Memorandum

MIAMI-DADE COUNTY

Date: October 5, 2010

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

Agenda Item No. 5(B)

From: George M. Burgess
County Manager

Subject: Class I Permit Application by Joseph Y. Lahoud to Authorize the Excavation of Upland Sediment to Create a Boat Ramp and to Install Two (2) New Bulkheads and a Viewing Platform at a Private Residence on the Oleta River

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Attached, please find for your consideration an application by Joseph Y. Lahoud 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: August 27, 2010

To: George M. Burgess
County Manager

From: Carlos Espinosa, PE, Director
Environmental Resources Management

Subject: Class I Permit Application by Joseph Y. Lahoud to Authorize the Excavation of Upland Sediment to Create a Boat Ramp and to Install Two (2) New Bulkheads and a Viewing Platform at a Private Residence on the Oleta River

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Recommendation
I have reviewed the attached Class I permit application submitted by Joseph Y. Lahoud. Based upon the applicable evaluation factors set forth in Section 24-48.3 of the Code of Miami-Dade County (Code), 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 at 2531 NE 195th Street, Miami-Dade County, in Commission District 4.

Fiscal Impact/Funding Source
Not applicable.

Track Record/Monitor
Not applicable.

Background
The subject Class I permit application involves the authorization for the excavation of sediment from an upland area to create a boat ramp which will be stabilized by two (2) new bulkheads and a concrete mat and the installation of a viewing platform at a private residence on the Oleta River at 2531 NE 195 Street, Miami-Dade County. 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 as work that can be processed administratively with a short form application. Therefore, a standard form application and a public hearing is required.

The project site consists of a single family residence with seventy-five (75) linear feet of shoreline bordering Enchanted Lake, which is part of the Oleta River system. The applicant is seeking authorization for the excavation of sediment from a three hundred fifty (350) square foot upland area above the Mean High Water Line (MHWL) for a ten (10) foot wide boat ramp. The ramp will be stabilized by a concrete mat and two (2) new bulkheads. The applicant is also seeking authorization for a marginal wood viewing platform.

The existing shoreline does not provide significant habitat value as no wetland vegetation or submerged aquatic vegetation was documented in the vicinity of the proposed work during the site inspection by DERM. To mitigate for minor temporary impacts to water quality associated with the installation of the new bulkheads, limerock riprap boulders are typically placed onsite. However, due to site conditions, onsite mitigation is not likely to provide additional habitat value. Therefore, the applicant has agreed to provide a contribution to the Biscayne Bay Environmental Enhancement Trust Fund in the amount of $5,400.00, which shall be specifically designated for habitat creation/restoration projects in Biscayne Bay and its foreshore.

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

Attachments

Attachment A: Class I Permit Application
Attachment B: Owner/Agent Letter, Engineer Certification Letter and Project Sketches
Attachment C: Names and Addresses of Owners of All Riparian or Wetland Property within Three Hundred (300) Feet of the Proposed Work
Attachment D: Zoning Memorandum
Attachment E: DERM Project Report

NOTICE OF PUBLIC HEARING ON AN APPLICATION BY JOSEPH Y. LAHOUD FOR A CLASS I PERMIT TO AUTHORIZE THE EXCAVATION OF UPLAND SEDIMENT TO CREATE A BOAT RAMP AND TO INSTALL TWO (2) NEW BULKHEADS AND A VIEWING PLATFORM AT A PRIVATE RESIDENCE ON THE OLETA RIVER AT 2531 NE 195TH STREET, 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 Joseph Y. Lahoud for a Class I permit to authorize the excavation of upland sediment to create a boat ramp and to install two (2) new bulkheads and a viewing platform at a private residence on the Oleta River at 2531 NE 195 Street, Miami-Dade County. Such public hearing will be held on October 5, 2010, 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: October 5, 2010

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

SUBJECT: Agenda Item No. 5(B)

Please note any items checked.

_____ **"3-Day Rule" for committees applicable if raised**

_____ **6 weeks required between first reading and public hearing**

_____ **4 weeks notification to municipal officials required prior to public hearing**

_____ **Decreases revenues or increases expenditures without balancing budget**

_____ **Budget required**

_____ **Statement of fiscal impact required**

✓ **Ordinance creating a new board requires detailed County Manager's report for public hearing**

_____ **No committee review**

_____ **Applicable legislation requires more than a majority vote (i.e., 2/3's ____, 3/5's ____, unanimous _____) to approve**

_____ **Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required**

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Approved _____ Mayor

Veto _____

Override _____

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

RESOLUTION NO. _____

RESOLUTION RELATING TO AN APPLICATION BY JOSEPH Y. LAHOUD FOR A CLASS I PERMIT TO AUTHORIZE THE EXCAVATION OF UPLAND SEDIMENT TO CREATE A BOAT RAMP AND TO INSTALL TWO (2) NEW BULKHEADS AND A VIEWING PLATFORM AT A PRIVATE RESIDENCE ON THE OLETA RIVER LOCATED AT 2531 NE 195 STREET, MIAMI-DADE COUNTY, FLORIDA

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

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that this Board having considered all the applicable factors contained within Section 24-48.3 of the Code of Miami-Dade County, hereby approves the application by Joseph Y. Lahoud for a Class I permit to authorize the excavation of upland sediment to create a boat ramp and to install two (2) new bulkheads and a viewing platform at a private residence on the Oleta River at 2531 NE 195 Street, Miami-Dade County, Florida, subject to the conditions set forth in the memorandum from the Director of the Miami-Dade County Department of Environmental Resources Management, a copy of which is attached hereto and made a part hereof. The issuance of this approval does not relieve the applicant from obtaining all applicable Federal, State, and local permits.

The foregoing resolution was offered by Commissioner ,

who moved its adoption. The motion was seconded by Commissioner

and upon being put to a vote, the vote was as follows:

Dennis C. Moss, Chairman
Jose "Pepe" Diaz, Vice-Chairman

Bruno A. Barreiro	Audrey M. Edmonson
Carlos A. Gimenez	Sally A. Heyman
Barbara J. Jordan	Joe A. Martinez
Dorrin D. Rolle	Natacha Seijas
Katy Sorenson	Rebeca Sosa
Sen. Javier D. Souto	

The Chairperson thereupon declared the resolution duly passed and adopted this 5th day of October, 2010. This resolution shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

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

HARVEY RUVIN, CLERK

By:_____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

Peter S. Tell

Attachment A

Class I Permit Application

MIAMI-DADE COUNTY

Class I Permit Application

FOR DEPARTMENTAL USE ONLY

Date Received:	Application Number:
	Application Fee:

Application must be filled out in its entirety. Please indicate N/A for non-applicable fields.

1. Applicant Information:

Name: JOSEPH Y. LAHOUD

Address: 2531 N.E. 195th St.

MIAMI Zip Code: 33180

Phone #: 305-907-4344 Fax#:

Email: JOELAHOUD@BELLSOUTH.NET

* This should be the applicant's information for contact purposes.

2. Applicant's Authorized Permit Agent: PAUL W. SCHAFER

Agent is allowed to process the application, furnish supplemental information relating to the application and bind the applicant to all requirements of the application.

Name: SEAWALL INSPECTION SERVICE,

Address: 27 ISLA BAHIA DRIVE

FT. LAUDERDALE Zip Code: 33316

Phone #: 954-764-2770 Fax #: 954-763-2878

Email: SEAWALLINSPECT@PRODIGY.NET

3. Location where proposed activity exists or will occur (latitude and longitude are only necessary for properties without address or folio #):

Folio #(s): 30-2204-013-0310 Latitude: Longitude:

Street Address: 2531 N.E. 195th St. Section: Township: Range:

In City or Town: MIAMI Near City or Town:

Name of waterway at location of the activity: EIGHTEEN LAKE

4. Describe the proposed activity (check all that apply):

- ☐ Seawall
  - ☒ New/Replacement Seawall
  - ☐ Seawall Cap
  - ☐ Batter Piles
  - ☐ King Piles
  - ☐ Footer/Toe Wall
  - ☐ Riprap
- ☐ Dock(s)
- ☐ Pier(s)
- ☒ Viewing Platform
- ☐ Boatlift
- ☐ Mooring Piles
- ☐ Fender Piles
- ☐ Davits
- ☒ Dredging
  - ☐ Maintenance
  - ☐ New
- ☐ Filling
- ☐ Mangrove Trimming
- ☐ Mangrove Removal

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☐ Other:

Estimated project cost = $

Are you seeking an after-the-fact approval (ATF)? ☒ Yes ☐ No If "Yes", describe the ATF work: See above

5. Proposed Use (check all that apply):

- ☒ Single Family
- ☐ Multi-Family
- ☐ Private
- ☐ Public
- ☐ Commercial
- ☐ Industrial
- ☐ Utility

6. If the proposed work relates to the mooring of vessels provide the following information (please also indicate if the applicant does not have a vessel):

Proposed Vessel Type (s):

Vessel Make/Model (If known):

Draft (s)(range in inches.): Length (s)(range in feet.):

Total Number of Slips:

7. List all permits or certifications that have been applied for or obtained for the above referenced work:

Issuing Agency	Type of Approval	Identification Number	Application Date	Approval Date

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8. Contractor Information (If known):

Name: A SEAWALL INSPECTION SERVICE, INC License # (County/State): CGC050816

Address: 27 ISLA BAHIA DRIVE Zip Code: _____

Phone #: 954-764-2770 Fax #: 954-763-2878 E-mail: SEAWALLINSPECT@PRODIGY.NET

9. IMPORTANT NOTICE TO APPLICANTS: The written consent of the property owner is required for all applications to be considered complete. Your application WILL NOT BE PROCESSED unless the Applicant **and** Owner Consent portion of the application is completed below. You have the obligation to apprise the Department of any changes to information provided in this application.

Application is hereby made for a Miami-Dade County Class I permit to authorize the activities described herein. I agree to or affirm the following:

- I possess the authority to authorize the proposed activities at the subject property, and
- I am familiar with the information, data and plans contained in this application, and
- To the best of my knowledge and belief, the information, data and plans submitted are true, complete and accurate, and
- I will provide any additional information, evidence or data necessary to provide reasonable assurance that the proposed project will comply with the applicable State and County water quality standards both during construction and after the project is completed, and
- I am authorizing the permit agent listed in Section 2 of this application to process the application, furnish supplemental information relating to this application and bind the applicant to all requirements of this application, and
- I agree to provide access and allow entry to the project site to inspectors and authorized representatives of Miami-Dade County for the purpose of making the preliminary analyses of the site and to monitor permitted activities and adherence to all permit conditions.

A. IF APPLICANT IS AN INDIVIDUAL

[signature] Joseph Y. LANOUD 8/18/10

Signature of Applicant | Print Applicant's Name | Date

B. IF APPLICANT IS OTHER THAN AN INDIVIDUAL OR NATURAL PERSON
(Examples: Corporation, Partnership, Trust, LLC, LLP, etc.)

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... Resources Regulation & Restoration
Division (NRRRD)

Print Name of Applicant (Enter the complete name as registered) | Type (Corp, LLC, LLP, etc.) | State of Registration/Incorporation

Under the penalty of perjury, I certify that I have the authority to sign this application on behalf of the Applicant, to bind the Applicant, and if so required to authorize the issuance of a bond on behalf of the Applicant. (If asked, you must provide proof of such authority to the Department). ***Please Note: If additional signatures are required, pursuant to your governing documents, operating agreements, or other applicable agreements or laws, you must attach additional signature pages. ***

Signature of Authorized Representative | Print Authorized Representative's Name | Title | Date

C. IF APPLICANT IS A JOINT VENTURE Each party must sign below(If more than two members, list on attached page)

Print Name of Applicant (Enter the complete name as registered) | Type (Corp, LLC, LLP, etc.) | State of Registration/Incorporation

Print Name of Applicant (Enter the complete name as registered) | Type (Corp, LLC, LLP, etc.) | State of Registration/Incorporation

Under the penalty of perjury, I certify that I have the authority to sign this application on behalf of the Applicant, to bind the Applicant, and if so required to authorize the issuance of a bond on behalf of the Applicant. (If asked, you must provide proof of such authority to the Department). ***Please Note: If additional signatures are required, pursuant to your governing documents, operating agreements, or other applicable agreements or laws, you must attach additional signature pages. ***

Signature of Authorized Representative | Print Authorized Representative's Name | Title | Date

Signature of Authorized Representative | Print Authorized Representative's Name | Title | Date

Revised 11/16/09

10. WRITTEN CONSENT OF THE PROPERTY OWNER OF THE AREA OF THE PROPOSED WORK

I/We are the fee simple owner(s) of the real property located at _____ Miami-Dade County, Florida, otherwise identified in the public records of Miami-Dade County as Folio No. _____. I am aware and familiar with the contents of this application for a Miami-Dade County Class I Permit to perform the work on or adjacent to the subject property, as described in Section 4 of this application. I possess the riparian rights to the area of the proposed work (if applicable) and hereby consent to the work identified in this Class I Permit application.

A. IF THE OWNER(S) IS AN INDIVIDUAL

Signature of Owner	Print Owner's Name	Date
[signature]	JOSEPH Y. CARBOD	8/18/10

B. IF THE OWNER IS OTHER THAN AN INDIVIDUAL OR NATURAL PERSON
(Examples: Corporation, Partnership, Joint Venture, Trust, LLC, LLP, etc.)

Print Name of Owner (Enter the complete name as registered)	Type (Corp, LLC, LLP, etc.)	State of Registration/Incorporation

Address of Owner

Under the penalty of perjury, I certify that I have the authority to sign this application on behalf of the Owner, to bind the Owner, and if so required to authorize the issuance of a bond on behalf of the Owner. (If asked, you must provide proof of such authority to the Department). ***Please Note: If additional signatures are required, pursuant to your governing documents, operating agreements, or other applicable agreements or laws, you must attach additional signature pages. ***

Signature of Authorized Representative	Print Authorized Representative's Name	Title	Date

Please Review Above

Appropriate signature(s) must be included in:

Box 9: either A, B **or** C

AND

Box 10: either A **or** B

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Coastal Resources Regulation & Restoration
Division (NRRRD)

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Attachment B

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

PERMIT APPLICANT / AUTHORIZED AGENT STATEMENT

Date: August 10, 2010

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

Re: Class I Standard Form Permit Application Number 2008-CLI-PER-00174

By the attached Class I Standard Form permit application with supporting documents, I, Paul Schafer, am the permit applicant / applicant's authorized agent and hereby request permission to perform the work associated with Class I Standard Form Permit Application Number 2008-CLI-PER-00174. 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,

A Seawall Inspection Service, Inc.
Paul Schafer, President

Authorized Agent

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Coastal Resources Section
Resources Regulation & Restoration
Division (NRRRD)

ENGINEER LETTER OF CERTIFICATION

August 10, 2010

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

RE: Class I Permit Application Number 2008-CLI-PER-00174

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 LICENSE No 11363 STATE OF FLORIDA PROFESSIONAL ENGINEER

8/23/2010

Robert N. Tracy, P.E.
P.E. # 11363

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Natural Resources Regulation & Restoration
Division (NRRRD)

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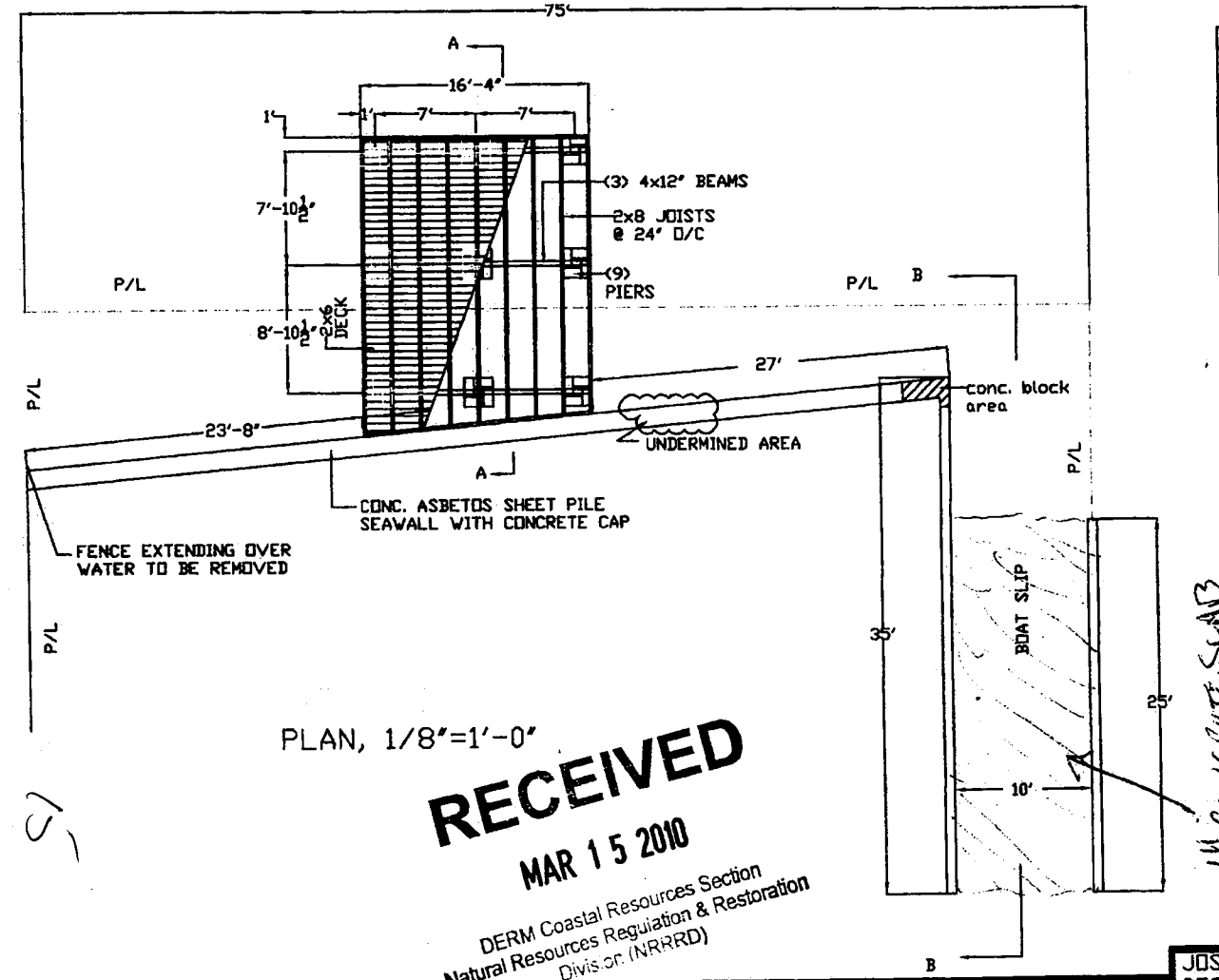

PLAN, 1/8"=1'-0"

6" CONCRETE SLAB

3-4-10

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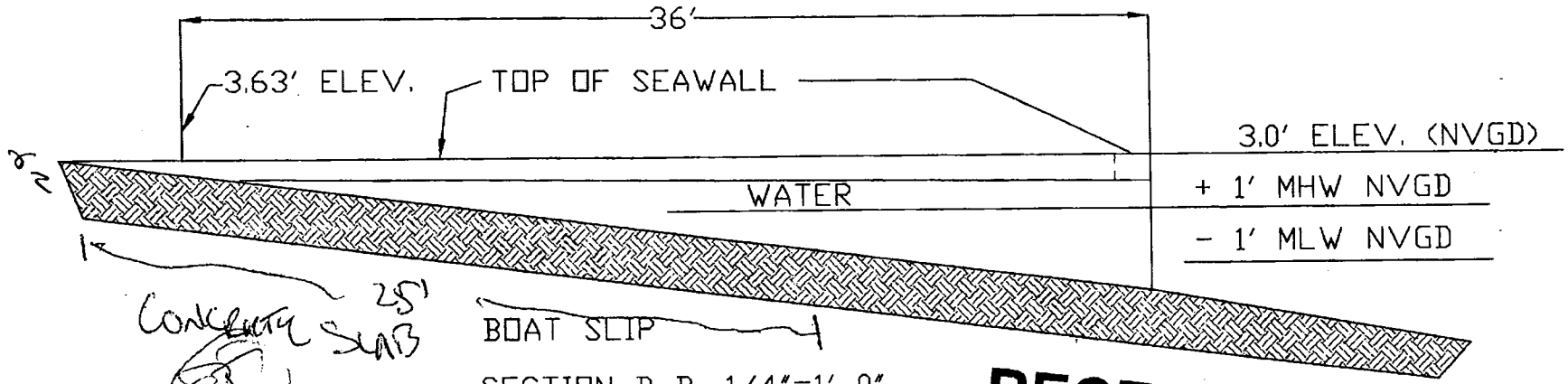
REGULATION DIVISION

TRACY CONSULTANTS, INC. CA#3958
ROBERT N TRACY, P.E., #11363, PRESIDENT
4660 SW 128 AVE., SOUTHWEST RANCHES, FL. 33330-2302
(954) 434-5035, FAX(954) 434-1675, MOBILE (954) 651-2840

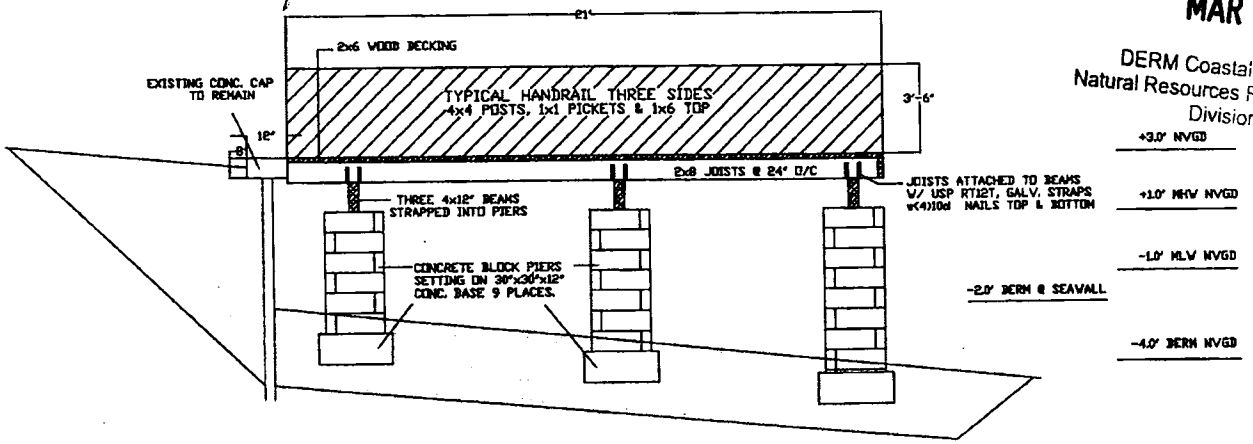
AS-BUILT VIEWING
PLATFORM & BOAT SLIP

JOSEPH LAHOUD
2531 NE 195th STREET, MIAMI, FL. 33180

SCALE SHOWN		DRAWN BY RNT
DATE 3/18/09		REVISED 9/23/09
SEAWALL INSPECTION SERVICES, INC. FT. LAUDERDALE, FL.		DRAWING NO. 09-020.1of2



SECTION B-B, 1/4"=1'-0"



SECTION A-A, 1/4"=1'-0"

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DERM
ENVIRONMENTAL RESOURCES
REGULATION DIVISION

TRACY CONSULTANTS, INC. CA#3958
ROBERT N TRACY, P.E., #11363, PRESIDENT
4660 SW 128 AVE., SOUTHWEST RANCHES, FL. 33330-2302
(954) 434-5035, FAX(954) 434-1675, MOBILE (954) 651-2840

AS-BUILT VIEWING PLATFORM & BOAT SLIP

JOSEPH LAHOUD
2531 NE 195th STREET, MIAMI, FL. 33180

SCALE SHOWN		DRAWN BY RNT
DATE 3/18/09		REVISIONS
SEAWALL INSPECTION SERVICES, INC. FT. LAUDERDALE, FL.		DRAWING NO. 09-020.2of2

Attachment C

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

Isaac and Rita Sasson
2501 NE 195 St.
North Miami Beach, FL 33180

Paul and Regina Klein
2545 NE 195 St.
North Miami Beach, FL 33180

Nadiechka M Rales
2571 NE 195 St.
North Miami Beach, FL 33180

Tony A Wysocki and wife
2521 NE 195 St.
North Miami Beach, FL 33180

Alexandra Joran
2551 NE 195 St.
North Miami Beach, FL 33180

Fred and Dell Bender
2561 NE 195 St.
North Miami Beach, FL 33180

Curtis Chapman
2541 NE 195 St
North Miami Beach, FL 33180

Attachment D

Zoning Memorandum

Memorandum

MIAMI-DADE COUNTY

Date: August 27, 2010

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

From: Felix G. Alvarez, Biologist I FA
Coastal Resources Section
Environmental Resources Management

Subject: Class I Permit Application by Joseph Y. Lahoud to Authorize the Excavation of Upland Sediment to Create a Boat Ramp and to Install Two (2) New Bulkheads and a Viewing Platform at a Private Residence on the Oleta River

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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 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

DERM Project Report

PROJECT REPORT

CLASS I PERMIT APPLICATION NO. 2008-CLI-PER-00174

CLASS I PERMIT APPLICATION BY JOSEPH Y. LAHOUD TO AUTHORIZE THE EXCAVATION OF UPLAND SEDIMENT TO CREATE A BOAT RAMP AND TO INSTALL TWO (2) NEW BULKHEADS AND A VIEWING PLATFORM AT A PRIVATE RESIDENCE ON THE OLETA RIVER

Date: August 16, 2010

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 subject project is minimal. The subject project involves authorization for the excavation of upland sediment for the creation of a private residential boat ramp to be stabilized by two (2) new bulkheads and a concrete mat, and for the installation of a viewing platform. The existing shoreline does not provide significant habitat value, as no wetland vegetation or submerged aquatic vegetation was documented in the vicinity of the proposed work during the site inspection conducted by DERM. In order to mitigate for minor temporary impacts to water quality associated with the installation of the new bulkheads, limerock riprap boulders are typically placed on-site. However, due to site conditions, on-site mitigation is not likely to provide additional habitat value. Therefore, the applicant has agreed to provide a contribution to the Biscayne Bay Environmental Enhancement Trust Fund in the amount of $5,400.00, which shall be specifically designated for habitat creation/restoration projects in Biscayne Bay and its foreshore.

   The project is not located within an area designated as essential manatee habitat for the West Indian Manatee (*Trichechus manatus*) by the Miami-Dade County Manatee Protection Plan (MDCMPP). However, the Class I permit will have conditions to minimize turbidity and to protect rare, threatened, and endangered species.

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

3. **Hydrology** - The subject project is not reasonably expected to adversely affect surface water drainage or retention of stormwater.

4. **Water Quality** – The proposed project may temporarily affect surface water quality during the construction phase of the project, however these impacts will be minimized by the implementation of proper turbidity control devices.

5. **Wellfields** – Not applicable.

6. **Water Supply** – Not applicable.

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

8. **Aesthetics** – The subject project is aesthetically compatible with the surrounding area and is not reasonably expected to have any negative aesthetic impacts.

9. **Navigation** – The subject project is not reasonably expected to adversely affect navigation.

10. **Public Health** - The subject project is not reasonably expected to adversely affect public health.

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

12. **Archaeological Values** - The subject project is not reasonably expected to adversely affect archaeological values.

13. **Air Quality** – The subject project is not reasonably expected to adversely affect air quality.

14. **Marine and Wildlife Habitats** – The existing shoreline does not provide significant habitat value, as no wetland vegetation or submerged aquatic vegetation was documented in the vicinity of the proposed work during the site inspection conducted by DERM. In order to mitigate for minor temporary impacts to water quality associated with the installation of the new bulkheads, limerock riprap boulders are typically placed on-site. However, due to site conditions, on-site mitigation is not likely to provide additional habitat value. Therefore, the applicant has agreed to provide a contribution to the Biscayne Bay Environmental Enhancement Trust Fund in the amount of $5,400.00, which shall be specifically designated for habitat creation/restoration projects in Biscayne Bay and its foreshore.

    The project is not located within an area designated as essential manatee habitat for the West Indian Manatee (*Trichechus manatus*) by the MDCMPP. However, the Class I permit will have conditions to minimize turbidity and to protect rare, threatened, and endangered species.

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

16. **Floral Values** – The subject project is not reasonably expected to adversely affect marine flora. The existing shoreline does not provide significant habitat value, as no wetland vegetation or submerged aquatic vegetation was documented in the vicinity of the proposed work during the site inspection conducted by DERM.

17. **Fauna Values** - The subject project is not reasonably expected to adversely affect marine fauna. The existing shoreline does not provide significant habitat value, as no wetland vegetation or submerged aquatic vegetation was documented in the vicinity of the proposed work during the site inspection conducted by DERM.

    Additionally, the project is not located within an area designated as essential manatee habitat for the West Indian Manatee (*Trichechus manatus*) by the MDCMPP. However, the Class I permit will have conditions to minimize turbidity and to protect rare, threatened, and endangered species.

18. **Rare, Threatened and Endangered Species** – The project is not located within an area designated as essential manatee habitat for the West Indian Manatee (*Trichechus manatus*) by the MDCMPP. However, the Class I permit will have conditions to minimize turbidity and to protect rare, threatened, and endangered species.

19. **Natural Flood Damage Protection** - The subject project is not reasonably expected to adversely affect natural flood damage protection.

20. **Wetland Values** – The subject 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 subject project does not conflict with the Miami-Dade County Comprehensive Development Master Plan.

23. **Other Environmental Values Affecting the Public Interest** - The subject project is not reasonably expected to adversely affect other environmental values affecting the public interest.

24. **Conformance with Standard Construction Procedures and Practices and Design and Performance Standards** – The subject 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) Chapter 33B of the Code of Miami-Dade County

25. **Comprehensive Environmental Impact Statement (CEIS)** – In the opinion of the Director, the subject project is not reasonably expected to result in either adverse environmental impacts or cumulative adverse environmental impacts. Therefore, a CEIS is not required by DERM to evaluate the subject project.

26. **Conformance with All Applicable Federal, State and Local Laws and Regulations** - The subject 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 (US Army Corps of Engineers permit is required)
    c) Florida Department of Environmental Protection (FDEP permit is required)

27. **Conformance with the Miami-Dade County Comprehensive Development Master Plan (CDMP)** - In the opinion of DERM, the subject project is in conformance with the CDMP. The following is a summary of the subject project as it relates to the CDMP:

LAND USE ELEMENT I:

Objective 2/Policy 2A - Level of Service. The subject 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 subject project is consistent with the Conservation and Coastal Management Elements of the CDMP. The project is compatible with surrounding land uses 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 subject project is not located within the Miami River.

CONSERVATION, AQUIFER RECHARGES AND DRAINAGE ELEMENT IV:

Objective 3/Policies 3A, 3B, 3D - Wellfield protection area protection. - The subject 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 subject 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 subject project will not adversely affect water storage, aquifer recharge potential or natural surface water drainage. The subject 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 subject 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 subject 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 subject project is not located in a rock quarry.

Objective 6/Policy 6D - Suitable fill material for the support of development. – The subject 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 subject project will not result in a net loss of any such wetlands.

Objective 9/Policies 9A, 9B, 9C – Protection of habitat critical to Federal, State, or County designated endangered, threatened, or rare species - The subject project is not reasonably expected to result in adverse effects to rare, threatened or endangered species. The project is not located within an area designated as essential manatee habitat for the West Indian Manatee (*Trichechus manatus*) by the MDCMPP. However, the Class I permit will have conditions to minimize turbidity and to protect rare, threatened, and endangered species.

COASTAL MANAGEMENT ELEMENT VII:

Objective 1/Policy 1A - Tidally connected mangroves in mangrove protection areas – The subject project is not located within a designated "Mangrove Protection Area."

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

Objective 1/ Policy 1C - Elevated boardwalk access through mangroves. – The subject 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 subject project does not involve work in mangrove forests, coastal hammocks, 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 subject project does not involve the degradation or destruction of coastal wetlands and therefore does not involve monitoring orf 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 subject 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 subject 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 subject project involves the construction of a private residential boat ramp for a small vessel and will enhance existing water-dependent uses associated with the existing property.

Objective 5/Policy 5D - Consistency with Chapter 33D, Miami-Dade County Code (shoreline access, environmental compatibility of shoreline development) - The Shoreline Development Review Committee has evaluated the proposed project and determined that 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 subject 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 subject 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) - The subject project is not located within Biscayne Bay.

30. **Conformance with the Miami-Dade County Manatee Protection Plan** - The proposed project is not located within an area designated as essential manatee habitat for *Trichechus manatus* (West Indian Manatee) by the MCDMPP. However, the Class I Permit will have conditions to protect rare, threatened, and endangered species.

31. **Consistency with Miami-Dade County Criteria for Lake Excavation** – The subject 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 subject 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 subject 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 subject project complies with the following criteria listed in Section 24-48.3(2) of the Code of Miami-Dade County:

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

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 subject 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 subject 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
Coastal Resources Section

Felix G. Alvarez, Biologist I
Coastal Resources Section