

# Memorandum



**Date:** April 4, 2011

**To:** Honorable Chairman Joe A. Martinez  
and Members, Board of County Commissioners

Agenda Item No. 5(C)

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

**Subject:** Resolution Relating to an Application by Miami-Dade County for a Class I Permit to Renourish Three (3) Segments of Eroded Beach on Miami Beach, Bal Harbour Beach, and Sunny Isles Beach through the Placement of 226,085 Cubic Yards of Sand for Multiple Renourishment Events, and to Authorize the Time of Completion of Work under the Subject Permit for a Period of Ten (10) Years

---

Attached, please find for your consideration an application by Miami-Dade County for a Class I permit. Also, attached is the recommendation of the Director of the Department of Environmental Resources Management and a proposed resolution approving the issuance of the Class I permit.

Assistant County Manager

# Memorandum



**Date:** February 15, 2011

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

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

**Subject:** Resolution Relating to an Application by Miami-Dade County for a Class I Permit to Renourish Three (3) Segments of Eroded Beach on Miami Beach, Bal Harbour Beach, and Sunny Isles Beach through the Placement of 226,085 Cubic Yards of Sand for Multiple Renourishment Events, and to Authorize the Time of Completion of Work under the Subject Permit for a Period of Ten (10) Years

## Recommendation

I have reviewed the Class I permit application submitted by Miami-Dade County. Based upon the applicable evaluation factors set forth in Section 24-48.3 of the Code of Miami-Dade County (Code), 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 project sites are located in Commission Districts 4 and 5 along segments of Miami Beach, Bal Harbour Beach and Sunny Isles Beach.

## Fiscal Impact/Funding Source

Funding is provided through approved GOB funds and percentage-based reimbursements from the State of Florida. The current County matching funds of \$297,865 are available through the Building Better Communities General Obligation Bond allocation for beach nourishment under GOB Revenue Index Code CPR315DE3203, Beach Grant CPDE03.

## Track Record/Monitor

Not applicable.

## Background

The subject Class I permit application requests authorization to renourish three (3) segments of eroded beach through the placement of 226,085 cubic yards of sand between 57<sup>th</sup> and 65<sup>th</sup> Streets in Miami Beach, between 95<sup>th</sup> Street and Harbour Way in Bal Harbour, and between 171<sup>st</sup> and 182<sup>nd</sup> Streets in Sunny Isles Beach, 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 as work that can be processed administratively with a short form application. Therefore, a standard form application including a public hearing is required. Pursuant to Section 24-48.9 of the Code, standard form Class I permit approvals are only valid for a period of three (3) years from the date of approval unless another time period is stated in the approving resolution. Due to the nature of this project, the applicant has requested that the permit for this project be valid for ten (10) years to allow for multiple renourishment events as needed.

The project is intended to protect infrastructure and property and improve the beach for recreational and public use by the placement of 226,085 cubic yards of beach quality sand. 117,645 cubic yards of beach-quality sand shall be placed waterward of the Mean High Water Line (MHWL) and the remaining 108,440 cubic yards of sand shall be placed landward of the MHWL. A description of sand quantities for each location is provided below:

- Miami Beach from 57<sup>th</sup> to 65<sup>th</sup> Streets: 84,570 cubic yards shall be placed on a 4,100 foot beach

- segment between 95 - 300 feet waterward of the erosion control line. 43,825 cubic yards shall be placed waterward of the MHWL and 40,745 cubic yards shall be placed landward of the MHWL.
- Bal Harbour from 95<sup>th</sup> Street to Harbour Way: 89,700 cubic yards shall be placed on a 3,100 foot beach segment between 180 - 300 linear feet waterward of the erosion control line. 48,000 cubic yards shall be placed waterward of the MHWL covering an area of ten (10) acres. The remaining 41,700 cubic yards shall be placed landward of the MHWL.
  - Sunny Isles Beach from 171<sup>st</sup> to 182<sup>nd</sup> Streets: 51,815 cubic yards shall be placed on a 2,140 foot beach segment between 20 - 210 linear feet waterward of the erosion control line. 16,615 cubic yards shall be placed waterward of the MHWL covering an area of 14 acres. The remaining 35,200 cubic yards shall be placed landward of the MHWL.

The sand will be obtained from the Ortona mines in Central Florida. This source has been previously used for renourishment projects throughout the state, including within Miami-Dade County. The sand will be transported to each project site by dump trucks and will either be placed directly on the beach or temporarily staged at public park areas located west of the dune line. The sand will then be loaded into all-terrain equipment, distributed along the proposed project sites, and graded to provide the storm protection and recreational benefits associated with the project.

No upland vegetation impacts are anticipated. In addition, an in-water survey revealed that benthic resources are located sufficiently offshore. Therefore, no direct or indirect impacts are anticipated and no mitigation will be required. In addition, short-term turbidity impacts are anticipated to be negligible. The contractor will be responsible for the monitoring and control of turbidity levels generated by construction operations in accordance with the Class I permit conditions.

The applicant is requesting that the Class I permit be valid for a period of ten (10) years. Although standard form Class I permits are valid for three (3) years, authorization for a ten (10) year period is consistent with the maximum timeframe allowed for extensions of standard form Class I permits in the Code of Miami-Dade County. DERM recommends approval of the requested ten (10) year permit which would allow for periodic renourishment of eroded segments of the beach as needed. The applicant will be required to comply with all Class I permit conditions and to notify DERM prior to performing any subsequent renourishment events.

The beaches to be renourished are owned by the Board of Trustees of the Internal Improvement Trust Fund of the State of Florida. The applicant has obtained authorization from the Florida Department of Environmental Protection for use of Sovereign Submerged Lands (Attachment E).

The proposed project has been designed in accordance with all relevant Miami-Dade County coastal construction criteria and is consistent with all other Miami-Dade County coastal protection provisions. Please find attached a DERM Project Report which sets forth the reasons the proposed project is recommended for approval by DERM pursuant to the applicable evaluation factors set forth in Section 24-48.3 of the Code of Miami-Dade County, Florida. The conditions, limitations, and restrictions set forth in the 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: Zoning Memorandum
- Attachment D: Names and Addresses of Owners of All Riparian or Wetland Property within Three Hundred (300) Feet of the Proposed Work
- Attachment E: Florida Department of Environmental Protection Sovereign Submerged Lands Authorization
- Attachment F: DERM Project Report

NOTICE OF PUBLIC HEARING ON AN APPLICATION BY MIAMI-DADE COUNTY FOR A CLASS I PERMIT TO RENOURISH THREE (3) SEGMENTS OF ERODED BEACH ON MIAMI BEACH, BAL HARBOUR BEACH, AND SUNNY ISLES BEACH THROUGH THE PLACEMENT OF 226,085 CUBIC YARDS OF SAND FOR MULTIPLE RENOURISHMENT EVENTS, AND TO AUTHORIZE THE TIME OF COMPLETION OF WORK UNDER THE SUBJECT PERMIT FOR A PERIOD OF TEN (10) YEARS

BOARD OF COUNTY COMMISSIONERS  
MIAMI-DADE COUNTY, FLORIDA

NOTICE IS HEREBY GIVEN pursuant to Article IV, Division 1 of Chapter 24 of the Code of Miami-Dade County that the Board of County Commissioners of Miami-Dade County will hold and conduct a Public Hearing on a request by Miami-Dade County for a Class I permit to renourish three (3) segments of eroded beach on Miami Beach, Bal Harbour Beach, and Sunny Isles Beach through the placement of 226,085 cubic yards of sand for multiple renourishment events, and to authorize the time of completion of work under the subject permit for a period of ten (10) years between 57<sup>th</sup> and 65<sup>th</sup> Streets in Miami Beach, between 95<sup>th</sup> Street and Harbour Way in Bal Harbour, and between 171<sup>st</sup> and 182<sup>nd</sup> Streets in Sunny Isles Beach, Miami-Dade County, Florida. Such Public Hearing will be held on April 4, 2011 at 9:30 AM in the County Commission Chambers on the 2nd Floor of the Stephen P. Clark Center at 111 NW 1<sup>st</sup> Street in Miami, Florida.

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

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

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

BOARD OF COUNTY COMMISSIONERS  
MIAMI-DADE COUNTY, FLORIDA

HARVEY RUVIN, CLERK

BY: \_\_\_\_\_  
Diane Collins, Deputy Clerk



# MEMORANDUM

(Revised)

**TO:** Honorable Chairman Joe A. Martinez  
and Members, Board of County Commissioners

**DATE:** April 4, 2011

**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

Agenda Item No. 5(C)

Veto \_\_\_\_\_

4-4-11

Override \_\_\_\_\_

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

RESOLUTION RELATING TO AN APPLICATION BY MIAMI-DADE COUNTY FOR A CLASS I PERMIT TO RENOURISH THREE (3) SEGMENTS OF ERODED BEACH ON MIAMI BEACH, BAL HARBOUR BEACH, AND SUNNY ISLES BEACH THROUGH THE PLACEMENT OF 226,085 CUBIC YARDS OF SAND FOR MULTIPLE RENOURISHMENT EVENTS, AND TO AUTHORIZE THE TIME OF COMPLETION OF WORK UNDER THE SUBJECT PERMIT FOR A PERIOD OF TEN (10) YEARS

**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 Miami-Dade County for a Class I permit to renourish three (3) segments of eroded beach on Miami Beach, Bal Harbour Beach, and Sunny Isles Beach through the placement of 226,0850 cubic yards of sand for multiple renourishment events, and authorizes the time of completion of work under the subject permit for a period of ten (10) years, to be conducted between 57<sup>th</sup> and 65<sup>th</sup> Streets in Miami Beach, between 95<sup>th</sup> Street and Harbour Way in Bal Harbour, and between 171<sup>st</sup> and 182<sup>nd</sup> Streets in Sunny Isles Beach, 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 Class I permit granted hereby shall be valid for ten (10) years from the date of issuance of the permit.

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:

Joe A. Martinez, Chairman	
Audrey M. Edmonson, Vice Chairwoman	
Bruno A. Barreiro	Lynda Bell
Jose "Pepe" Diaz	Carlos A. Gimenez
Sally A. Heyman	Barbara J. Jordan
Jean Monestime	Dennis C. Moss
Rebeca Sosa	Senator Javier D. Souto

The Chairperson thereupon declared the resolution duly passed and adopted this  
4<sup>th</sup> day of April, 2011. 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. *ASR*

Abbie Schwaderer-Raurell

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





# Class I Permit Application

FOR DEPARTMENTAL USE ONLY	
Date Received:	Application Number: 2010-CLI-PER-00044
	Application Fee: \$28,750.00

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

<b>1. Applicant Information:</b> Name: <u>Miami-Dade County</u> Address: <u>111 N.W. 1<sup>st</sup> Street #29<sup>th</sup> Floor</u> <u>Miami, FL</u> Zip Code: <u>33128</u> Phone #: <u>(305) 375-2911</u> Fax#: _____ Email: <u>ami3@miamidade.gov</u> <small>* This should be the applicant's information for contact purposes.</small>	<b>2. Applicant's Authorized Permit Agent:</b> <small>Agent is allowed to process the application, furnish supplemental information relating to the application and bind the applicant to all requirements of the application.</small> Name: <u>Marina Blanco-Pape, P.E.</u> Address: <u>701 N.W. 1<sup>st</sup> Court 5<sup>th</sup> Floor</u> <u>Miami, FL</u> Zip Code: <u>33136</u> Phone #: <u>(305) 372-6950</u> Fax #: _____ Email: <u>papem@miamidade.gov</u>
---	---

<b>3. Location where proposed activity exists or will occur (latitude and longitude are only necessary for properties without address or folio #):</b>	
Folio #(s): <u>See Exhibit 1</u>	Latitude: _____ Longitude: _____
Street Address: _____	Section: _____ Township: _____ Range: _____
In City or Town: _____	Near City or Town: _____
Name of waterway at location of the activity: <u>Atlantic Ocean</u>	

<b>4. Describe the proposed activity (check all that apply):</b>	
<input type="checkbox"/> Seawall <input type="checkbox"/> New/Replacement Seawall <input type="checkbox"/> Seawall Cap <input type="checkbox"/> Batter Piles <input type="checkbox"/> King Piles <input type="checkbox"/> Footer/Toe Wall <input type="checkbox"/> Riprap <input type="checkbox"/> Other: _____	<input type="checkbox"/> Dock(s) <input type="checkbox"/> Pier(s) <input type="checkbox"/> Viewing Platform <input type="checkbox"/> Boatlift <input type="checkbox"/> Mooring Piles <input type="checkbox"/> Fender Piles <input type="checkbox"/> Davits <input type="checkbox"/> Dredging <input type="checkbox"/> Maintenance <input type="checkbox"/> New <input checked="" type="checkbox"/> Filling <input type="checkbox"/> Mangrove Trimming <input type="checkbox"/> Mangrove Removal
Estimated project cost = \$ <u>8,000,000.00</u>	
Are you seeking an after-the-fact approval (ATF)? <input type="checkbox"/> Yes <input type="checkbox"/> No If "Yes", describe the ATF work: _____	

<b>5. Proposed Use (check all that apply):</b> <input type="checkbox"/> Single Family <input type="checkbox"/> Multi-Family <input type="checkbox"/> Private <input type="checkbox"/> Public <input type="checkbox"/> Commercial <input type="checkbox"/> Industrial <input type="checkbox"/> Utility	<b>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):</b> Proposed Vessel Type (s): <u>N/A</u> Vessel Make/Model (If known): <u>N/A</u> Draft (s)(range in inches.): <u>N/A</u> Length (s)(range in feet.): <u>N/A</u> Total Number of Slips: <u>N/A</u>
--	---

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
FDEP	Joint Coastal	0233882-005-JM	6/2009	1/6/2011
USACE	Dredge and Fill	SAJ-2009-02468-70 IP-IF	6/2009	8/6/2010

**8. Contractor Information (If known):**

Name: To Be Determined License # (County/State): \_\_\_\_\_

Address: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Phone #: \_\_\_\_\_ Fax #: \_\_\_\_\_ E-mail: \_\_\_\_\_

**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**

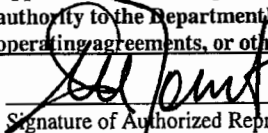
Signature of Applicant	Print Applicant's Name	Date
------------------------	------------------------	------

**B. IF APPLICANT IS OTHER THAN AN INDIVIDUAL OR NATURAL PERSON**

(Examples: Corporation, Partnership, Trust, LLC, LLP, etc.)

<u>Miami-Dade County</u>	<u>Local Government</u>	<u>Florida</u>
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.\*\*\***

	<u>Susanne M. Torriente</u>	<u>Assistant County Manager</u>	<u>2/17/11</u>
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
--	--	-------	------



**Class I Permit Application Additional Signatures Page**

(Please attach to Class I permit application)

Applicant Name: \_\_\_\_\_

Owner Name: \_\_\_\_\_

Project Location: \_\_\_\_\_

Additional signatures for:     Applicant  
     Owner

**1. IF THE APPLICANT/OWNER IS AN INDIVIDUAL**

Signature of Applicant/Owner	Print Name of Applicant/Owner	Date
Signature of Applicant/Owner	Print Name of Applicant/Owner	Date

**2. IF THE APPLICANT/OWNER IS OTHER THAN AN INDIVIDUAL OR NATURAL PERSON**  
 (Examples: Corporation, Partnership, Trust, LLC, LLP, etc.)

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

**Under the penalty of perjury, we certify that we have the authority to sign this application on behalf of the Applicant/Owner, to bind the Applicant/Owner, and if so required to authorize the issuance of a bond on behalf of the Applicant/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	Print Name	Title	Date
Signature	Print Name	Title	Date
Signature	Print Name	Title	Date
Signature	Print Name	Title	Date
Signature	Print Name	Title	Date
Signature	Print Name	Title	Date
Signature	Print Name	Title	Date
Signature	Print Name	Title	Date
Signature	Print Name	Title	Date

## EXHIBIT 1

### Class I Permit Application Beach Renourishment – Miami Beach, Sunny Isles and Bal Harbour

#### Location where proposed activity exists or will occur:

##### Miami Beach:

Between 57<sup>th</sup> and 65<sup>th</sup> Street (Oceanside) – Miami Beach, Florida  
Latitude & Longitude @ North Limit of Project Site: 25.84710 N, 80.11962 W  
Latitude & Longitude @ South Limit of Project Site: 25.83701 N, 80.11990 W  
Section: 11 and 14  
Township: 53S  
Range: 42E

##### Bal Harbour:

Between 95<sup>th</sup> Street and Harbour Way (Oceanside) – Bal Harbour, Florida  
Latitude & Longitude @ North Limit of Project Site: 25.89385 N, 80.12222 W  
Latitude & Longitude @ South Limit of Project Site: 25.88527 N, 80.12168 W  
Section: 26 and 35  
Township: 52S  
Range: 42E

##### Sunny Isles

Between 171<sup>st</sup> and 182<sup>nd</sup> Streets (Oceanside) – Sunny Isles, Florida  
Latitude & Longitude @ North Limit of Project Site: 25.94258 N, 80.11977 W  
Latitude & Longitude @ South Limit of Project Site: 25.93424 N, 80.12058 W  
Section: 11  
Township: 52S  
Range: 42E

Name of waterway at location of the activity: **Atlantic Ocean**

**Attachment B**

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

**PERMIT APPLICANT/ AUTHORIZED AGENT STATEMENT**

Date: February 14, 2011

To:

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

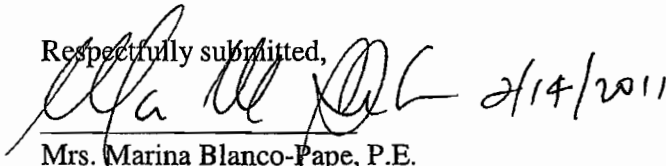
Re: Class I Standard Form Permit Application Number 2010-CLI-PER-00044

By the attached Class I Standard Form permit application with supporting documents, I, Mrs. Marina Blanco-Pape, P.E., Chief, Water Management Division, DERM, am the Applicant's Authorized Permit Agent and hereby request permission to perform the work associated with Class I permit application 2010-CLI-PER-00044. 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,



Mrs. Marina Blanco-Pape, P.E.  
Chief, Water Management Division  
Miami-Dade County Department of Environmental Resources Management (DERM)  
Applicant's Authorized Permit Agent



Carlos Alvarez, Mayor

Department of Environmental Resources Management  
Water Management Division  
701 NW 1st Court, 5th Floor  
Miami, Florida 33136-3912  
T 305-372-6529 F 305-372-6425

miamidade.gov

February 7, 2011

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

Re: Class I Permit Application Number 2010-CLI-PER-00044

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,

Juan A. Curiel, P.E. (P.E.#63890)  
Chief, Stormwater Planning Section  
Water Management Division  
Miami-Dade County-DERM

*Delivering Excellence Every Day*



RECEIVED

JAN 05 2011

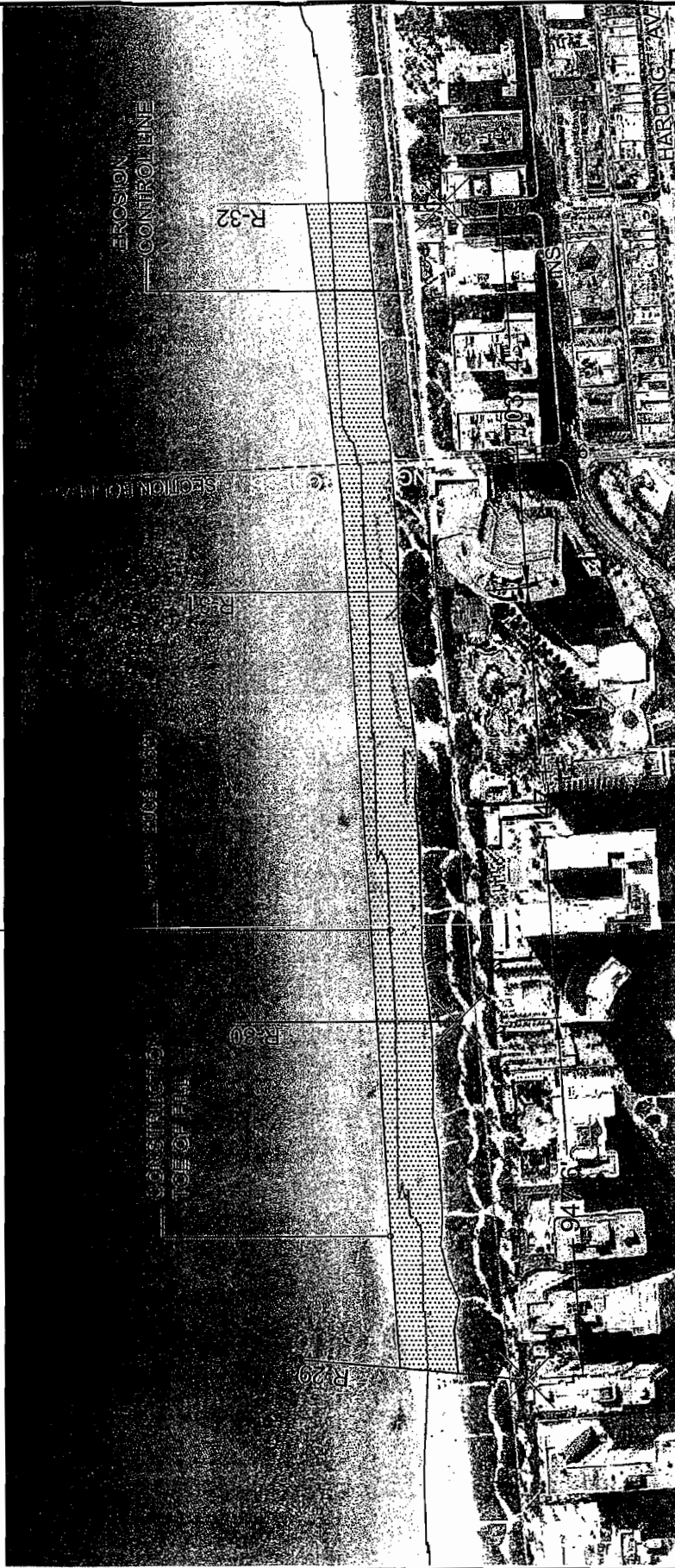
DERM Coastal Resources Section  
Natural Resources Regulation & Restoration  
Division (NRRRD)

200FT 0 400FT

SCALE: 1"= 400'

COORDINATES

MONUMENT	EASTING	NORTHING	AZIMUTH	ELEVATION
R-29	944714.68	568077.74	95°	7.54
R-30	944899.94	567132.35	90°	7.74
R-31	945017.64	565988.02	90°	7.64
R-32	944935.28	564959.39	90°	10.38



- NOTE:
1. APPROXIMATE AMOUNT OF BEACH FILL = 89,700 CY BETWEEN NOV-DEC 08 SURVEY & ACOE TEMPLATE.
  2. DATE OF AERIAL: 2007
  3. ALL FILL IS TO BE PLACED EAST OF THE DUNE \ EROSION CONTROL LINE.
  4. NO EXISTING DUNE VEGETATION WILL BE BURIED
  5. AREA BETWEEN R 27 AND R29 IS ALREADY PERMITTED UNDER PERMIT S: FDEP: JCP 0233882-004- JM USACE: SAJ 2008-1648 (IP-INS)

MIAMI-DADE COUNTY DERM  
WATER MANAGEMENT DIVISION  
701 NW 1st Court, 5th Floor, Miami, FL. 33136

JUAN A. CUIRIEL  
State of Florida Professional Engineer  
License No. 63890

BAL HARBOUR AND SURFSIDE  
LOCATION MAP  
PROPOSED RENOURISHMENT AREA

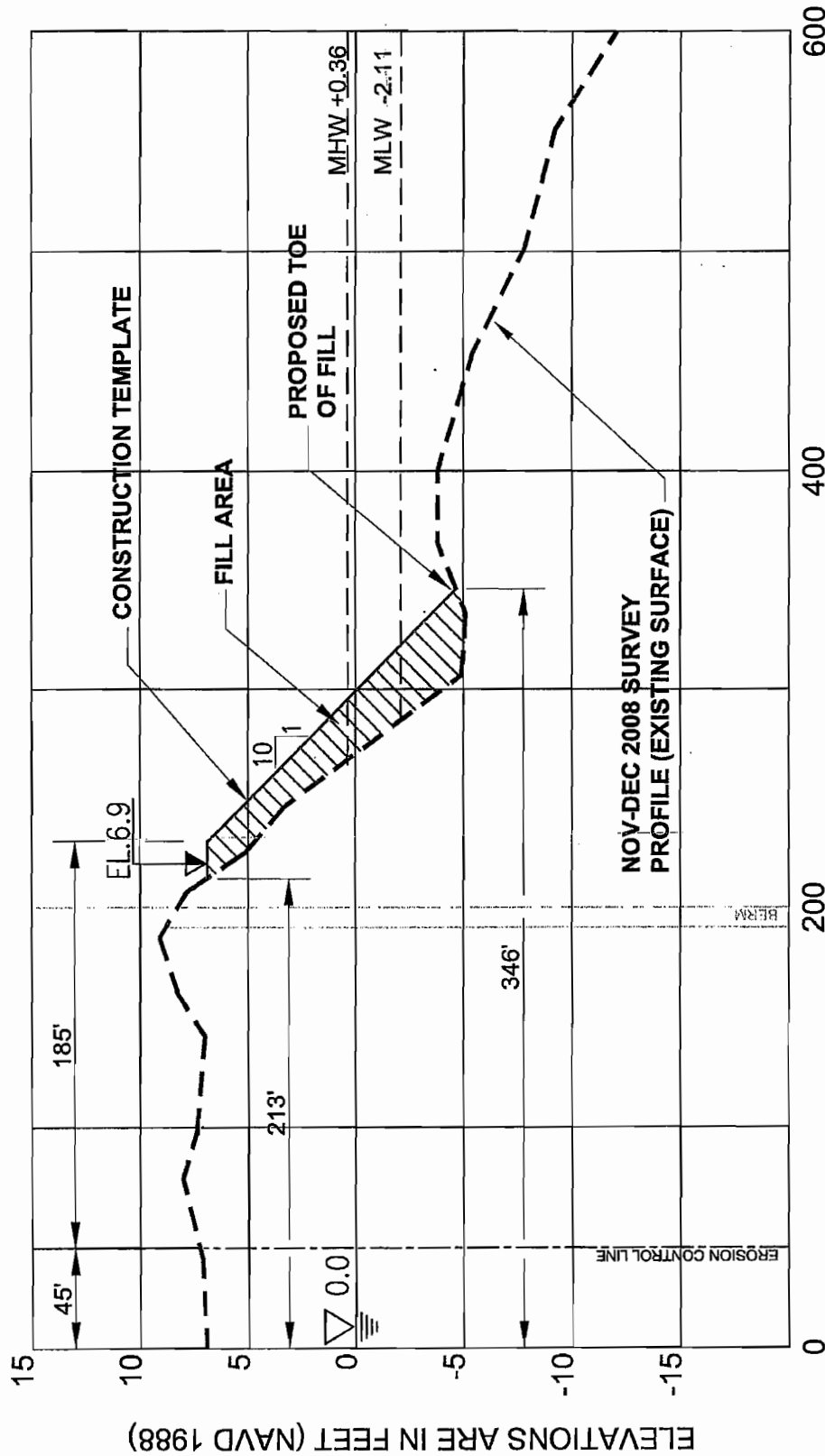
JOB: R30 to R32 DATE: 07-28-09

BY: J.C. / M.P. SHEET: 1/5

## GENERAL NOTES

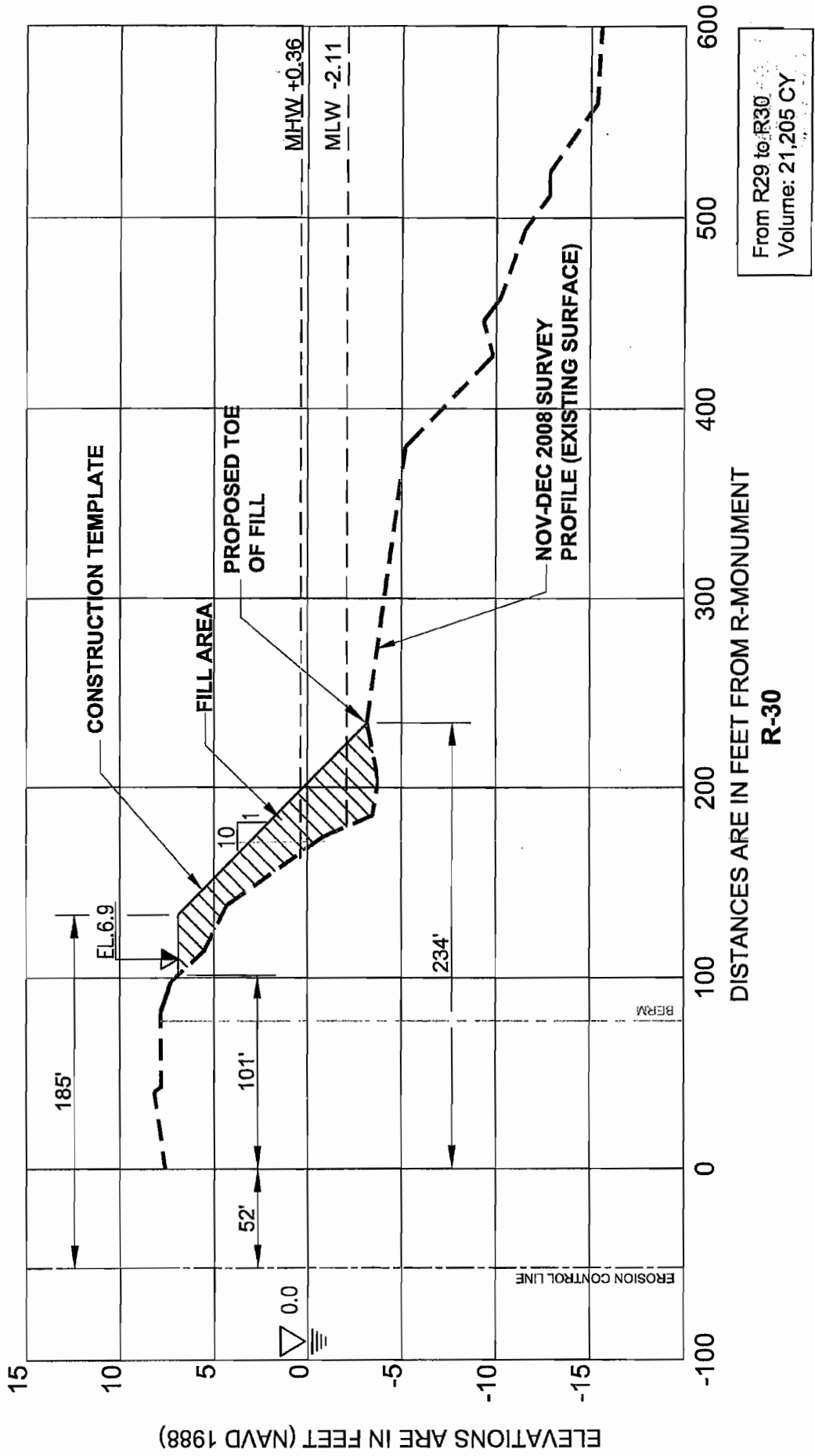
1. PERMIT SET-REVIEW CONSTRUCTION PLANS AND SPECIFICATIONS PRIOR TO COMMENCING CONSTRUCTION ACTIVITY.
2. TOPOGRAPHIC AND BATHYMETRIC SURVEY DATA WAS OBTAINED BY SEA DIVERSIFIED INC. (SDI) DURING FIELD WORK PERFORMED NOVEMBER-DECEMBER 2008.
3. THE PLANE COORDINATES AND BEARINGS SHOWN HEREON ARE IN FEET AND ARE BASED ON THE FLORIDA STATE PLANE COORDINATE SYSTEM, EAST ZONE (0901), TRANSVERSE MERCATOR PROJECTION, NORTH AMERICAN DATUM, 1983, ADJUSTED 1990 (NAD83-90) AND ALL CONTOURS AND ELEVATIONS ARE IN FEET RELATIVE TO THE NORTH AMERICAN VERTICAL DATUM (NAVD88).
4. HORIZONTAL AND VERTICAL CONTROL FOR CONSTRUCTION FOR THIS PROJECT SHALL BE BASED ON FDEP SURVEY MONUMENTS AS FOUND IN MIAMI-DADE COUNTY, UTILIZING PLANE COORDINATES (NAD83-90) IN FEET AND ELEVATIONS UTILIZING (NAVD 88) IN FEET.
5. MEAN HIGH WATER (MHW) IS +0.36 NAVD; MEAN LOW WATER (MLW) IS -2.11 NAVD. TIDAL DATUM INFORMATION BASED ON NOS TIDE STATION 8723050 (OBTAINED FROM APPROVED PERMIT SET, CSI, MARCH 28, 2008).
6. SAND IS TO BE PLACED UTILIZING METHODS APPROVED BY LOCAL, STATE AND FEDERAL REGULATORY PERMITTING AGENCIES.
7. ALL SAND SHALL CONFORM TO THE SEDIMENT QA/QC PLAN, APPROVED BY THE FDEP BUREAU OF BEACHES AND COASTAL SYSTEMS ON JANUARY 12th, 2009.
8. ALL ACCESS AND STANGING AREAS WILL BE DETERMINED BY THE LOCAL MUNICIPALITY PRIOR TO CONSTRUCTION.
9. AT NO TIME WILL THE AMOUNT OF FILL TO BE PLACED EXCEED THE USACE DESIGN TEMPLATE.
10. THE PROPOSED TOE OF FILL DEPICTED ON THE DRAWINGS IS THEORETICAL. IT IS BASED ON THE ASSUMPTION THAT ALL SAND IS PLACED IN A SINGLE EVENT. FINAL LOCATION OF PROPOSED TOE OF FILL CAN ONLY BE DETERMINED THROUGH AS-BUILT AND MONITORING SURVEYS PERFORMED POST NOURISHMENT.

<b>MIAMI-DADE COUNTY DERM</b> WATER MANAGEMENT DIVISION  701 NW 1st Court, 5th Floor MIAMI, FLORIDA 33136	<b>BAL HARBOUR AREA</b> GENERAL NOTES  JOB: R29 to R32      DATE: 08-04-10 BY: J.C./M.M.      SHEET: 2/6
--	--



DISTANCES ARE IN FEET FROM R-MONUMENT  
R-29

MIAMI-DADE COUNTY DERM WATER MANAGEMENT DIVISION 701 NW 1st Court, 5th Floor MIAMI, FLORIDA 33136		BAL HARBOUR AREA TRANSECTS R-29	
JOB: R29 to R32		DATE: 08-04-10	
BY: J.C./M.M.		SHEET: 3/6	



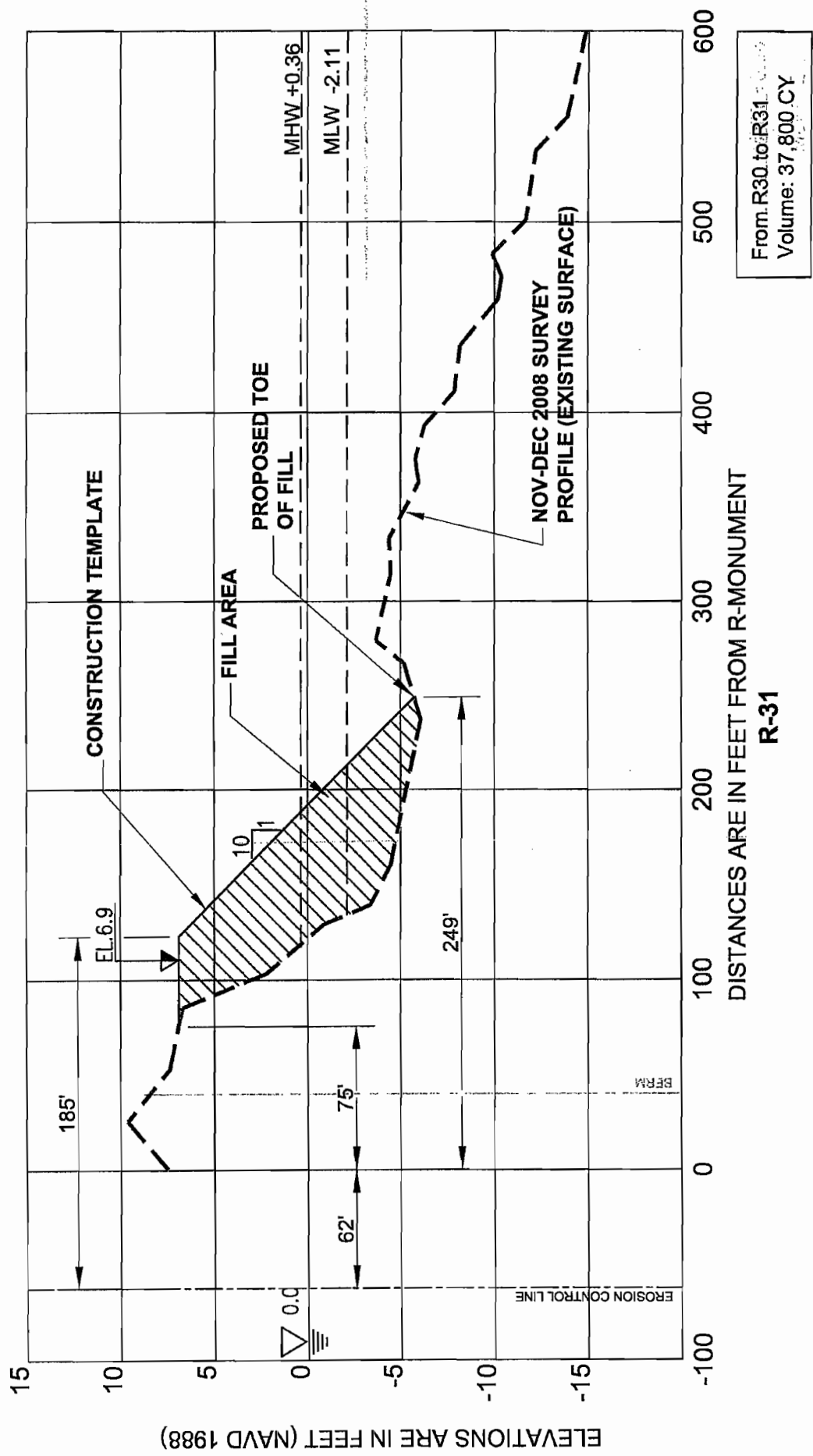
ELEVATIONS ARE IN FEET (NAVD 1988)

DISTANCES ARE IN FEET FROM R-MONUMENT  
R-30

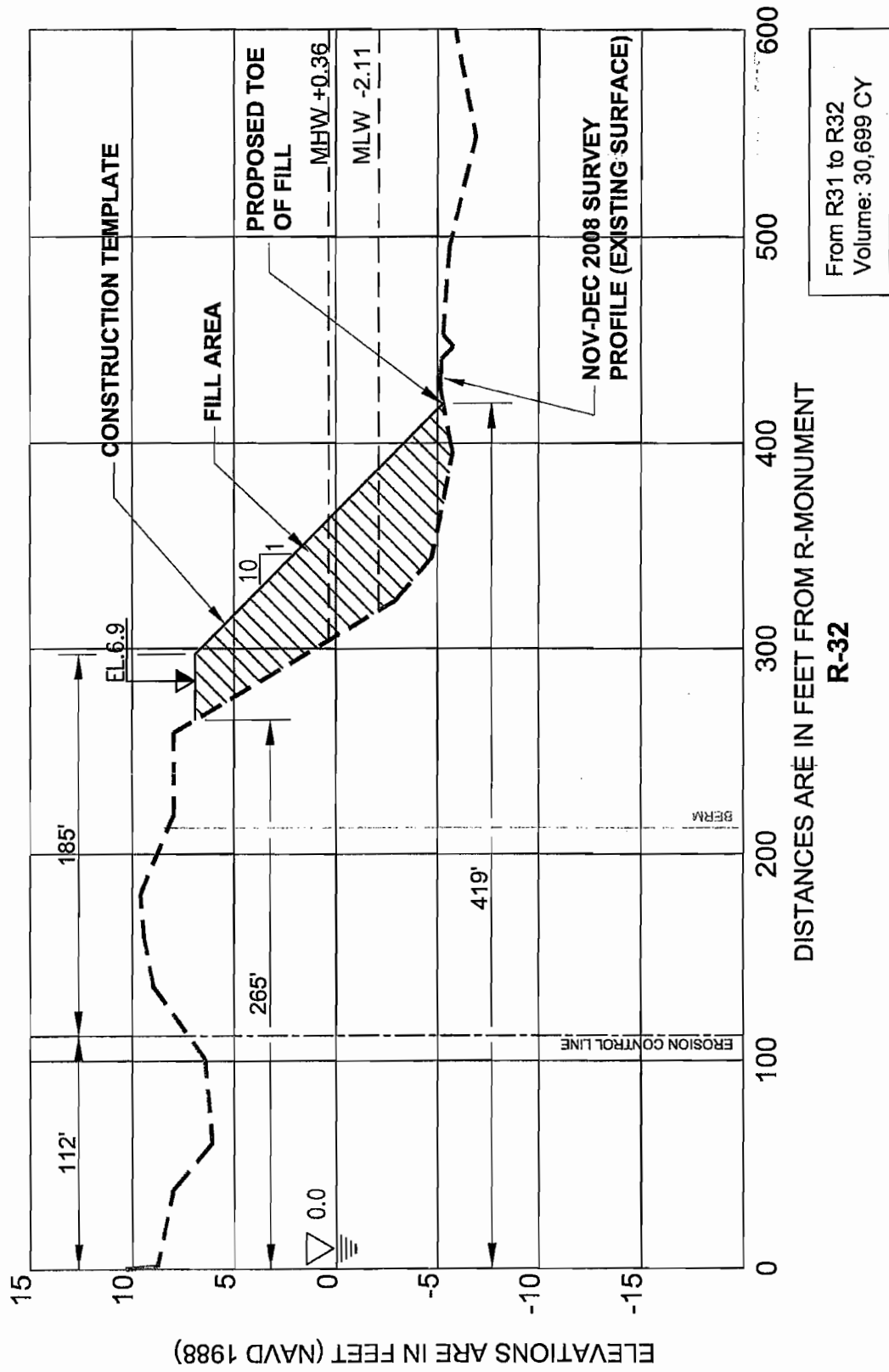
From R29 to R30  
Volume: 21,205 CY

MIAMI-DADE COUNTY DERM  
WATER MANAGEMENT  
DIVISION  
701 NW 1st Court, 5th Floor  
MIAMI, FLORIDA 33136

BAL HARBOUR AREA  
TRANSECTS R-30  
JOB: R29 to R32  
DATE: 08-04-10  
BY: J.C./M.M.  
SHEET: 4/6



MIAMI-DADE COUNTY DERM WATER MANAGEMENT DIVISION 701 NW 1st Court, 5th Floor MIAMI, FLORIDA 33136		BAL HARBOUR AREA TRANSECTS R-31	
JOB: R29 to R32		DATE: 08-04-10	
BY: J.C./M.M.		SHEET: 5/6	



From R31 to R32  
Volume: 30,699 CY

DISTANCES ARE IN FEET FROM R-MONUMENT  
**R-32**

ELEVATIONS ARE IN FEET (NAVD 1988)

MIAMI-DADE COUNTY DERM WATER MANAGEMENT DIVISION 701 NW 1st Court, 5th Floor MIAMI, FLORIDA 33136	BAL HARBOUR AREA TRANSECTS R-32
	JOB: R29 to R32 DATE: 08-04-10 BY: J.C./M.M. SHEET: 6 / 6

ec

RECEIVED

JAN 05 2011



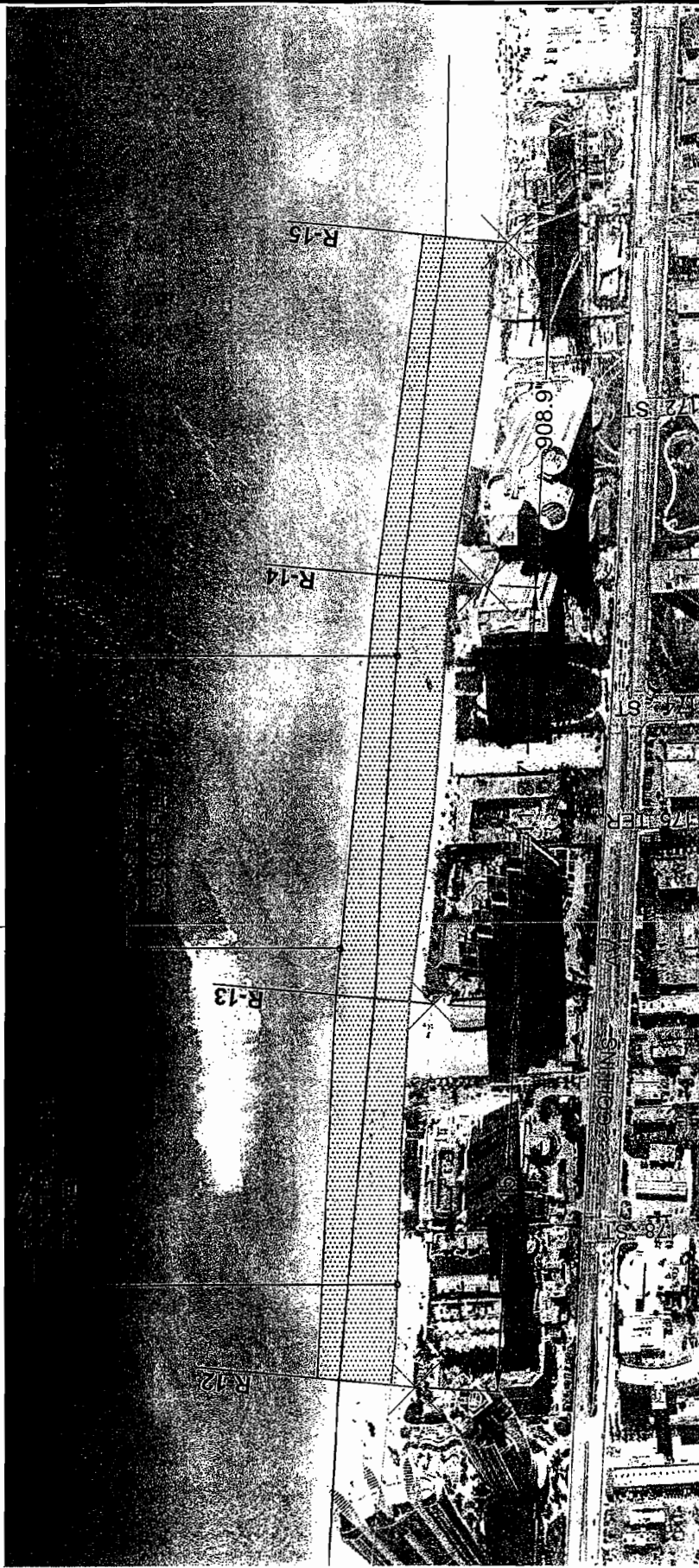
DERM Coastal Resources Section  
Natural Resources Regulation & Restoration  
Division (NRRRD)

200FT 0 400FT

SCALE: 1"= 400'

COORDINATES

MONUMENT	EASTING	NORTHING	AZIMUTH	ELEVATION
R-12	945425.47	585794.21	95°	7.70
R-13	945377.1	584780.36	95°	7.34
R-14	945239.93	583666.95	95°	9.34
R-15	945178.41	582759.98	95°	8.14



NOTE:

1. APPROXIMATE AMOUNT OF BEACH FILL = 51815 CY BETWEEN NOV-DEC 08 SURVEY & ACOE TEMPLATE.
2. DATE OF AERIAL: 2007
3. ALL FILL IS TO BE PLACED EAST OF THE DUNE \ EROSION CONTROL LINE.
4. NO EXISTING DUNE VEGETATION WILL BE BURIED
5. AREA BETWEEN R7 AND R12 IS ALREADY PERMITTED UNDER PERMITS: FDEP: JCP 0233882-004-JM  
USACE: SAJ 2008-1648 (IP-INS)

MIAMI-DADE COUNTY DERM  
WATER MANAGEMENT DIVISION  
701 NW 1st Court, 5th Floor, Miami, FL, 33136

JUAN A. CURIEL  
State of Florida Professional Engineer  
License No. 63890

SUNNY ISLES  
LOCATION MAP  
PROPOSED RENOURISHMENT AREA

JOB: R12 to R15  
DATE: 07-28-09

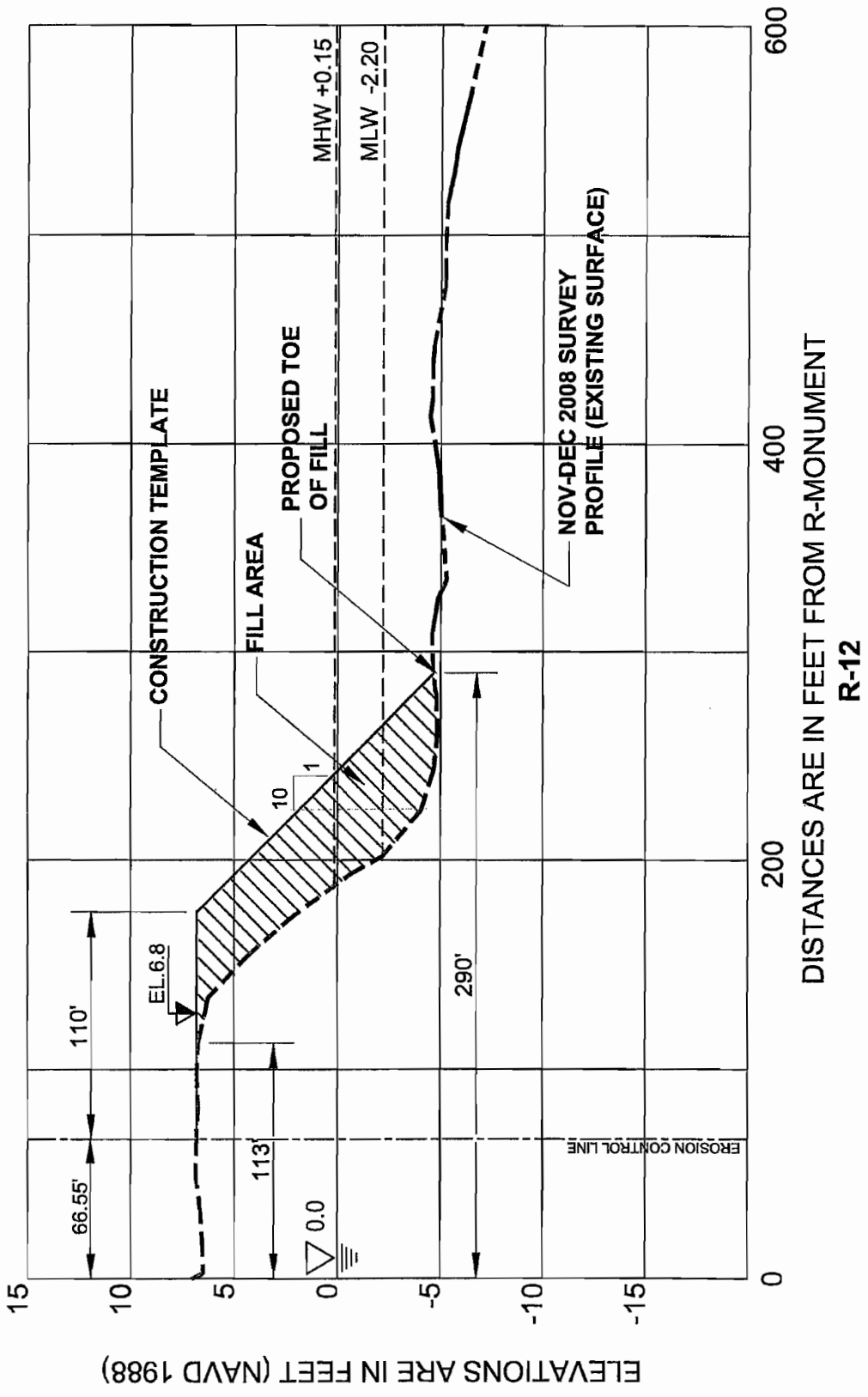
BY: J.C. / M.P.  
SHEET: 1/6

## GENERAL NOTES

1. PERMIT SET-REVIEW CONSTRUCTION PLANS AND SPECIFICATIONS PRIOR TO COMMENCING CONSTRUCTION ACTIVITY.
2. TOPOGRAPHIC AND BATHYMETRIC SURVEY DATA WAS OBTAINED BY SEA DIVERSIFIED INC. (SDI) DURING FIELD WORK PERFORMED NOVEMBER-DECEMBER 2008.
3. THE PLANE COORDINATES AND BEARINGS SHOWN HEREON ARE IN FEET AND ARE BASED ON THE FLORIDA STATE PLANE COORDINATE SYSTEM, EAST ZONE (0901), TRANSVERSE MERCATOR PROJECTION, NORTH AMERICAN DATUM, 1983, ADJUSTED 1990 (NAD83-90) AND ALL CONTOURS AND ELEVATIONS ARE IN FEET RELATIVE TO THE NORTH AMERICAN VERTICAL DATUM (NAVD88).
4. HORIZONTAL AND VERTICAL CONTROL FOR CONSTRUCTION FOR THIS PROJECT SHALL BE BASED ON FDEP SURVEY MONUMENTS AS FOUND IN MIAMI-DADE COUNTY, UTILIZING PLANE COORDINATES (NAD83-90) IN FEET AND ELEVATIONS UTILIZING (NAVD: 88) IN FEET.
5. MEAN HIGH WATER (MHW) IS +0.15 NAVD; MEAN LOW WATER (MLW) IS -2.20 NAVD. TIDAL DATUM INFORMATION BASED ON NOS TIDE STATION 8723050 (OBTAINED FROM APPROVED PERMIT SET, CSI, MARCH 28, 2008).
6. SAND IS TO BE PLACED UTILIZING METHODS APPROVED BY LOCAL, STATE AND FEDERAL REGULATORY PERMITTING AGENCIES.
7. ALL SAND SHALL CONFORM TO THE SEDIMENT QA/QC PLAN, APPROVED BY THE FDEP BUREAU OF BEACHES AND COASTAL SYSTEMS ON JANUARY 12th, 2009.
8. ALL ACCESS AND STANGING AREAS WILL BE DETERMINED BY THE LOCAL MUNICIPALITY PRIOR TO CONSTRUCTION.
9. AT NO TIME WILL THE AMOUNT OF FILL TO BE PLACED EXCEED THE USACE DESIGN TEMPLATE.
10. THE PROPOSED TOE OF FILL DEPICTED ON THE DRAWINGS IS THEORETICAL. IT IS BASED ON THE ASSUMPTION THAT ALL SAND IS PLACED IN A SINGLE EVENT. FINAL LOCATION OF PROPOSED TOE OF FILL CAN ONLY BE DETERMINED THROUGH AS-BUILT AND MONITORING SURVEYS PERFORMED POST NOURISHMENT.

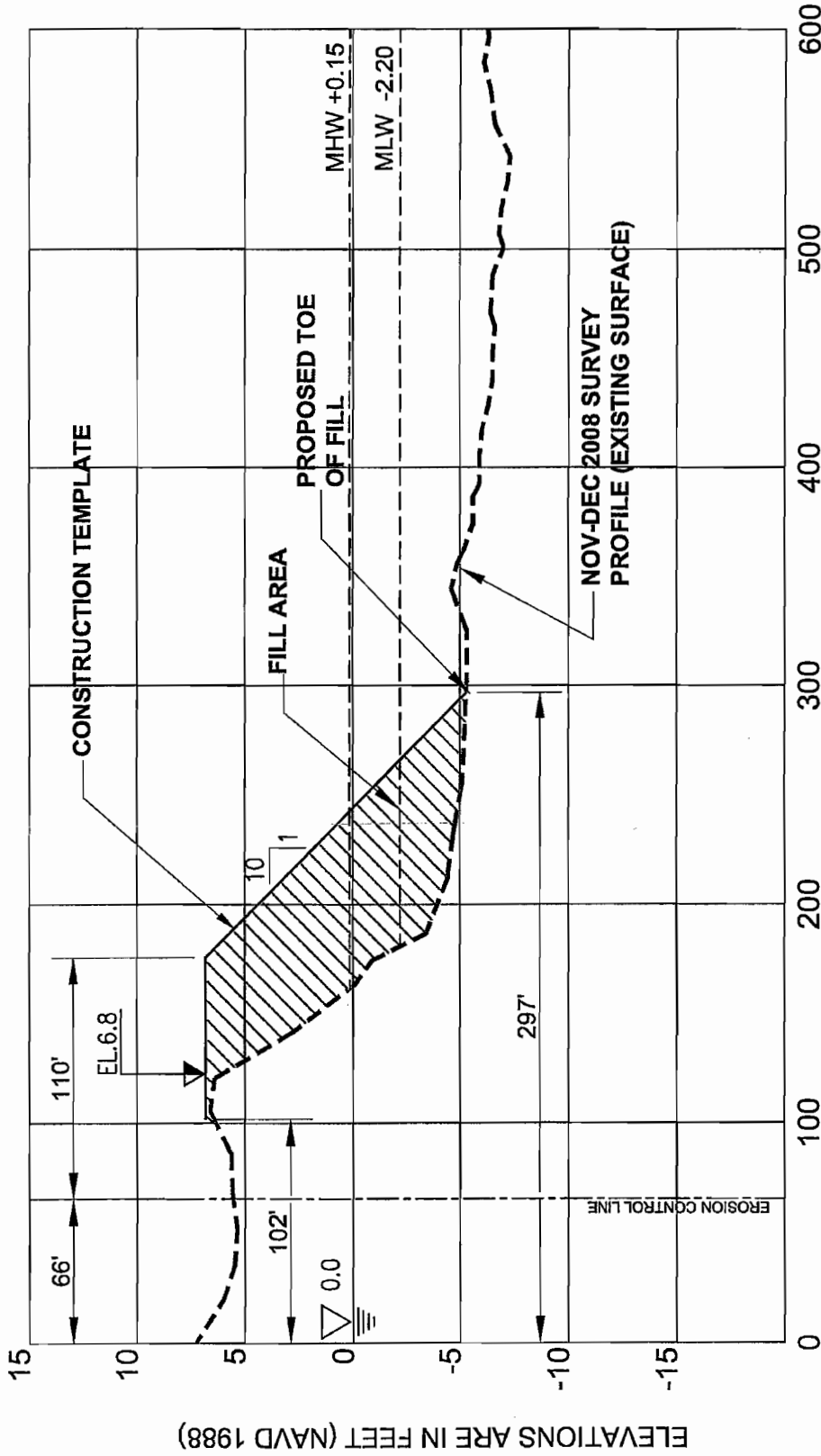
<b>MIAMI-DADE COUNTY DERM</b> WATER MANAGEMENT DIVISION 701 NW 1st Court, 5th Floor MIAMI, FLORIDA 33136	<b>SUNNY ISLES AREA</b> GENERAL NOTES JOB: R12 to R15      DATE: 08-04-10 BY: J.C./M.M.      SHEET: 2 / 6
--	--





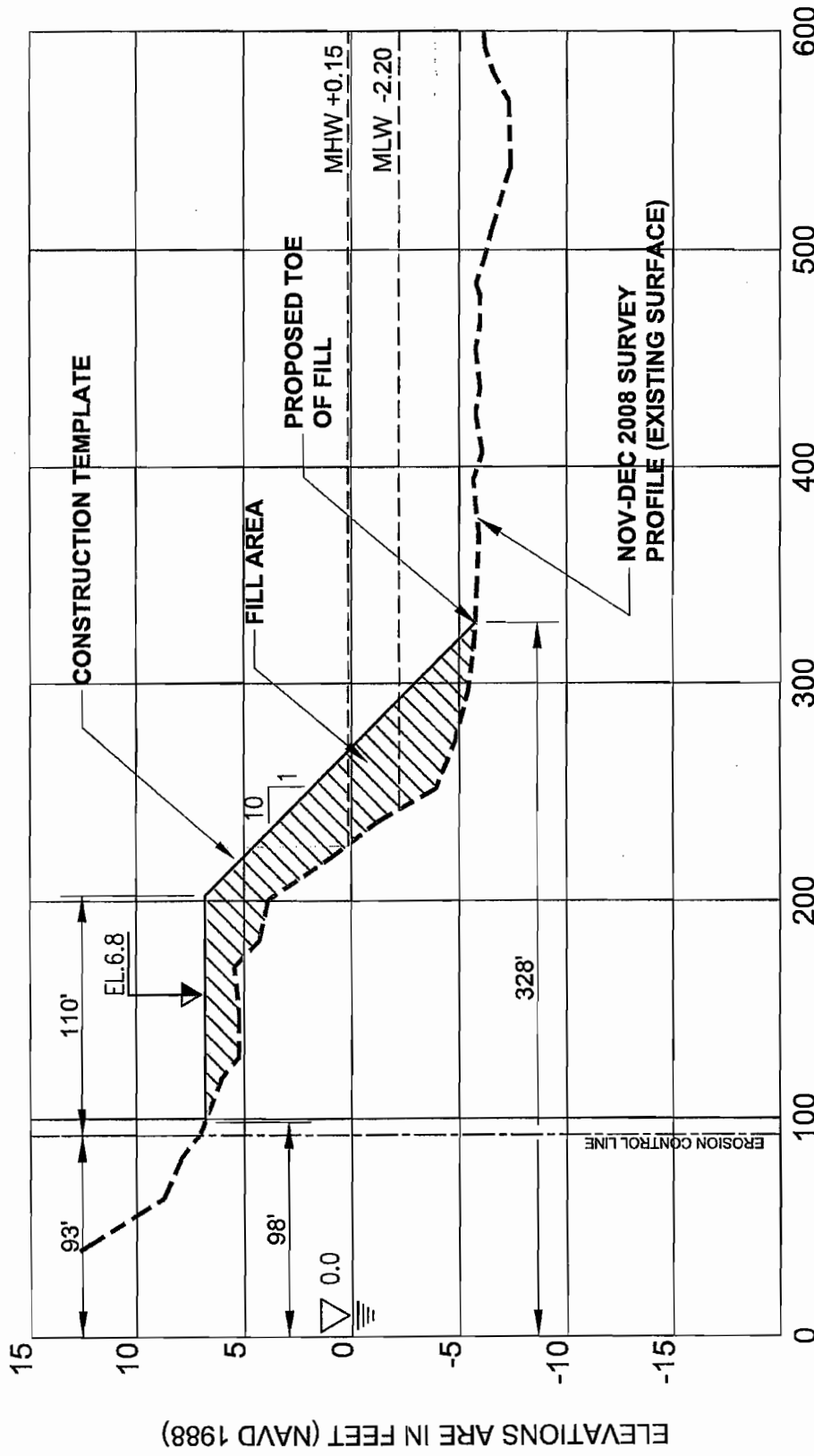
MIAMI-DADE COUNTY DERM WATER MANAGEMENT DIVISION 701 NW 1st Court, 5th Floor MIAMI, FLORIDA 33136		SUNNY ISLES AREA TRANSECTS R-12	
JOB: R12 to R15		DATE: 08-04-10	
BY: J.C./M.M.		SHEET: 3/6	

28



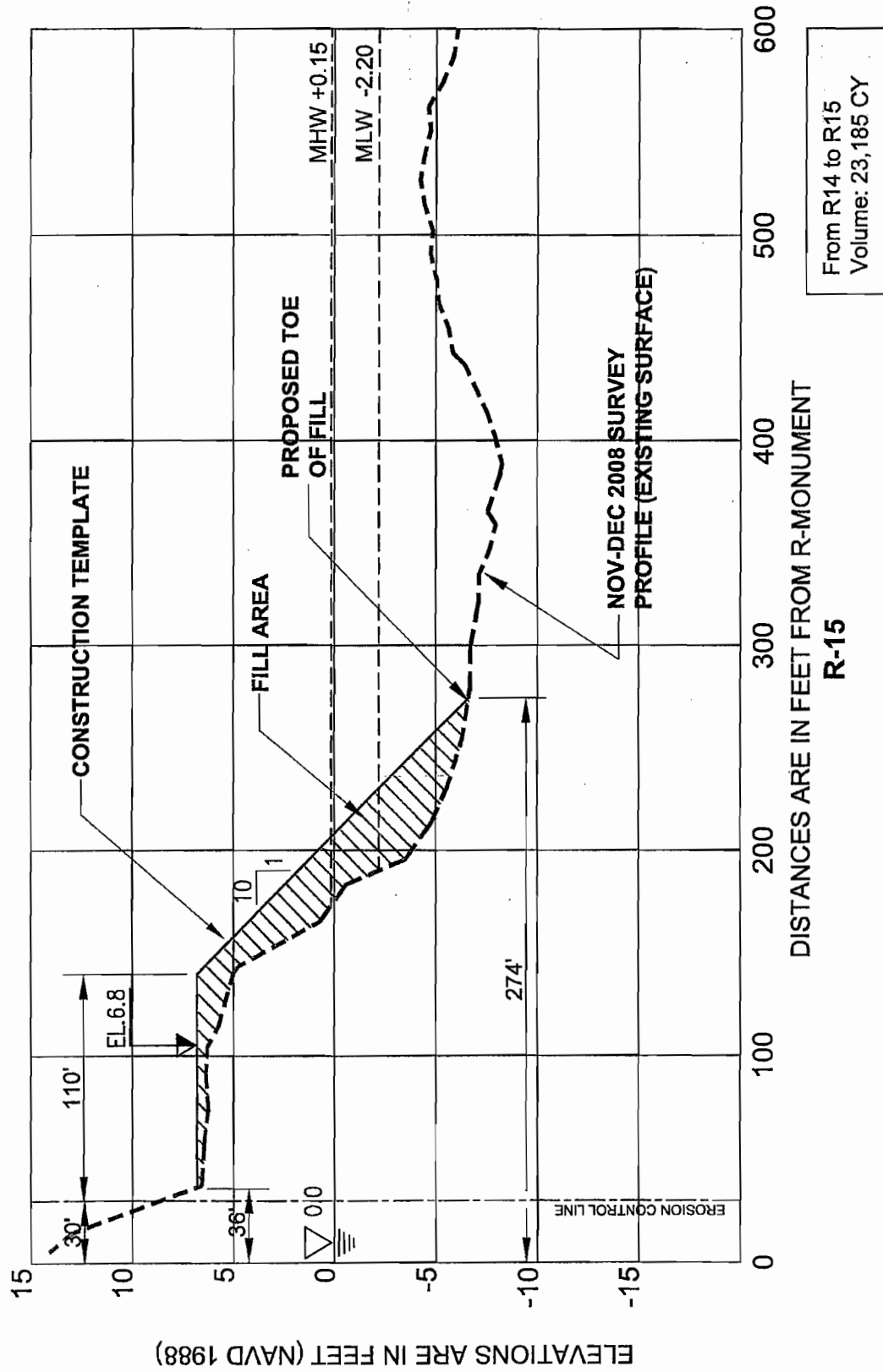
From R12 to R13  
Volume: 7,824 CY

MIAMI-DADE COUNTY DERM WATER MANAGEMENT DIVISION 701 NW 1st Court, 5th Floor MIAMI, FLORIDA 33136	SUNNY ISLES AREA TRANSECTS R-13	
	JOB: R12 to R15	DATE: 08-04-10
	BY: J.C./M.M.	SHEET: 4 / 6



From R13 to R14.  
Volume: 20,805 CY

MIAMI-DADE COUNTY DERM WATER MANAGEMENT DIVISION 701 NW 1st Court, 5th Floor MIAMI, FLORIDA 33136		SUNNY ISLES AREA TRANSECTS R-14	
		JOB: R12 to R15 BY: J.C./M.M.	DATE: 08-04-10 SHEET: 5/6



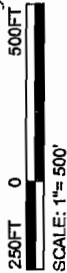
MIAMI-DADE COUNTY DERM WATER MANAGEMENT DIVISION 701 NW 1st Court, 5th Floor MIAMI, FLORIDA 33136		SUNNY ISLES AREA TRANSECTS R-15	
JOB: R12 to R15		DATE: 08-04-10	
BY: J.C./M.M.		SHEET: 6/6	

82

# RECEIVED

JAN 05 2011

DERM Coastal Resources Section  
 Natural Resources Regulation & Restoration  
 Division (NRRRD)



## COORDINATES

MONUMENT	EASTING	NORTHING	AZIMUTH	ELEVATION
R-45	945706.26	551090.99	95°	7.14
R-46	945841.3	550155.4	95°	10.25
R-47	945730.28	549042.89	95°	9.98
R-48	945672.42	548123.79	95°	9.43
R-48+700	9456639.16	547424.03	95°	-

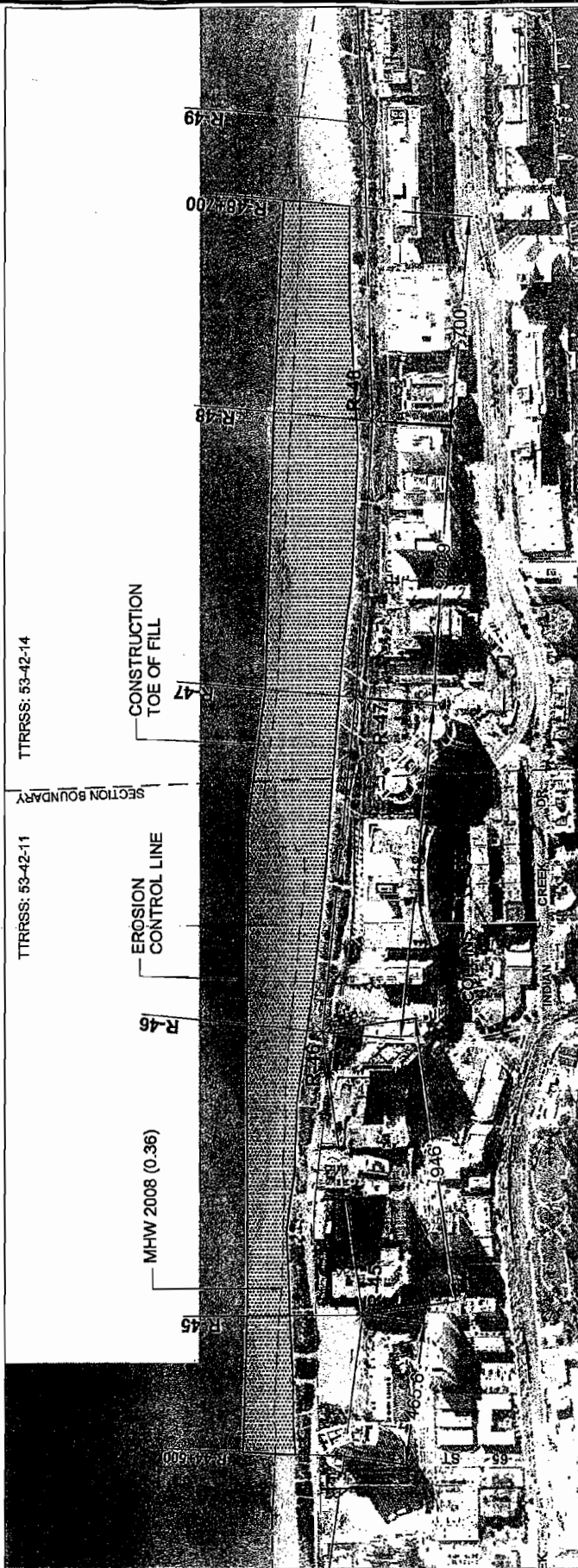
TTRRSS: 53-42-11

TTRRSS: 53-42-14

SECTION BOUNDARY

EROSION CONTROL LINE

CONSTRUCTION TOE OF FILL



### NOTE:

- APPROXIMATE AMOUNT OF BEACH FILL = 84570 CY BETWEEN NOV-DEC 08 SURVEY & ACOE TEMPLATE.
- DATE OF AERIAL: 2007
- ALL FILL IS TO BE PLACED EAST OF THE DUNE \ EROSION CONTROL LINE.
- NO EXISTING DUNE VEGETATION WILL BE BURIED
- AREA BETWEEN R 43 AND R44+500 IS ALREADY PERMITTED UNDER PERMIT S: FDEP: JCP 0233882-004- JM USACE: SAJ 2008-1648 (P-INS)

MIAMI-DADE COUNTY DERM  
 WATER MANAGEMENT DIVISION  
 701 NW 1st Court, 5th Floor, Miami, FL. 33136

JUAN A. CURIEL  
 State of Florida Professional Engineer  
 License No. 63890

MIAMI BEACH AREA  
 LOCATION MAP  
 PROPOSED RENOURISHMENT AREA

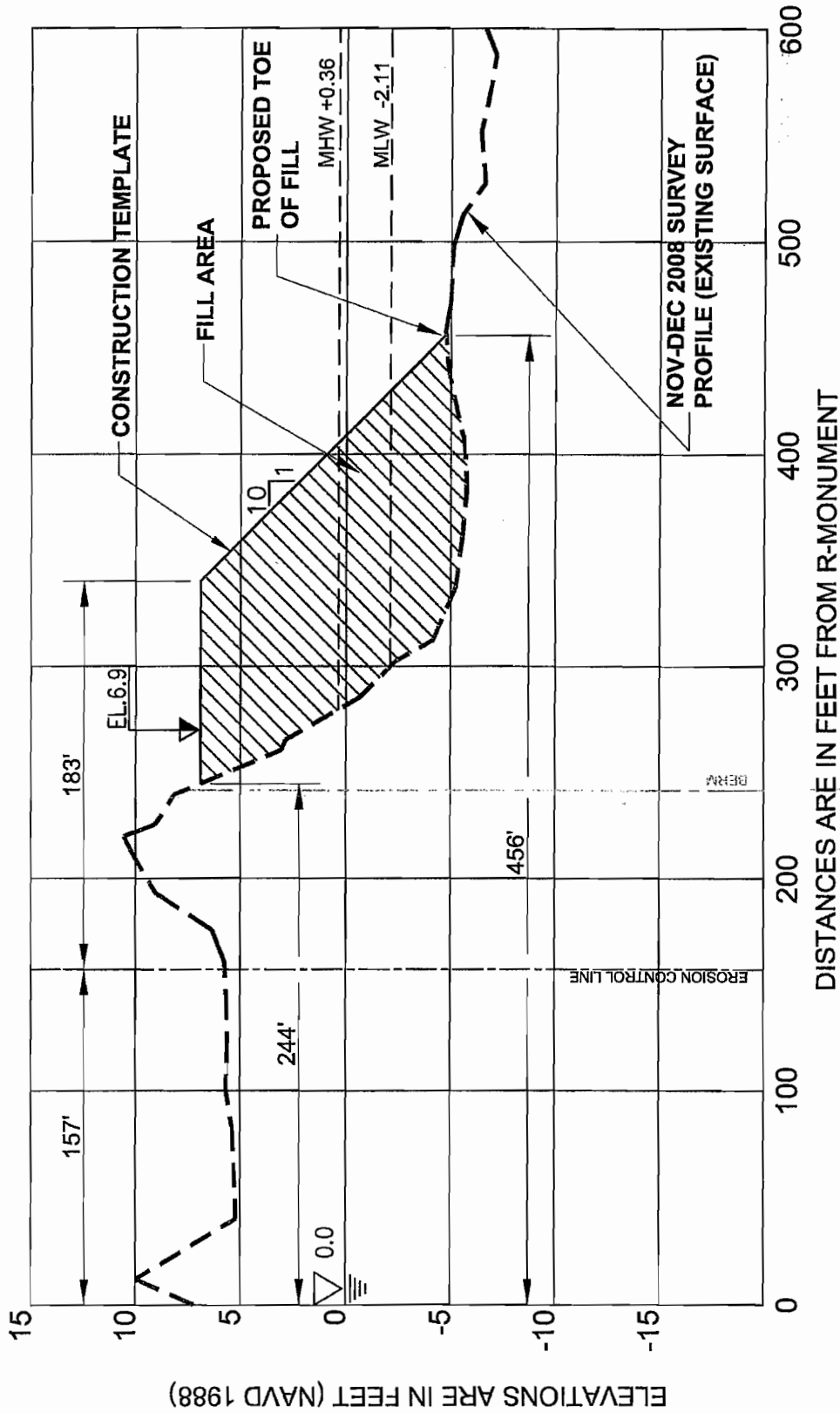
JOB: R44+500 to R48+700 DATE: 07-28-09

BY: J.C. / M.P. SHEET: 1/7

## GENERAL NOTES

1. PERMIT SET-REVIEW CONSTRUCTION PLANS AND SPECIFICATIONS PRIOR TO COMMENCING CONSTRUCTION ACTIVITY.
2. TOPOGRAPHIC AND BATHYMETRIC SURVEY DATA WAS OBTAINED BY SEA DIVERSIFIED INC. (SDI) DURING FIELD WORK PERFORMED NOVEMBER-DECEMBER 2008.
3. THE PLANE COORDINATES AND BEARINGS SHOWN HEREON ARE IN FEET AND ARE BASED ON THE FLORIDA STATE PLANE COORDINATE SYSTEM, EAST ZONE (0901), TRANSVERSE MERCATOR PROJECTION, NORTH AMERICAN DATUM, 1983, ADJUSTED 1990 (NAD83-90) AND ALL CONTOURS AND ELEVATIONS ARE IN FEET RELATIVE TO THE NORTH AMERICAN VERTICAL DATUM (NAVD88).
4. HORIZONTAL AND VERTICAL CONTROL FOR CONSTRUCTION FOR THIS PROJECT SHALL BE BASED ON FDEP SURVEY MONUMENTS AS FOUND IN MIAMI-DADE COUNTY, UTILIZING PLANE COORDINATES (NAD83-90) IN FEET AND ELEVATIONS UTILIZING (NAVD 88) IN FEET.
5. MEAN HIGH WATER (MHW) IS +0.36 NAVD; MEAN LOW WATER (MLW) IS -2.11 NAVD. TIDAL DATUM INFORMATION BASED ON NOS TIDE STATION 8723050 (OBTAINED FROM APPROVED PERMIT SET, CSI, MARCH 28, 2008).
6. SAND IS TO BE PLACED UTILIZING METHODS APPROVED BY LOCAL, STATE AND FEDERAL REGULATORY PERMITTING AGENCIES.
7. ALL SAND SHALL CONFORM TO THE SEDIMENT QA/QC PLAN, APPROVED BY THE FDEP BUREAU OF BEACHES AND COASTAL SYSTEMS ON JANUARY 12th, 2009.
8. ALL ACCESS AND STANDING AREAS WILL BE DETERMINED BY THE LOCAL MUNICIPALITY PRIOR TO CONSTRUCTION.
9. AT NO TIME WILL THE AMOUNT OF FILL TO BE PLACED EXCEED THE USACE DESIGN TEMPLATE.
10. THE PROPOSED TOE OF FILL DEPICTED ON THE DRAWINGS IS THEORETICAL. IT IS BASED ON THE ASSUMPTION THAT ALL SAND IS PLACED IN A SINGLE EVENT. FINAL LOCATION OF PROPOSED TOE OF FILL CAN ONLY BE DETERMINED THROUGH AS-BUILT AND MONITORING SURVEYS PERFORMED POST NOURISHMENT.

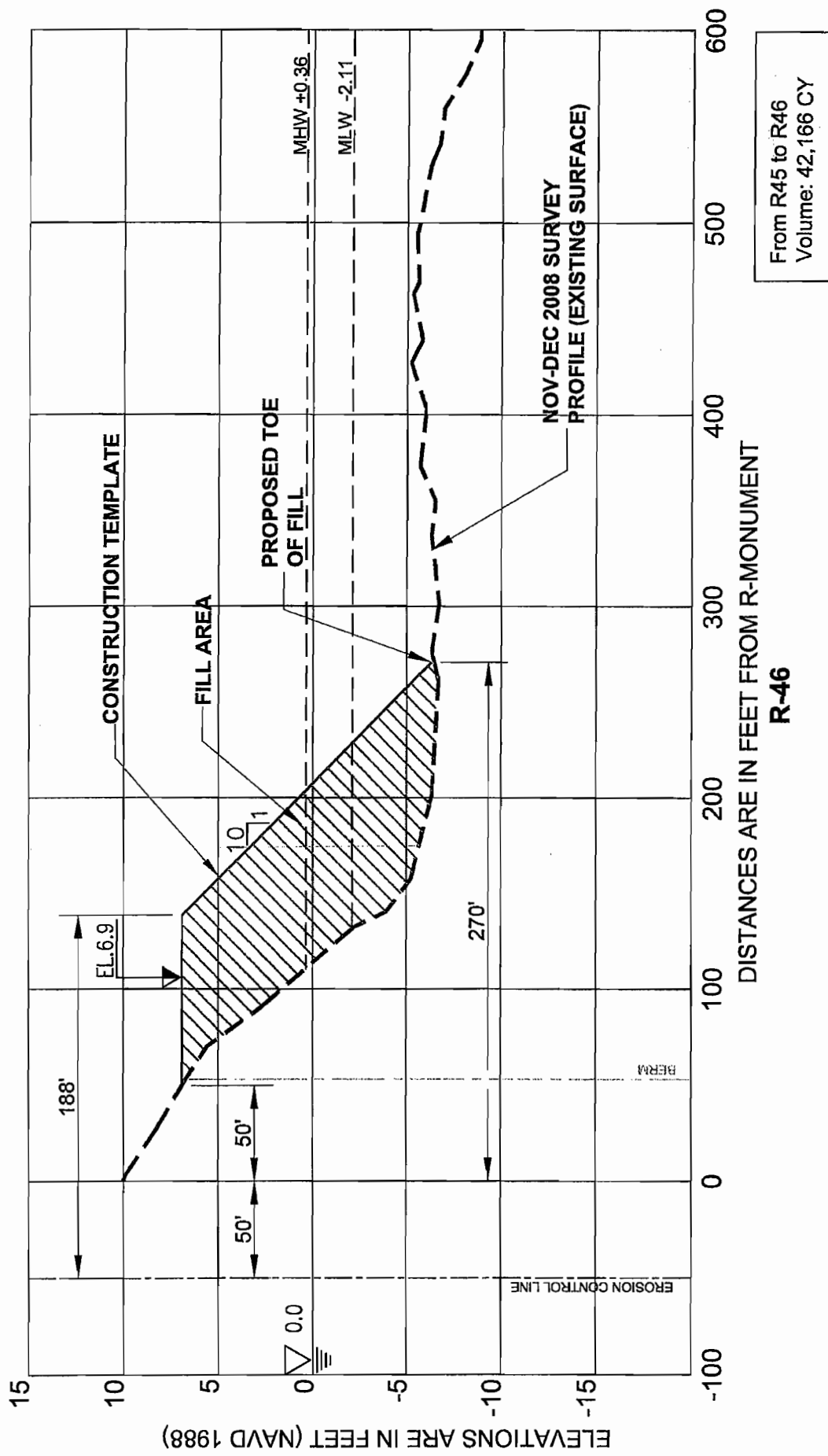
<b>MIAMI-DADE COUNTY DERM</b> WATER MANAGEMENT DIVISION	<b>MIAMI BEACH AREA</b> GENERAL NOTES
701 NW 1st Court, 5th Floor MIAMI, FLORIDA 33136	JOB: R45 to R48+700    DATE: 08-04-10 BY: J.C./M.M.    SHEET: 2/7



DISTANCES ARE IN FEET FROM R-MONUMENT  
R-45

ELEVATIONS ARE IN FEET (NAVD 1988)

MIAMI-DADE COUNTY DERM WATER MANAGEMENT DIVISION 701 NW 1st Court, 5th Floor MIAMI, FLORIDA 33136		MIAMI BEACH AREA TRANSECTS R-45	
JOB: R45 to R48+700		DATE: 08-04-10	
BY: J.C./M.M.		SHEET: 3/7	



DISTANCES ARE IN FEET FROM R-MONUMENT

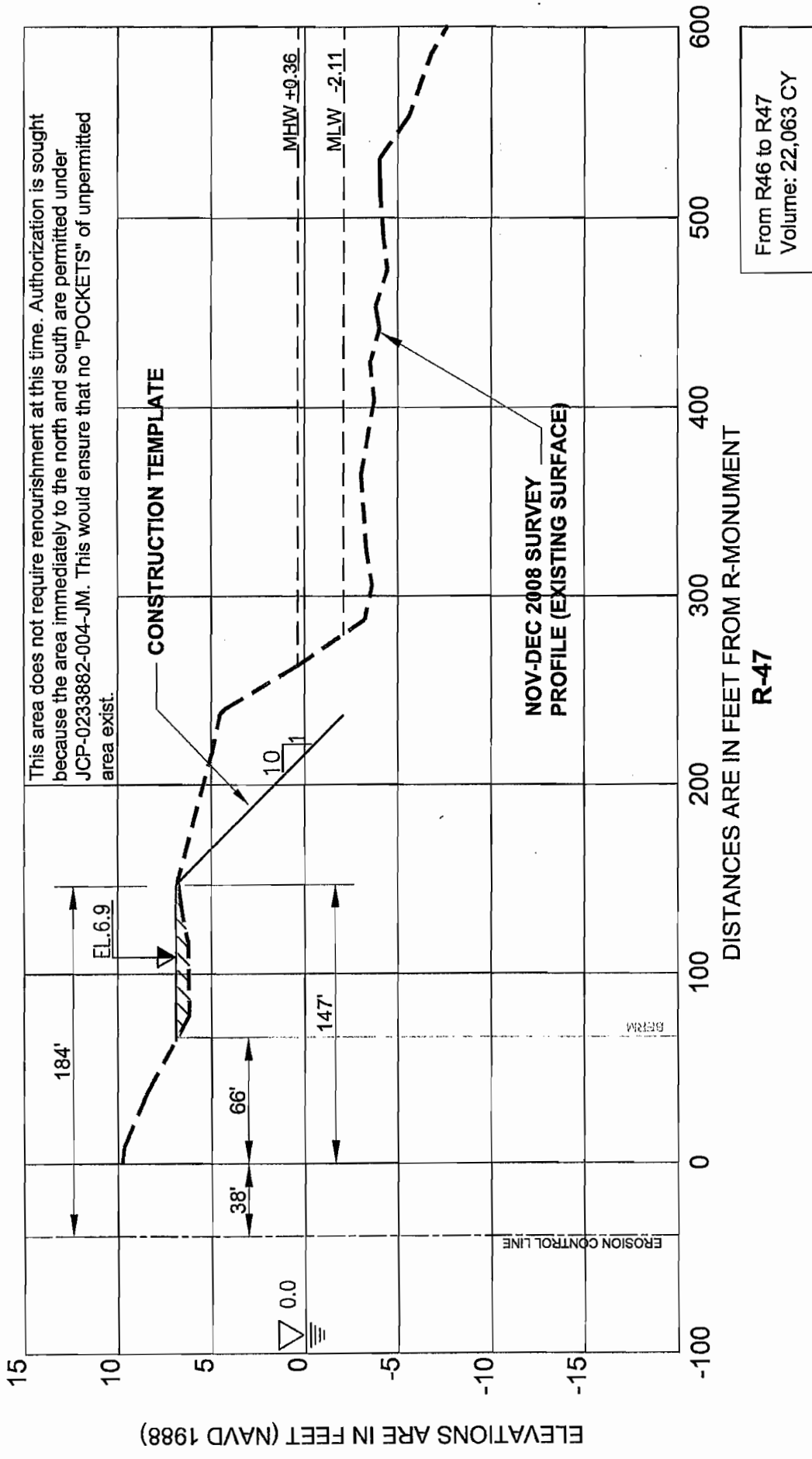
**R-46**

From R45 to R46  
Volume: 42,166 CY

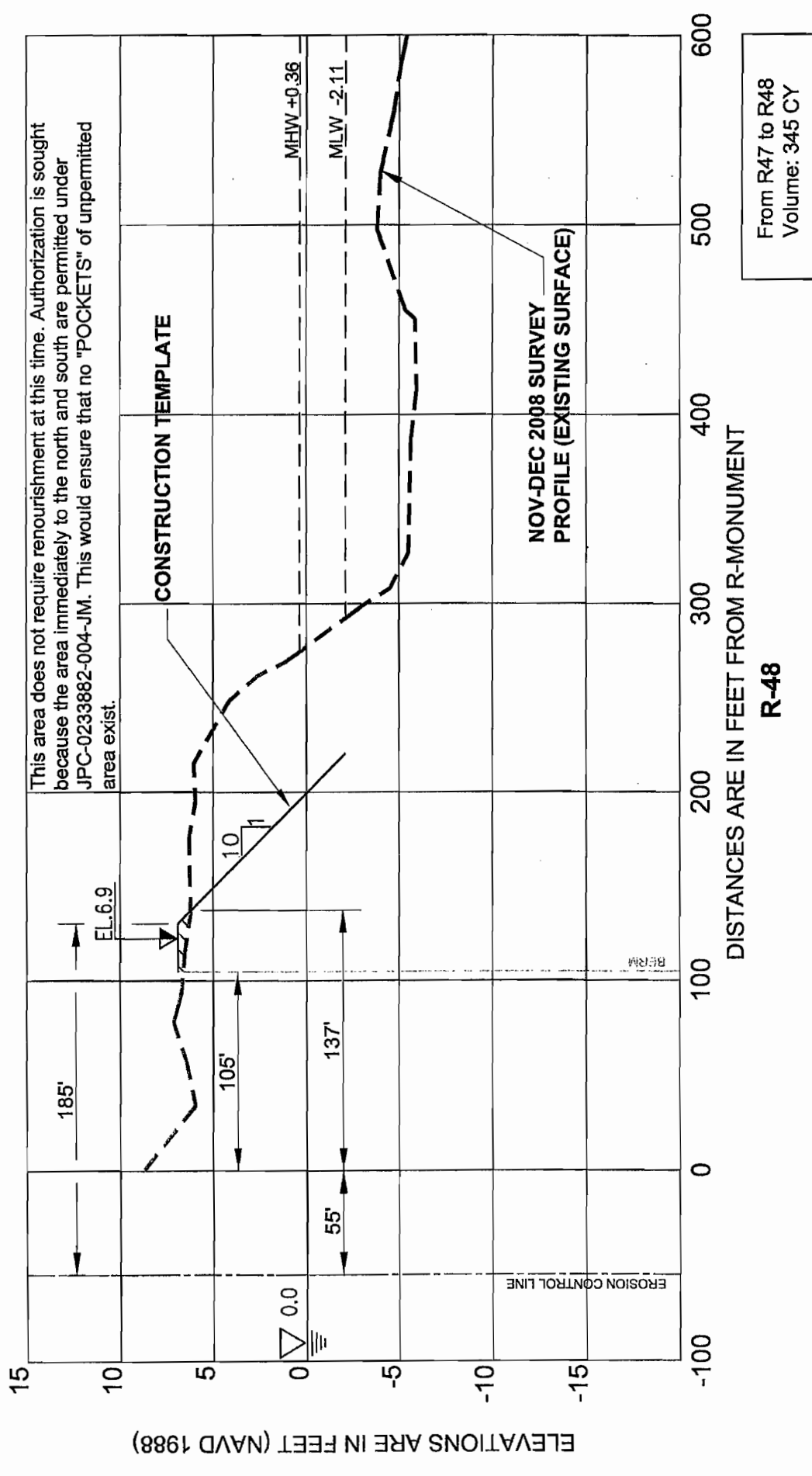
MIAMI-DADE COUNTY DERM  
WATER MANAGEMENT  
DIVISION  
701 NW 1st Court, 5th Floor  
MIAMI, FLORIDA 33136

MIAMI BEACH AREA  
TRANSECTS R-46  
JOB: R45 to R48+700 DATE: 08-04-10  
BY: J.C./M.M. SHEET: 4/7





MIAMI-DADE COUNTY DERM WATER MANAGEMENT DIVISION 701 NW 1st Court, 5th Floor MIAMI, FLORIDA 33136		MIAMI BEACH AREA TRANSECTS R-47	
		JOB: R45 to R48+700 BY: J.C./M.M.	DATE: 08-04-10 SHEET: 5/7



This area does not require renourishment at this time. Authorization is sought because the area immediately to the north and south are permitted under JPC-0233882-004-JM. This would ensure that no "POCKETS" of unpermitted area exist.

CONSTRUCTION TEMPLATE

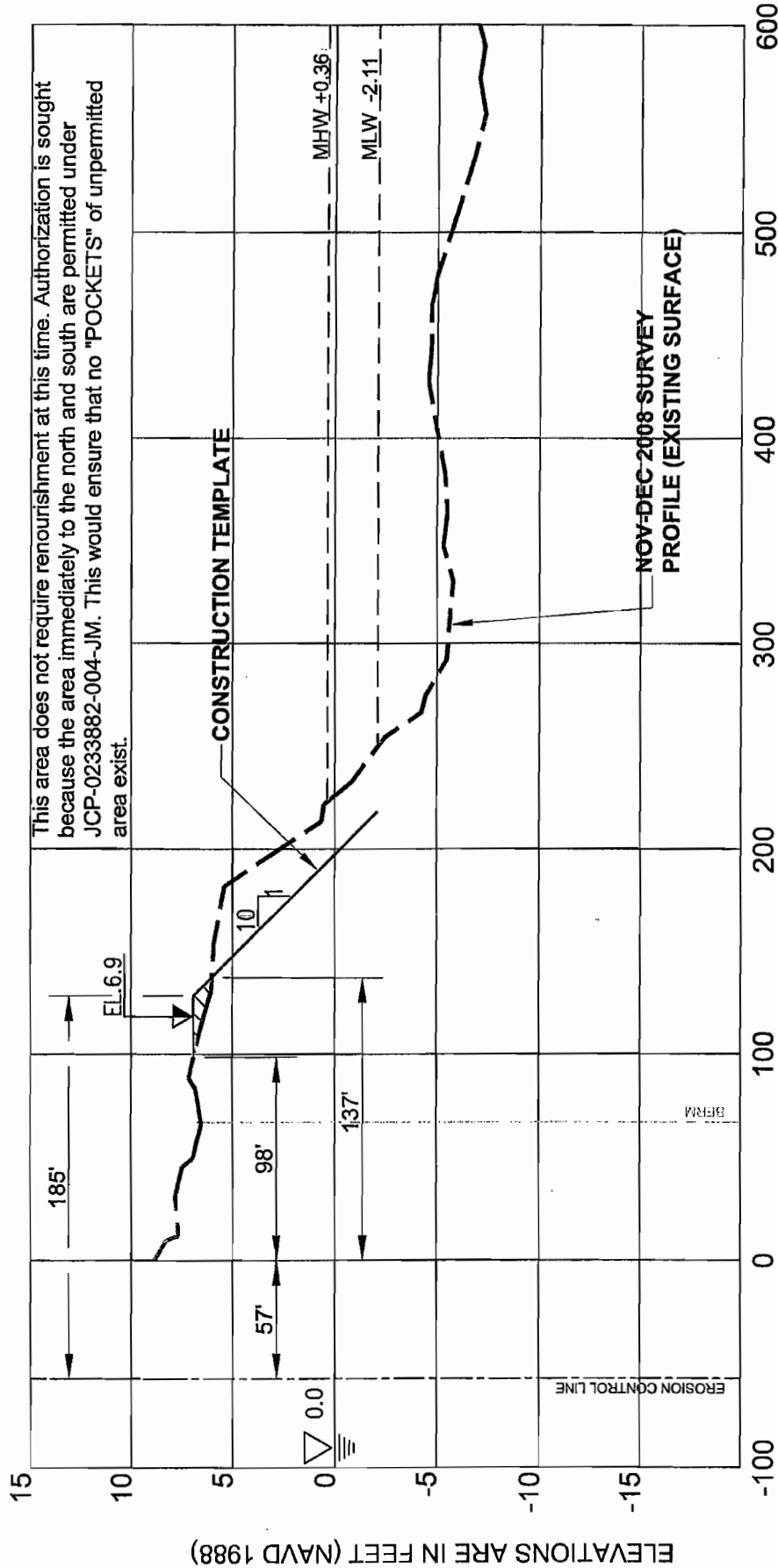
NOV-DEC 2008 SURVEY PROFILE (EXISTING SURFACE)

From R47 to R48  
Volume: 345 CY

DISTANCES ARE IN FEET FROM R-MONUMENT

R-48

MIAMI-DADE COUNTY DERM WATER MANAGEMENT DIVISION 701 NW 1st Court, 5th Floor MIAMI, FLORIDA 33136	MIAMI BEACH AREA TRANSECTS R-48
	JOB: R45 to R48+700 DATE: 08-04-10 BY: J.C./M.M. SHEET: 6/7



ELEVATIONS ARE IN FEET (NAVD 1988)

MIAMI-DADE COUNTY DERM WATER MANAGEMENT DIVISION 701 NW 1st Court, 5th Floor MIAMI, FLORIDA 33136	MIAMI BEACH AREA TRANSECTS R-48+700	
	JOB: R45 to R48+700 BY: J.C./M.M.	DATE: 08-04-10 SHEET: 7/7

**Attachment C**  
**Zoning Memorandum**

# Memorandum



**Date:** February 7, 2011

**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 Application by Miami-Dade County to Renourish Three (3) Segments of Eroded Beach on Miami Beach, Bal Harbour Beach, and Sunny Isles Beach through the Placement of 226,085 Cubic Yards of Sand For Multiple Renourishment Events, and to Authorize the Time of Completion of Work under the Subject Permit for a Period of Ten (10) Years

---

Pursuant to Section 24-48.2(II)(A)(7), of the Code of Miami-Dade County, Florida, substantiating letters shall be submitted by the applicant stating that the proposed project does not violate any zoning laws. The applicant has obtained letters from each of the local municipalities where work is proposed, indicating that the renourishment of the eroded beach segments is consistent with their comprehensive development master plans.

**Attachment D**

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

# Memorandum



**Date:** January 31, 2011

**Subject:** Class I Permit Application by Miami-Dade County to Renourish Three (3) Segments of Eroded Beach on Miami Beach, Bal Harbour Beach and Sunny Isles Beach through the Placement of 226,085 Cubic Yards of Sand For Multiple Renourishment Events, and to Authorize the Time of Completion of Work under the Subject Permit for a Period of Ten (10) Years

---

The names and addresses of owners of all riparian property within 300 feet of the proposed work have been uploaded to the DERM Electronic Document Management System (EDMS) and are accessible from any computer with an Internet connection.

Please contact the DERM Coastal Resources Section at [dermcr@miamidade.gov](mailto:dermcr@miamidade.gov) for further information on accessing these records.

**Attachment E**

**Florida Department of Environmental Protection Sovereign  
Submerged Lands Authorization**





# Florida Department of Environmental Protection

Marjory Stoneman Douglas Building  
3900 Commonwealth Boulevard  
Tallahassee, Florida 32399-3000

Rick Scott  
Governor

Jennifer Carroll  
Lt. Governor

Mimi A. Drew  
Secretary

## CONSOLIDATED JOINT COASTAL PERMIT AND SOVEREIGN SUBMERGED LANDS AUTHORIZATION

### PERMITTEE:

Miami-Dade County  
Attn: Mr. Heriberto Jusino  
Department of Environmental Resources  
Management (DERM)  
Water Management Division  
701 NW 1<sup>st</sup> Court, 5<sup>th</sup> Floor  
Miami, FL 33136-3912

### PERMIT INFORMATION:

Permit Number: **0233882-005-JM**

Issuance Date: **January 6, 2011**

Expiration Date: **March 24, 2019**

Project Name: **Miami Beach Truck Haul  
Nourishment and Sand  
Redistribution (Additional  
Placement Areas)**

County: Miami-Dade

---

This major permit modification is issued under the authority of Chapter 161 and Part IV of Chapter 373, Florida Statutes (F.S.), and Title 62, Florida Administrative Code (F.A.C.). Pursuant to Operating Agreements executed between the Department of Environmental Protection (Department) and the water management districts, as referenced in Chapter 62-113, F.A.C., the Department is responsible for reviewing and taking final agency action on this activity. This major modification, hereafter referred to as Permit No. 0233882-005-JM, **supersedes** Permit No. 0233882-004-JM (as previously modified).

The activity description and activity location shall be revised as follows (~~strikethroughs~~ are deletions, underlines are additions):

### ACTIVITY DESCRIPTION:

The project is to nourish six (6) segments of eroded shoreline with sand obtained from either the Ortona Sand Mine or approved upland construction stockpiles. The sand from upland sources will be delivered to the proposed locations via truck-haul. The design berm template for the 27<sup>th</sup> Street segment (R-60 to R-61), the 44<sup>th</sup> Street segment (R-53.7 to R-55.5) and the 55<sup>th</sup> Street segment (R-48.7 to R-50.7) has a height of +8.2 feet NGVD, and the design berm template for Sunny Isles (R-7 to R-15 ~~12~~), Bal Harbour (R-27 to R-32 ~~29~~) and 65<sup>th</sup> Street (R-43 to R-48+700 ~~44+500~~) has a height of +6.8 to +6.9 feet NGVD. The slope from the top of berm to the mean high water (MHW) line will be 1:10 (vertical:horizontal) and 1:5 (vertical:horizontal) from MHW to the

**Joint Coastal Permit**  
**Permit No. 0233882-005-JM**  
**Miami Beach Truck Haul Nourishment and Sand Redistribution (Add'l Placement Areas)**  
**Page 2 of 20**

construction toe of fill. Multiple truck-haul nourishment events are authorized for all six (6) segments during the life of this permit.

**ACTIVITY LOCATION**

The nourishment sites are located in Miami Beach, Miami-Dade County. The 27<sup>th</sup> Street segment is located from FDEP reference monuments R-60 to R-61, Section 14, Township 53 South, Range 42 East. The 44<sup>th</sup> Street segment extends from R-53.7 to R-55.5, Section 23, Township 53 South, Range 42 East. The 55<sup>th</sup> Street segment extends from R-48.7 to R-50.7, Section 26, Township 53 South, Range 42 East. The 65<sup>th</sup> Street segment is located between R-43 and ~~R-48+700~~ ~~R-44+500~~, Section 26, Township 52 South and Range 42 East. The Sunny Isles segment is located between R-7 and ~~R-15~~ ~~R-12~~, Sections 19 and 31, Townships 51 and 52 South, Range 42 East. The Bal Harbor segment is located between R-27 and ~~R-32~~ ~~R-29~~, Section 11, Township 53 South, and Range 42 East. All beach areas described above front the Atlantic Ocean, Class III Waters, not in Outstanding Florida Waters.

**PROPRIETARY AUTHORIZATION:**

This activity also requires a proprietary authorization, as the activity is located on sovereign submerged lands held in trust by the Board of Trustees of the Internal Improvement Trust Fund (Board of Trustees), pursuant to Article X, Section 11 of the Florida Constitution, and Sections 253.002 and 253.77, F.S. The activity is not exempt from the need to obtain a proprietary authorization. The Board of Trustees delegated the Department the responsibility to review and take final action on this request for proprietary authorization in accordance with Section 18-21.0051, F.A.C., and the Operating Agreements executed between the Department and the water management districts, as referenced in Chapter 62-113, F.A.C. In addition to the above, this proprietary authorization has been reviewed in accordance with Chapter 253, F.S., Chapter 18-21 and Section 62-343.075, F.A.C., and the policies of the Board of Trustees.

As staff to the Board of Trustees, the Department has reviewed the project described above, and has determined that the nourishment activity qualifies for a Letter of Consent to use sovereign, submerged lands, as long as the work performed is located within the boundaries as described herein and is consistent with the terms and conditions herein. Therefore, consent is hereby granted, pursuant to Chapter 253.77, F.S., to perform the activity on the specified sovereign submerged lands.

**COASTAL ZONE MANAGEMENT:**

This permit constitutes a finding of consistency with Florida's Coastal Zone Management Program, as required by Section 307 of the Coastal Zone Management Act. This permit also constitutes certification of compliance with state water quality standards pursuant to Section 401 of the Clean Water Act, 33 U.S.C. 1341.

**OTHER PERMITS:**

Authorization from the Department does not relieve you from the responsibility of obtaining other permits (Federal, State, or local) that may be required for the project. When the Department received your permit application, a copy was sent to the U.S. Army Corps of Engineers (USACE) for review. The USACE will issue their authorization directly to you, or contact you if additional information is needed. If you have not heard from the USACE within 30 days from the date that your application was received by the Department, contact the nearest USACE regulatory office for status and further information. Failure to obtain USACE authorization prior to construction could subject you to federal enforcement action by that agency.

**AGENCY ACTION:**

The above named Permittee is hereby authorized to construct the work outlined in the activity description and activity location of this permit and shown on the approved permit drawings, plans and other documents attached hereto. This agency action is based on the information submitted to the Department as part of the permit application, and adherence with the final details of that proposal shall be a requirement of the permit. **This permit and authorization to use sovereign submerged lands are subject to the General Conditions and Specific Conditions, which are a binding part of this permit and authorization.** Both the Permittee and their Contractor are responsible for reading and understanding this permit (including the permit conditions and the approved permit drawings) prior to commencing the authorized activities, and for ensuring that the work is conducted in conformance with all the terms, conditions and drawings.

---

**GENERAL CONDITIONS:**

1. All activities authorized by this permit shall be implemented as set forth in the plans and specifications approved as a part of this permit, and all conditions and requirements of this permit. The permittee shall notify the Department in writing of any anticipated deviation from the permit prior to implementation so that the Department can determine whether a modification of the permit is required pursuant to section 62B-49.008, Florida Administrative Code.
2. If, for any reason, the permittee does not comply with any condition or limitation specified in this permit, the permittee shall immediately provide the Bureau of Beaches and Coastal Systems and the appropriate District office of the Department with a written report containing the following information: a description of and cause of noncompliance; and the period of noncompliance, including dates and times; or, if not corrected, the anticipated time the noncompliance is expected to continue, and steps being taken to reduce, eliminate, and prevent recurrence of the noncompliance.

**Joint Coastal Permit**

**Permit No. 0233882-005-JM**

**Miami Beach Truck Haul Nourishment and Sand Redistribution (Add'l Placement Areas)**

**Page 4 of 20**

3. This permit does not eliminate the necessity to obtain any other applicable licenses or permits that may be required by federal, state, local, special district laws and regulations. This permit is not a waiver or approval of any other Department permit or authorization that may be required for other aspects of the total project that are not addressed in this permit.
4. This permit conveys no title to land or water, does not constitute State recognition or acknowledgment of title, and does not constitute authority for the use of sovereignty land of Florida seaward of the mean high-water line, or, if established, the erosion control line, unless herein provided and the necessary title, lease, easement, or other form of consent authorizing the proposed use has been obtained from the State. The permittee is responsible for obtaining any necessary authorizations from the Board of Trustees of the Internal Improvement Trust Fund prior to commencing activity on sovereign lands or other state-owned lands.
5. Any delineation of the extent of a wetland or other surface water submitted as part of the permit application, including plans or other supporting documentation, shall not be considered specifically approved unless a specific condition of this permit or a formal determination under section 373.421(2), F.S., provides otherwise.
6. This permit does not convey to the permittee or create in the permittee any property right, or any interest in real property, nor does it authorize any entrance upon or activities on property which is not owned or controlled by the permittee. The issuance of this permit does not convey any vested rights or any exclusive privileges.
7. This permit or a copy thereof, complete with all conditions, attachments, plans and specifications, modifications, and time extensions shall be kept at the work site of the permitted activity. The permittee shall require the contractor to review the complete permit prior to commencement of the activity authorized by this permit.
8. The permittee, by accepting this permit, specifically agrees to allow authorized Department personnel with proper identification and at reasonable times, access to the premises where the permitted activity is located or conducted for the purpose of ascertaining compliance with the terms of the permit and with the rules of the Department and to have access to an copy any records that must be kept under conditions of the permit; to inspect the facility, equipment, practices, or operations regulated or required under this permit; and to sample or monitor any substances or parameters at any location reasonably necessary to assure compliance with this permit or Department rules. Reasonable time may depend on the nature of the concern being investigated.
9. At least forty-eight (48) hours prior to commencement of activity authorized by this permit, the permittee shall submit to the Bureau of Beaches and Coastal Systems (JCP Compliance Officer) and the appropriate District office of the Department a written

**Joint Coastal Permit**  
**Permit No. 0233882-005-JM**  
**Miami Beach Truck Haul Nourishment and Sand Redistribution (Add'l Placement Areas)**  
**Page 5 of 20**

notice of commencement of construction indicating the actual start date and the expected completion date and an affirmative statement that the permittee and the contractor, if one is to be used, have read the general and specific conditions of the permit and understand them.

10. If historic or archaeological artifacts, such as, but not limited to, Indian canoes, arrow heads, pottery or physical remains, are discovered at any time on the project site, the permittee shall immediately stop all activities in the immediate area that disturb the soil in the immediate locale and notify the State Historic Preservation Officer and the Bureau of Beaches and Coastal Systems (JCP Compliance Officer). In the event that unmarked human remains are encountered during permitted activities, all work shall stop in the immediate area and the proper authorities notified in accordance with Section 872.02, F.S.
11. Within 30 days after completion of construction or completion of a subsequent maintenance event authorized by this permit, the permittee shall submit to the Bureau of Beaches and Coastal Systems (JCP Compliance Officer) and the appropriate District office of the Department a written statement of completion and certification by a registered professional engineer. This certification shall state that all locations and elevations specified by the permit have been verified; the activities authorized by the permit have been performed in compliance with the plans and specifications approved as a part of the permit, and all conditions of the permit; or shall describe any deviations from the plans and specifications, and all conditions of the permit. When the completed activity differs substantially from the permitted plans, any substantial deviations shall be noted and explained on two paper copies and one electronic copy of as-built drawings submitted to the Bureau of Beaches and Coastal Systems (JCP Compliance Office)

**SPECIFIC CONDITIONS:**

The specific conditions shall be revised as follows (~~strike throughs~~ are deletions, underlines are additions):

1. All reports or notices relating to this permit shall be sent to the DEP, Bureau of Beaches and Coastal Systems, JCP Compliance Officer, 3900 Commonwealth Boulevard, Mail Station 300, Tallahassee, Florida 32399-3000 (e-mail address: JCPCompliance@dep.state.fl.us) and the DEP Southeast District Office (cover letter only), 400 N. Congress Ave., Suite 200, West Palm Beach, FL 33401.
2. No work shall be conducted under this permit until the pPermittee has received a written notice to proceed from the Department for each event prior to the commencement of construction on the beach. At least 30 days prior to the requested date of issuance of the notice to proceed, the pPermittee shall submit the following for review and approval by the Department:

**Joint Coastal Permit**  
**Permit No. 0233882-005-JM**  
**Miami Beach Truck Haul Nourishment and Sand Redistribution (Add'l Placement Areas)**  
**Page 6 of 20**

- a. Final construction plans and specifications that substantially adhere to the approved permit drawings and conditions of this permit. Please submit one (1) hardcopy and one (1) electronic copy and send it to the attention of the JCP compliance officer.
  - b. A summary of construction details, including the exact locations to be nourished, the estimated schedule and the approximate volume of sand to be placed at each site.
  - c. A a diver-verified hardbottom survey in the vicinity of the proposed placement sites, conducted the summer prior to construction between May 1 and September 30 ~~within the previous 12 months~~, showing the landward extent of the nearshore hardbottom. This survey is only required for placement areas where hardbottom resources have ~~previously~~ been identified within 600 ft of the mean low water line (MLWL).
3. At least 7 days prior to commencement of each nourishment event authorized by this permit, the ~~p~~Permittee shall conduct a pre-construction conference to review the specific conditions and monitoring requirements of this permit with permittee's contractors, the engineer of record, and Department staff representatives. The ~~p~~Permittee shall provide written notification, at least 14 days in advance of the meeting, to the following offices advising of the date, time, location, and teleconference number of the pre-construction conference.

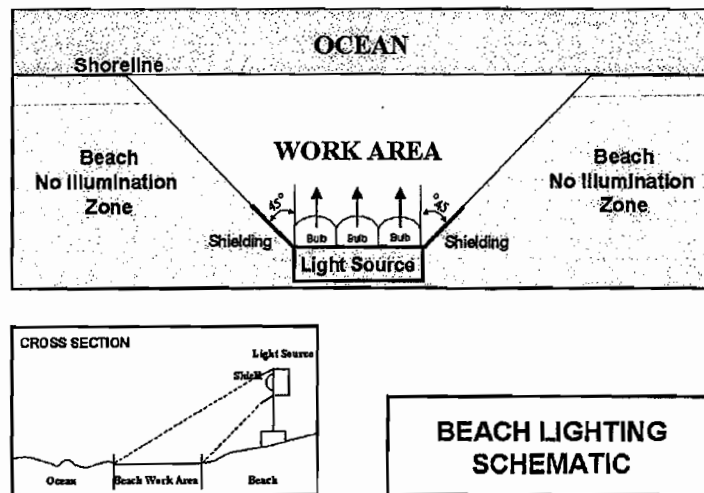
DEP Bureau of Beaches & Coastal Systems  
JCP Compliance Officer  
Mail Station 300  
3900 Commonwealth Boulevard  
Tallahassee, Florida 32399-3000  
phone: (850) 414-7716  
e-mail: [JCPCompliance@dep.state.fl.us](mailto:JCPCompliance@dep.state.fl.us)

DEP Southeast District Office  
Submerged Lands & Environmental Resources  
400 N. Congress Ave., Suite 200  
West Palm Beach, FL 33401-  
phone: (561) 681-6600

Imperiled Species Management Section  
Florida Fish & Wildlife Conservation Commission  
620 South Meridian Street  
Tallahassee, Florida 32399-1600

phone: (850) 922-4330  
fax: (850) 921-4369

4. The following general sea turtle protection conditions apply to all beach construction events:
- From April 1 through November 1, staging areas for construction equipment shall be located off the beach. Nighttime storage of construction equipment or materials not in use shall be off the beach to minimize disturbance to sea turtle nesting.
  - From April 1 through November 1, all project lighting shall be limited to the immediate area of active construction only and shall be the minimal lighting necessary to comply with U.S. Coast Guard and/or OSHA requirements. Stationary lighting on the beach and all lighting on the dredge shall be minimized through reduction, shielding, lowering, and appropriate placement of lights to minimize illumination of the nesting beach and water. Lighting on offshore equipment shall be minimized through reduction, shielding lowering, and appropriate placement of lights to avoid excessive illumination of the water, while meeting all U.S. Coast Guard and OSHA requirements (see figure below).



- The beach surface shall be inspected subsequent to completion of the project and all tracks or impressions due to the project or movement of heavy equipment across the beach shall be removed or remediated.

**Joint Coastal Permit**  
**Permit No. 0233882-005-JM**  
**Miami Beach Truck Haul Nourishment and Sand Redistribution (Add'l Placement Areas)**  
**Page 8 of 20**

- d. In the event a sea turtle nest is excavated during construction activities, all work shall cease in that area immediately and the permitted person responsible for egg relocation for the project should be notified so the eggs can be moved to a suitable relocation site.
- e. Immediately after completion of the each fill placement event and prior to April 15 for the following nesting season if placed sand still remains on the beach, the beach shall be tilled as described below or the applicant may follow the procedure outlined below to request a waiver of the tilling requirement. During tilling, at a minimum, the protocol provided below shall be followed:
  - i. The area shall be tilled to a depth of 24 inches. All tilling activity must be completed prior to April 15.
  - ii. An annual summary of compaction surveys and the actions taken shall be submitted to the FWC.
  - iii. If the project is completed just before the nesting season, tilling shall not occur in areas where nests have been left in place or relocated unless authorized by the U.S. Fish and Wildlife Service in an Incidental Take Statement.
  - iv. This condition shall be evaluated annually and may be modified if necessary to address sand compaction problems identified during the previous year.
  - v. Within 30 days of each truck haul event, the Permittee shall provide the dates that tilling of the project and staging area was performed via FAX to the FWC Tallahassee office (850-921-6988). If tilling was not conducted, the Permittee shall provide a report summarizing all compaction readings. A copy of the information shall also be sent to the Department's JCP Compliance Officer, per Specific Condition No. 1.
- f. To request a waiver of the tilling requirement, the Permittee may measure sand compaction in the area of restoration in accordance with a protocol agreed to by the FWC, the Department, the U.S. Fish & Wildlife Service, and the Permittee to determine if tilling is necessary. The protocols to be utilized to measure compaction shall be as follows:
  - i. Compaction sampling stations shall be located at 500-foot intervals along the project area. One station shall be at the seaward edge of the dune/bulkhead line (when material is placed in this area) and



one station shall be midway between the dune line and the high water line (normal wrack line).

- ii. At each station, the cone penetrometer shall be pushed to a depth of 6, 12, and 18 inches three times (three replicates). Material may be removed from the hole if necessary to ensure accurate readings of successive levels of sediment. The penetrometer may need to be reset between pushes, especially if sediment layering exists. Layers of highly compact material may lie over less compact layers. Replicates shall be located as close to each other as possible, without interacting with the previous hole and/or disturbed sediments.
  - iii. The three replicate compaction values for each depth shall be averaged to produce final values for each depth at each station. Reports shall include all 18 values for each transect line, and the final 6 averaged compaction values.
  - iv. If the average value for any depth exceeds 500 psi for any two or more adjacent stations, then that area shall be tilled prior to April 15. If values exceeding 500 psi are distributed throughout the project area but in no case do those values exist at two adjacent stations at the same depth, then consultation with the FWC shall be required to determine if tilling is required. If a few values exceeding 500 psi are present randomly within the project area, tilling shall not be required
- g. Visual surveys for escarpments along the beach fill area shall be made immediately after completion of the beach nourishment project and prior to April 15 for the following three years if placed sand still remains on the beach. All scarps shall be leveled or the beach profile shall be reconfigured to minimize scarp formation. In addition, weekly surveys of the project area shall be conducted during the two nesting seasons following completion of fill placement as follows. Please note scarp leveling should only be conducted if authorized in writing by the FWC.
- i. The number of escarpments and their location relative to DNR-DEP reference monuments shall be recorded during each weekly survey and reported relative to the length of the beach surveyed (e.g., 50% scarps). Notations on the height of these escarpments shall be included (0 to 2 feet, 2 to 4 feet, and 4 feet or higher) as well as the maximum height of all escarpments.

**Joint Coastal Permit**  
**Permit No. 0233882-005-JM**  
**Miami Beach Truck Haul Nourishment and Sand Redistribution (Add'l Placement Areas)**  
**Page 10 of 20**

- ii. Escarpments that interfere with sea turtle nesting or that exceed 18 inches in height for a distance of 100 feet shall be leveled to the natural beach contour by April 15. Any escarpment removal shall be reported relative to R-monument.
- iii. If weekly surveys during the marine turtle nesting season document subsequent reformation of escarpments that exceed 18 inches in height for a distance of 100 feet, the FWC shall be contacted immediately to determine the appropriate action to be taken. Upon written notification, the permittee shall level escarpments in accordance with mechanical methods prescribed by the FWC.
- h. The Permittee shall arrange a meeting between representatives of the contractor, the Department, the FWC, and the permitted person responsible for marine turtle nest monitoring at least 30 days prior to the commencement of work on this project. At least 15 days advance notice shall be provided prior to conducting this meeting. This will provide an opportunity for explanation and/or clarification of the sea turtle protection measures.
- i. Upon locating a dead, injured, or sick endangered or threatened sea turtle specimen, initial notification must be made to the FWC at 1-888-404-FWCC. Care should be taken in handling sick or injured specimens to ensure effective treatment and care and in handling dead specimens to preserve biological materials in the best possible state for later analysis of cause of death. In conjunction with the care of sick or injured endangered or threatened species or preservation of biological materials from a dead animal, the finder has the responsibility to ensure that evidence intrinsic to the specimen is not unnecessarily disturbed.
- j. The following monitoring is required for beach restoration projects (See table below). Reports summarizing the nesting should be submitted to the Tequesta office with a copy to the Tallahassee office and DEP by January 15 of the subsequent year. Data for nesting activity on the nourished beach and on an equal length of beach that is not nourished shall be reported separately, and should include numbers of nests lost to erosion or washed out. Summaries of nesting activity shall be submitted in electronic format (Excel spreadsheets).

**Joint Coastal Permit**  
**Permit No. 0233882-005-JM**  
**Miami Beach Truck Haul Nourishment and Sand Redistribution (Add'l Placement Areas)**  
**Page 11 of 20**

Characteristic	Parameter	Measurement	Variable
Nesting Success	False crawls - number	Visual assessment of all false crawls	Number and location of false crawls in fill areas and nonfill areas: any interaction of the turtle with obstructions, such as groins, seawalls, or scarps, should be noted.
	False crawl - type	Categorization of the stage at which nesting was abandoned	Number in each of the following categories: emergence-no digging, preliminary body pit, abandoned egg chamber.
	Nests	Number	The number of marine turtle nests in filled and nonfilled areas should be noted. If possible, the location of all marine turtle nests shall be marked on map of project, and approximate distance to sea walls or scarps measured using a meter tape. Any abnormal cavity morphologies should be reported as well as whether turtle touched groins, seawalls, or scarps during nest excavation
		Lost Nests	The number of nests lost to inundation, erosion or the number with lost markers that could not be found.
	Lighting Impacts	Disoriented sea turtles	The number of disoriented hatchlings and adults shall be documented and reported in accordance with existing FWC protocol for disorientation events.
Reproductive Success	Emergence & hatching success	Standard survey protocol	Numbers of the following: unhatched eggs, depredated nests and eggs, live pipped eggs, dead pipped eggs, live hatchlings in nest, dead hatchlings in nest, hatchlings emerged, disoriented hatchlings, depredated hatchlings

5. Prior to nesting season after the first fill placement event authorized in this modification, the Permittee shall provide a copy of each lighting ordinance adopted by the local governments in the project area.
6. The following sea turtle protection conditions only apply to nourishment activities where upland sand is transported to the beach via truck:
  - a. Beach placement and dune construction activities are authorized to occur on the nesting beach (seaward of existing coastal armoring structures or the dune crest) under the following conditions:
    - i. Fill material placed shall be sand that is similar to the native beach in the vicinity of the site that has not been affected by prior restoration or nourishment activities. The fill material must be similar in both coloration

**Joint Coastal Permit**  
**Permit No. 0233882-005-JM**  
**Miami Beach Truck Haul Nourishment and Sand Redistribution (Add'l Placement Areas)**  
**Page 12 of 20**

and grain size distribution (sand grain frequency, mean and median grain size, and sorting coefficient) and be suitable for marine turtle nesting. Foreign matter, concrete, and other debris shall be removed from the sand prior to placement on the beach.

- ii. No truck-hauling of sand shall occur along the beach between sunset and sunrise.
- iii. Daily early morning surveys for marine turtle nests shall be required if any portion of the beach nourishment project occurs during the period from April 1 through November 30. Nesting surveys must be initiated 65 days prior to nourishment activities or by April 1, whichever is later. Surveys to assess hatchling success should continue until the last marked nest has hatched. If nests are constructed in areas where they could be affected by construction activities, eggs must be relocated per the following requirements.
  - a. All marine turtle nests in the proposed construction area that the marine turtle permit holder determines may be affected by the construction activities shall be moved no later than 9 a.m. in the morning following deposition to a nearby self-release beach site in a secure setting where artificial lighting will not interfere with hatchling orientation. No restraining hatcheries shall be utilized unless authorized in writing by FWC.
  - b. Loggerhead nests documented in any access areas outside the current beach and dune construction site shall be marked and left in place unless other factors threaten the success of the nest. Such nests will be marked and the actual location of the clutch determined. A circle with a radius of ten (10) feet, centered at the clutch or the apex of the false crawl, shall be marked by stake and survey tape or string.
  - c. Nest inventories shall be conducted on all marked nests in accordance with FWC's Sea Turtle Protection Guidelines.
  - d. No construction activity may commence until completion of the marine turtle survey and all nest protection measures each day.
  - e. It is the responsibility of the permittee to ensure that the project area and access sites are surveyed for marine turtle nesting activity. All nesting surveys, nest relocations screening or caging activities etc. shall be conducted only by persons with prior

experience and training in these activities and who is duly authorized to conduct such activities through a valid permit issued by the Fish and Wildlife Conservation Commission (FWC), pursuant to Florida Administrative Code 68E1-1.

- b. Reports on all nesting activity shall be provided to the FWC (with a copy sent to the JCP Compliance Officer) for the initial nesting season and for two additional nesting seasons if placed sand remains on the beach. Monitoring of nesting activity in the nesting seasons following construction shall include daily surveys and any additional measures authorized by the FWC. Reports submitted shall include daily report sheets noting all activity, nesting success rates, hatching success of all relocated nests, hatching success of a representative sampling of nests left in place (if any), dates of construction and names of all personnel involved in nest surveys and relocation activities. Summaries of nesting activity shall be submitted in electronic format (Excel spreadsheets). All reports should be submitted by January 15 of the following year.

**Shorebird Protection:**

7. Shorebird surveys should be conducted by trained, dedicated individuals using accepted, appropriate ecological survey procedures. The shorebird nesting season generally is 1 April – 1 September, but some nesting may occur through September. In addition, the imperiled snowy plover (*Charadrius alexandrinus*) may nest as early as February along the west coast and panhandle of Florida.
  - a. Nesting season surveys shall begin on April 1 (or February 1 in snowy plover habitat) or 45 days prior to construction commencement, whichever is later, and be conducted daily throughout the construction period or through September if no shorebird nesting activity is observed.
  - b. For projects conducted in piping plover habitat, surveys to detect piping plovers or concentrations of other wintering or migratory shorebirds should begin 14 days prior to construction commencement and be conducted once every 2 weeks.
  - c. Each shorebird species observed, a rough estimate of numbers of each species, the location of the birds, and their activity (e.g., foraging, resting, nesting, courtship behavior) should be logged and reported to the FWC Regional Wildlife Diversity Conservation Biologist monthly.
8. Within the project area, the permittee shall establish a 300 ft-wide buffer zone around any location where shorebirds have been engaged in courtship or nesting behavior, or around areas where piping plovers occur or winter migrants congregate in significant numbers.

**Joint Coastal Permit**  
**Permit No. 0233882-005-JM**  
**Miami Beach Truck Haul Nourishment and Sand Redistribution (Add'l Placement Areas)**  
**Page 14 of 20**

Any and all construction activities, including movement of vehicles, should be prohibited in the buffer zone.

- a. The width of the buffer zone shall be increased if birds appear agitated or disturbed by construction or other activities in adjacent areas.
  - b. Site-specific buffers may be implemented upon approval by FWC as needed.
  - c. Designated buffer zones must be posted with clearly marked signs around the perimeter. These markings shall be maintained until nesting is completed or terminated, the chicks fledge, or piping plovers or winter migrants depart.
  - d. No construction activities or stockpiling of equipment shall be allowed within the buffer area.
  - e. FWC-approved travel corridors should be designated and marked outside the buffer areas. Heavy equipment, other vehicles, or pedestrians may transit past nesting areas in these corridors. However, other activities such as stopping or turning shall be prohibited within the designated travel corridors adjacent to the nesting site.
  - f. Where such a travel corridor must be established within the project area it should avoid critical areas for shorebirds (known nesting sites, wintering grounds, FWC-designated Critical Wildlife Areas, and USFWS-designated critical piping plover habitat) as much as possible, and be marked with signs clearly delineating the travel corridor from the shorebird buffer areas described above.
  - g. To the degree possible, the permittee should maintain some activity within these corridors on a daily basis, without directly disturbing any shorebirds documented on site or interfering with sea turtle nesting, especially when those corridors are established prior to commencement of construction. Passive methods to modify nesting site suitability must be approved by the FWC Wildlife Diversity Conservation Biologist for that region.
9. If shorebird nesting occurs within the project area, a bulletin board will be placed and maintained in the construction area with the location map of the construction site showing the bird nesting areas and a warning, clearly visible, stating that "BIRD NESTING AREAS ARE PROTECTED BY THE FLORIDA THREATENED AND ENDANGERED SPECIES ACT AND THE FEDERAL MIGRATORY BIRD ACT".

**Joint Coastal Permit**  
**Permit No. 0233882-005-JM**  
**Miami Beach Truck Haul Nourishment and Sand Redistribution (Add'l Placement Areas)**  
**Page 15 of 20**

**Physical Monitoring:**

10. Physical Monitoring Requirements for the Sunny Isles segment, the Bal Harbor segment, and the 65<sup>th</sup> Street segment, the 44<sup>th</sup> Street Segment, the 55<sup>th</sup> Street Segment, and the 27<sup>th</sup> Street Segment.

- a. Topographic and bathymetric profile surveys of the beach and offshore shall be conducted within 90 days prior to commencement of construction, and within 60 days following completion of construction at the project area. Monitoring surveys shall be conducted at the 27<sup>th</sup> Street Project area annually until such time the Department determines there are no adverse impacts from the project, or until such time as the Department and Miami-Dade County can develop an agreement for an acceptable management and maintenance plan. For the remaining areas where fill material is placed, annual surveys shall be conducted for a minimum of two (2) years subsequent to the last nourishment event. The annual monitoring surveys shall be conducted during a spring or summer month and repeated as close as practicable during that same month of the year. These project-monitoring surveys should be conducted in conjunction with the annual countywide survey conducted by Miami-Dade County.

In addition to the proposed routine survey intervals, additional survey events will be conducted following significant storm events. The threshold for initiating surveys following storm events will be established by the Department.

- b. See Table 10-1 for summaries of monitoring areas, survey locations, and landward and seaward extent of profiles to be surveyed. All work activities and deliverables shall be conducted in accordance with the latest update of the Bureau of Beaches and Coastal Systems (BBCS) *Monitoring Standards for Beach Erosion Control Projects, Sections 01000 and 01100*. (<http://www.dep.state.fl.us/beaches/publications/tech-rpt.htm#RegionalMonitoringPlan>)

*(the remainder of this page intentionally left blank)*

**Joint Coastal Permit**  
**Permit No. 0233882-005-JM**  
**Miami Beach Truck Haul Nourishment and Sand Redistribution (Add'l Placement Areas)**  
**Page 16 of 20**

Table 10-1 Summaries of Monitoring Areas, Survey Locations, and Landward and Seaward Extent of Profiles to be Surveyed for the Sunny Isles Segment, the Bal Harbor Segment, the 65<sup>th</sup> Street Segment, the 55<sup>th</sup> Street Segment, the 44<sup>th</sup> Street Segment, and the 27<sup>th</sup> Street Segment.

Nourishment Sites	Project Area	Monitoring Area (at a minimum)	Survey Locations Within Monitoring Area	Landward and Seaward Extent of Profiles to be Surveyed
Sunny Isles	R-7 to R- <del>15+2</del>	R-6 to R- <del>16+3</del>	Each of FDNR monuments and intermediate locations approximately midway between adjacent reference monuments	See <i>Monitoring Standards for Beach Erosion Control Projects, Sections 01000 (PART II.A.10) and 01100 (PART II.A.7.C)</i> .
Bal Harbor	R-27 to R- <del>32+9</del>	R-26 to R- <del>33+0</del>		
65 <sup>th</sup> Street	R-43 to R- <del>48+700 44+500</del>	R-42 to R- <del>50+6</del>		
55 <sup>th</sup> Street	R-48.7 to R-50.7	R-48 to R-52		
44 <sup>th</sup> Street	R-53.7 to R-55.5	R-53 to R-56		
27 <sup>th</sup> Street	R-60 to R-61	R-56 to R-62	At 200 feet intervals	From the Erosion Control Line (ECL) to a depth of -5.0 ft-NAVD
		R-58 to R-62 (This monitoring area shall be surveyed at a tighter line spacing to evaluate downdrift impacts from the 32 <sup>nd</sup> Street breakwaters)		

- c. The Permittee shall submit an engineering report and the monitoring data to the BBCS within 90 days following completion of the post-construction survey and each annual survey. The report shall summarize and discuss the data, the performance of the beach fill project, and identify erosion and accretion patterns within the monitoring area. In addition, the report shall include a comparative review of project performance-to-performance expectations and identification of adverse impacts attributable to the project. Appendices shall include plots of survey profiles and graphical representations of volumetric and shoreline position changes for the monitoring area. Results shall be analyzed for pattern, trends, or changes between annual surveys and cumulatively since project construction.

Additional reports evaluating storm effects shall be submitted if deemed necessary after consultation with the Department.

- d. Two paper copies and one electronic copy of the monitoring report, and one electronic copy of the survey data shall be submitted to the Bureau of Beaches



and Coastal Systems in Tallahassee. Failure to submit reports and data in a timely manner constitutes grounds for revocation of the permit. When submitting any monitoring information to the Bureau, please include a transmittal cover letter clearly labeled with the following at the top of each page: "This monitoring information is submitted in accordance with Item No. [xx] of the approved Monitoring Plan for Permit No. [xx] for the monitoring period [xx]".

**Performance Criteria and Mitigation Triggers:**

11. To date, while the 27th St. Breakwaters project has performed well, there is some downdrift erosion which has needed sand placement to offset those losses and maintain the design profile. The project sites located at 44<sup>th</sup> and 55<sup>th</sup> streets are conventional erosional areas and a less intensive survey plan is proposed. Also, a mitigation plan is proposed ~~only for the breakwater location since no adverse effects resulting from fill placement is anticipated at the other sites~~ and the locations where nearshore biological communities are present, specifically in the vicinity of R-49.

Because the proposed project will occur within the limits of a federally-authorized shore protection project, the project must not create conditions that will compromise the authorized federal project design profile. As such, it is proposed that the criteria by which the project will be assessed, as well as any mitigation thresholds be linked to the design requirements of the federal project. This consideration required that the proposed project be coordinated with the U.S. Army Corps of Engineers, Jacksonville District to establish the minimum design criteria that would need to be maintained. After extensive discussions, and a formal in-house review by Corps staff, it was agreed that the following would be required for areas within the influence of the breakwater project:

- a. The minimum design berm width and elevation specified by the federal project must be maintained. This equates to a level berm of 50' in front of the dune feature, or 125' from the Erosion Control Line (ECL), at an elevation of 8.2 feet NGVD (9.0' MLW).
- b. The cross sectional area (and corresponding volumes when applied over a distance) must be greater than or equal to those associated with the authorized project design. This criterion is to be applied only to that portion of the profile above the -5.0 foot (NGVD) contour, which is the approximate location of the seaward toe of the proposed structures. This depth cutoff was proposed for setting the evaluation criteria due to the differences in the specified design slopes of the federal project and those actually present on the project. The authorized design section specifies a 1 on 20 slope seaward of the berm to elevation 0 NGVD, followed by a 1 on 40 slope to closure. Equilibrium profiles on the project, however, are usually much steeper,

typically ranging from 1 on 10, to 1 on 13. Because the offshore slope specified by the authorized project design cannot be achieved in practice, it was agreed that as long as the areal cross sections (and corresponding volumes) of the profile to -5.0 NGVD, was equal to or greater than the federal design section, then the proposed project would comply with the shore protection requirements of the federal project. An initial application of this criterion to the project based on initial predictions indicates that the predicted post-construction profiles will far exceed the federal project requirements in almost all cases.

**Mitigation Triggers:**

12. Since the application of the evaluation criteria above will be used to assess the performance of the proposed project, it is logical that the thresholds determining when mitigation is required should also be linked directly to the evaluation criteria. As such, it is proposed that each profile be compared to the federal design section following the quarterly monitoring surveys, or after storm events, if deemed necessary. Sections shall be determined to be deficient if the areal cross section of the profile, or the corresponding volumes, is less than the area or volume specified by the federal design section. If any profile is found to be deficient on two successive survey events, mitigation shall be implemented to minimally restore the required design section. Subsequent actions, which may include structure modification and/ or additional fill placement, will be determined in consultation with the Department. Mitigation shall be implemented within thirty (30) days of approval of the mitigation plan by the Department. If, after the completion of one year of monitoring, it is determined that the structures have created conditions resulting in recurring design section deficiencies, the structures will be further modified, or removed at the direction of the Department. The structures will also be subject to modification or removal if they create acute adverse erosion following construction.
13. In areas where impacts to nearshore resources may occur, a pre- and post-construction impact assessment shall be conducted to determine the required mitigation.
  - a. Within 30 days of discovery of impact, the Permittee will be required to submit an impact report to the Department for review and approval.
  - b. The Permittee will be required submit a Mitigation Plan to the Department for review and approval within 60 days of the assessment.
  - c. The Permittee will be required to implement the Mitigation Plan within 6 months of approval of the Plan.

**Joint Coastal Permit**  
**Permit No. 0233882-005-JM**  
**Miami Beach Truck Haul Nourishment and Sand Redistribution (Add'l Placement Areas)**  
**Page 19 of 20**

**Water Quality Monitoring:**

13. The pPermittee shall monitor for Turbidity - Nephelometric Turbidity Units (NTUs)

Frequency: Twice daily during placement operations at least 4 hours apart, whenever a visible work-generated plume extends into the Biscayne Bay Aquatic Preserve at Baker's Haulover Inlet, and whenever a significant plume is observed to extend beyond the limits of the approved mixing zone such that a water quality violation may exist.

Location: Background: Mid-depth, at a point approximately 150 meters offshore and 500 meters upcurrent from the total project site for any given event, clearly outside of any turbidity generated by the project.

Compliance: Mid-depth, at a point or points approximately 150 meters offshore and no more than 150 meters downcurrent from each current work (excavation or placement) site, within the densest portion of any visible turbidity plume.

Weekly summaries of all monitoring data shall be submitted to the Bureau of Beaches & Coastal Systems (JCP Compliance Officer) and to the Southeast District Office within one week of collection, with documents containing the following information: (1) "Permit No. 0233882-0054-JM" ; (2) "Miami Beach Truck Haul Nourishment and Sand Redistribution (additional placement areas)"; (3) dates and times of sampling and analysis; (4) a statement describing the methods used in collection, handling, storage and analysis of the samples; (5) a map indicating the sampling locations; and (6) a statement by the individual responsible for implementation of the sampling program concerning the authenticity, precision, limits of detection and accuracy of the data. Monitoring reports shall also include the following information for each sample that is taken: a) time of day samples taken; b) depth of water body; c) depth of sample; d) antecedent weather conditions; e) tidal stage and direction of flow; and f) wind direction and velocity and g) wave height.

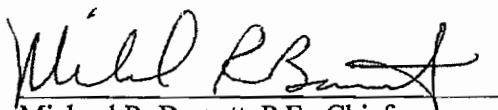
The compliance locations given above shall be considered the limits of the temporary mixing zone for turbidity allowed during construction. If monitoring reveals turbidity levels at the compliance sites are greater than 29 NTUs above the associated background turbidity levels, or above zero (0) NTUs over background within the Biscayne Bay Aquatic Preserve, construction activities shall **cease immediately** and not resume until corrective measures have been taken and turbidity has returned to acceptable levels.

14. The Permittee shall comply with and implement the attached Borrow Area Sediment Quality Assurance/Quality Control Plan approved ~~August 26, 2009~~ ~~January 12, 2009~~. Should any additional sources of fill material become available or be requested by the

Permittee, a modification request with the appropriate geotechnical information will need to be submitted to the Department for review and approval prior to use. In addition, the Sediment QA/QC Plan would need to be updated to reflect the additional sand source.

Executed in Tallahassee, Florida.

STATE OF FLORIDA DEPARTMENT  
OF ENVIRONMENTAL PROTECTION

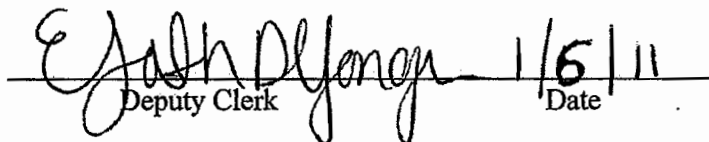
  
Michael R. Barnett, P.E., Chief  
Bureau of Beaches and Coastal Systems

Prepared by Stephanie Gudeman.

Attachments: Sediment QA/QC Plan (approved August 26, 2009)

**FILING AND ACKNOWLEDGMENT**

FILED, on this date, pursuant to Section 120.52, Florida Statutes, with the designated Department Clerk, receipt of which is hereby acknowledged.

  
Deputy Clerk                      1/5/11  
Date

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

**PROJECT REPORT**

**CLASS I PERMIT APPLICATION NO. 2010-CLI-PER-00044**

**MIAMI-DADE COUNTY TO RENOURISH THREE (3) SEGMENTS OF ERODED BEACH ON MIAMI BEACH, BAL HARBOUR BEACH, AND SUNNY ISLES BEACH THROUGH THE PLACEMENT OF 226,085 CUBIC YARDS OF SAND FOR MULTIPLE RENOURISHMENT EVENTS, AND TO AUTHORIZE THE TIME OF COMPLETION OF WORK UNDER THE SUBJECT PERMIT FOR A PERIOD OF TEN (10) YEARS**

**February 7, 2011**

Staff's recommendation of approval for the above-referenced permit application is based on the applicable evaluation factors set forth in 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. No upland vegetation impacts are anticipated, and an in-water survey revealed that benthic resources are located sufficiently offshore and that no direct or indirect impacts are anticipated. In addition, short-term turbidity impacts are anticipated to be negligible.

The United States Fish and Wildlife Services' (USFWS) Biological Opinion Letters concluded that the proposed project is not likely to jeopardize the continued existence of the loggerhead (*Caretta caretta*), leatherback (*Dermochelys coriacea*), green (*Chelonia mydas*), hawksbill (*Eretmochelys imbricate*), and Kemp's ridley (*Lepidochelys kempii*) sea turtles. Furthermore, the proposed project areas are not located within areas designated as essential habitat for the West Indian Manatee (*Trichechus manatus*).

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 is not reasonably expected to adversely affect existing patterns or volumes of flow in the area.
4. **Water Quality** – The proposed project may temporarily affect surface water quality. Minor increases in turbidity above background levels may occur during placement of fill directly in the water; however, the sand is expected to have a low silt content (<1%), therefore, little or no turbidity is expected. The applicant will be required to install and monitor turbidity control devices and monitor water quality levels during construction operations.
5. **Wellfields** – Not applicable.
6. **Water Supply** – Not applicable.
7. **Aquifer Recharge** – Not applicable.
8. **Aesthetics** – The proposed project is designed to be aesthetically compatible with the surrounding area. Specifically, the beach renourishment is designed to enhance an existing beach by restoring the eroded areas.
9. **Navigation** – The proposed project is not reasonably expected to adversely affect navigation.
10. **Public Health** - The proposed project is not reasonably expected to adversely affect the public health.
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 is not reasonably expected to adversely affect marine and wildlife habitats. The proposed areas of beach renourishment do not contain any significant hardbottom, seagrass/algal communities or other significant benthic communities. Although marine epifauna (animals living in the sediment surface or on the surface of other plants or animals) and infauna (animals living within submerged sediments) will be temporarily impacted from the placement of the sand, these impacts are temporary in nature and suitable marine habitat will be available for the re-establishment of marine fauna.

In addition, the proposed project is not reasonably expected to adversely affect any rare, threatened or endangered species. The USFWS Biological Opinion Letters concluded that the proposed project is not likely to jeopardize the continued existence of the loggerhead, leatherback, green, hawksbill, and Kemp's ridley sea turtles. In addition, the proposed project areas are not located within areas designated as essential habitat for the West Indian Manatee.

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/algal communities located in the proposed project locations.
17. **Fauna Values** - The proposed project may temporarily disturb marine fauna. Specifically, marine epifauna (animals living in the sediment surface or on the surface of other plants or animals) and infauna (animals living within submerged sediments) will be temporarily impacted from the placement of the sand. However, these impacts are temporary in nature and suitable marine habitat will be available for the re-establishment of marine fauna. This project has the potential to result in an increase in habitat suitable for nesting of sea turtles.
18. **Rare, Threatened and Endangered Species** – The project is not reasonably expected to adversely affect any rare, threatened or endangered species. The USFWS Biological Opinion Letters concluded that the proposed project is not likely to jeopardize the continued existence of the loggerhead, leatherback, green, hawksbill, and Kemp's ridley sea turtles. Ultimately this project has the potential to result in an increase in habitat suitable for nesting of sea turtles. In addition, the proposed project areas are not located within areas designated as essential habitat for the West Indian Manatee and no threatened seagrasses were observed during the in-water survey. The Class I permit will require that all renourishment activities be coordinated with the Florida Fish and Wildlife Conservation Commission (FFWCC) and the Miami-Dade Park and Recreation Department's Sea Turtle Nesting and Relocation Program.
19. **Natural Flood Damage Protection** - The proposed project is not reasonably expected to affect natural flood damage protection.
20. **Wetland Values** – The proposed project is not reasonable 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 (Code), Florida, substantiating letters shall be submitted stating that the proposed project does not violate any zoning laws. The applicant has obtained letters from each of the local municipalities where work is proposed, indicating that the renourishment of the eroded beach segments is consistent with their comprehensive development master plans.
22. **Recreation** - The proposed project is not reasonably expected to adversely affect recreation. The proposed project does not conflict with the recreation element of the Miami-Dade County Comprehensive Development Master Plan.
23. **Other Environmental Values Affecting the Public Interest** – The proposed project has the potential to provide additional sea turtle nesting habitat. Furthermore, since this project will occur on state-owned lands, the applicant has obtained authorization from the Florida Department of Environmental Protection for use of Sovereign Submerged Lands.
24. **Conformance with Standard Construction Procedures and Practices and Design and Performance Standards** –The proposed project complies with the standard construction procedures and practices and design and performance standards of the applicable portions of the following:
  - Miami-Dade County Public Works Manual
  - Chapter 33B of the Code of Miami-Dade County
25. **Comprehensive Environmental Impact Statement (CEIS)** - In the opinion of the Director, the proposed project is not reasonably expected to result in either adverse environmental impacts or cumulative adverse environmental impacts. Therefore a CEIS was not required by DERM to evaluate the project.
26. **Conformance with All Applicable Federal, State and Local Laws and Regulations** – The proposed project is in conformance with the following applicable State, Federal and local laws and regulations:
  - Federal Endangered Species Act (US Fish and Wildlife Service approval is required)
  - United States Clean Water Act (US Army Corps of Engineers Permit is required)
  - Florida Department of Environmental Protection Regulations (Permit is required)
  - Chapter 24 of the Code of Miami-Dade County
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 and will enhance protected natural resources and systems. 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.

**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 filling for the purposes of development.

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

**Objective 9/Policies 9A, 9B, 9C** – The project is not reasonably expected to adversely affect any rare, threatened or endangered species. The USFWS Biological Opinion Letters concluded that the proposed project is not likely to jeopardize the continued existence of the loggerhead, leatherback, green, hawksbill, and Kemp's ridley sea turtles. The Class I permit will require that all renourishment activities be coordinated with the FFWCC and the Miami-Dade Park and Recreation Department's Sea Turtle Nesting and Relocation Program. Ultimately this project has the potential to result in an increase in habitat suitable for nesting of sea turtles. In addition, the proposed project areas are not located within areas designated as essential habitat for the West Indian Manatee and no threatened seagrasses were observed during the biological assessment.

**COASTAL MANAGEMENT ELEMENT VII:**

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

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

**Objective 1/ Policy 1C** - Elevated boardwalk access through mangroves – The 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, coastal hammock, or other natural vegetational communities.

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

**Objective 1/Policy 1G** - Prohibition on dredging or filling of grass/algal flats, hard bottom or other viable benthic communities except as provided for in Chapter 24 of the Code of Miami-Dade County, Florida - The proposed areas of beach renourishment do not contain any significant hardbottom, seagrass/algal communities or other significant benthic communities. The proposed filling work as related to the beach renourishment project is consistent with 2 of the dredge and fill criteria listed in Section 24-48.3(2) of the Code.

**Objective 2/Policies 2A, 2B** - Beach restoration and renourishment objectives - The proposed beach renourishment project involves restoration of eroded beaches that do not contain any significant benthic communities. The project has been designed to minimize impacts to offshore seagrass beds and dune vegetation.

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

**Objective 5/Policy 5B** - Existing and new areas for water-dependent uses - The proposed project will enhance water-dependent uses associated with the existing beaches.

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

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

28. **Conformance with Chapter 33B, Code of Miami-Dade County** (East Everglades Zoning Overlay Ordinance) – The proposed project is not located within the East Everglades Area.

29. **Conformance with the Code of Miami-Dade County Ordinance 81-19** (Biscayne Bay Management Plan Sections 33D-1 through 33D-4 of the Code) - The project is not located within Biscayne Bay.
30. **Conformance with the Miami-Dade County Manatee Protection Plan** – The project areas are not located within areas designated as essential habitat for the West Indian Manatee.
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), of the Code of Miami-Dade County, Florida, substantiating letters shall be submitted stating that the proposed project does not violate any zoning laws. The applicant has obtained letters from each of the local municipalities where work is proposed, indicating that the renourishment of the eroded beach segments is consistent with their comprehensive development master plans.
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.
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:

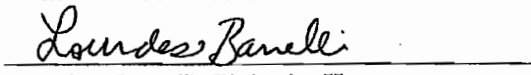
- An alteration of physical conditions as may be necessary to enhance the quality or utility of adjacent waters.
- A physical modification necessary to protect public or private property.

**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 does not involve the creation of boat slips.

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

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

  
\_\_\_\_\_  
Lisa Spadafina, Manager  
Coastal Resources Section

  
\_\_\_\_\_  
Lourdes Barrelli, Biologist II  
Coastal Resources Section