, the Class I permit will require that all standard manatee construction conditions shall be followed during all in-water construction operations. In addition, to mitigate for unavoidable environmental impacts associated with the proposed project, the applicants have agreed to provide a payment to the Biscayne Bay Environmental Trust Fund in the amount of $15,507.00.

15. **Wetland Soils Suitable for Habitat** – The proposed project does not involve any work in wetland soils.

16. **Floral Values** – The proposed project is not reasonably expected to adversely affect marine flora. There are no seagrass resources located in the footprint of the proposed project.

17. **Fauna Values** - The proposed work may temporarily affect marine fauna. Marine soils in the area of the proposed excavation may support marine fauna, specifically, marine epifauna (animals living on the sediment surface or on the surface of other plants or animals) and infauna (animals living within submerged sediments). However, these impacts are minimal because the soils do not support any significant marine resources and will be minimized during construction operations through the use of turbidity curtains. In addition, although the South Canal waterway is designated as essential habitat for the West Indian Manatee (*Trichechus manatus*), the Class I permit will require that all standard manatee construction conditions are followed during all in-water construction operations. In addition, to mitigate for unavoidable environmental impacts associated with the proposed project, the applicants have agreed to provide a payment to the Biscayne Bay Environmental Trust Fund in the amount of $15,507.00.

18. **Rare, Threatened and Endangered Species** – The project is not reasonably expected to adversely affect any rare, threatened or endangered species. The South Canal is designated as essential habitat for the West Indian Manatee (*Trichechus manatus*). Therefore, the Class I permit will require that all standard manatee construction 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 natural flood damage protection.

20. **Wetland Values** – The proposed project is not reasonably expected to adversely affect wetland values.

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 is not reasonably expected to adversely affect recreation. The proposed project does not conflict with the Miami-Dade County Comprehensive Development Master Plan and Biscayne Bay Management Plan recreation elements.

23. **Other Environmental Values Affecting the Public Interest** - The proposed project is not reasonably expected to adversely affect other environmental values affecting the public interest. The proposed project will occur on lands owned entirely by the applicants.

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 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. As such, a CEIS was not required by DERM to evaluate the proposed 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) Rules of the South Florida Water Management District (permit is required)
    b) Chapter 24 of the Code of Miami-Dade County
    c) Federal Endangered Species Act (US Fish and Wildlife Service)
    d) United States Clean Water Act (US Army Corps of Engineers Permit)
    e) Biscayne Bay Aquatic Preserve Act

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 will not take place within the tidal waters of the Miami River.

CONSERVATION, AQUIFER RECHARGES AND DRAINAGE ELEMENT IV:

Objective 3/Policies 3A, 3B, 3D - Wellfield protection area protection. - The proposed project is not located within a wellfield protection area and does not involve agricultural uses.

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/Policies 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 areas 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 is not located in a rock quarry.

Objective 6/Policy 6D - Suitable fill material for the support of development. – The proposed project does not involve the removal of any fill appropriate for the support 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 high quality wetlands.

Objective 9/Policies 9A, 9B, 9C – Protection of habitat critical to Federal, State, or County designated endangered, threatened, or rare species - The proposed project is not reasonably expected to result in adverse effects to rare, threatened or endangered species provided standard manatee protection measures are implemented. The South Canal is designated as essential habitat for the West Indian Manatee (*Trichechus manatus*). Therefore, the Class I permit will require that all standard manatee construction conditions shall be followed during all in-water construction operations. In addition, no endangered seagrasses were found within the vicinity of the project area during the biological assessment of the subject property.

COASTAL MANAGEMENT ELEMENT VII:

Objective 1/Policy 1A - Tidally connected mangroves in mangrove protection areas – 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 proposed project does not involve the installation of an elevated boardwalk to provide 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 or coastal hammocks.

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 or destruction of 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. The proposed project involves only the maintenance dredging of sediment from a four thousand eight hundred (4,800) square foot area within the South Canal adjacent to the proposed boat slip to allow for vessel access. The marine soils in the area of the proposed excavation may support marine fauna, specifically, marine epifauna (animals living on the sediment surface or on the surface of other plants or animals) and infauna (animals living within submerged sediments). However, impacts to the marine soils are minimal because said soils do not support any significant marine resources. Environmental impacts will be further minimized during construction operations through the use of turbidity curtains (Attachment D). In addition, to mitigate for unavoidable environmental impacts associated with the proposed project, the applicants have agreed to provide a payment to the Biscayne Bay Environmental Trust Fund in the amount of $15,507.00.

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

Objective 3/Policy 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 boat slip to better accommodate the mooring of a vessel along an existing authorized slip area.

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 in conformance with the Biscayne Bay Management Plan.

30. **Conformance with the Miami-Dade County Manatee Protection Plan** - The proposed project is not reasonably expected to result in adverse effects to rare, threatened or endangered species provided standard manatee protection measures are implemented. The South Canal is designated as essential habitat for the West Indian Manatee (*Trichechus manatus*). Therefore, the Class I permit will require that all standard manatee construction 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 reasonably 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** – DERM has considered the following factors:

    i. **Whether the proposed exceedance is the minimum necessary to avoid seagrasses or other valuable environmental resources** – Not applicable.
    ii. **Whether the proposed exceedance is the minimum necessary to achieve adequate water depth for mooring of a vessel** – Not applicable.
    iii. **Whether the applicant has provided notarized letters of consent to DERM from adjoining riparian property owners** – Not applicable.
    iv. **Whether any letters of objection from adjoining riparian property owners were received by DERM** – 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 - The proposed project complies with the following criteria listed in Section 24-48.3(2) of the Code of Miami-Dade County:

(a) Minimum dredging and spoiling for public navigation or public necessity.

(c) Minimum dredging and filling for the creation and maintenance of marinas, piers docks and attendant navigational channels.

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 (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 complies 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 the placement of clean fill in wetlands.

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

Lisa Spadafina, Manager
Environmental Resources Regulation Division

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Coastal Resources Section