

# Memorandum

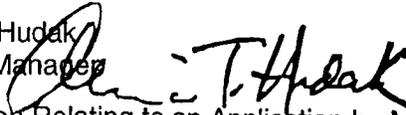
MIAMI-DADE  
COUNTY

**Date:** July 7, 2011

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

Agenda Item No. 5(D)

**From:** Alina T. Hudak  
County Manager



**Subject:** Resolution Relating to an Application by Miami-Dade County for a Class I Permit to Install a New Seawall and Backfill Tidal Waters Adjacent to Fisherman's Channel Along the South Side of the Port of Miami in Biscayne Bay, Miami-Dade County

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



Assistant County Manager

# Memorandum



**Date:** June 9, 2011

**To:** Alina T. Hudak  
County Manager

**From:** Lee N. Hefty, Assistant Director  
Department of Environmental Resources Management

**Subject:** Resolution Relating to an Application by Miami-Dade County for a Class I Permit to Install a New Seawall and Backfill Tidal Waters Along Fisherman's Channel on the South Side of the Port of Miami in Biscayne Bay, Miami-Dade County

## **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 site is located adjacent to Fisherman's Channel in Biscayne Bay on the south side of the Port of Miami, Miami-Dade County, in Commissioner Barreiro's District 5.

## **Fiscal Impact/Funding Source**

Not applicable.

## **Track Record/Monitor**

Not applicable.

## **Background**

The subject Class I permit application requests authorization to install a new seawall and backfill tidal waters adjacent to Fisherman's Channel along the south side of the Port of Miami (Port) in Biscayne Bay, 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.

The Miami-Dade County Seaport Department proposes to conduct a series of improvements to the Port, including the installation of a new seawall to strengthen the existing wharf frontage along Fisherman's Channel. The work is being proposed in anticipation of the United States Army Corps of Engineers (USACE) Port of Miami Dredging Project, a federally funded project that is intended to deepen and widen the federal channel to accommodate larger vessels at the Port. Although the project area is currently used for the berthing of cargo vessels, the new seawall will facilitate the docking of larger vessels that are expected to utilize the Port.

At present, the existing wharf structures and seawall are insufficient to resist the mooring forces that can be imposed by larger vessels. Therefore, the applicant is proposing to reinforce the existing seawall by installing new berthing structures and 5,275 linear feet of new sheet pile wall waterward of the existing seawall. Upon completion of the seawall, 25,000 square feet of tidal waters will be backfilled with clean fill to match the existing upland grade.

Pursuant to Section 24-48.4 of the Code, potential adverse environmental impacts and cumulative adverse environmental impacts for a proposed project must be avoided and minimized. An in-water bay bottom (benthic) survey revealed no macroalgae or seagrass resources at the base of the existing seawalls or within the footprint of the area to be filled. A dense coverage of macroalgae and

Alina T. Hudak  
County Manager  
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invertebrate resources including corals was documented along the existing vertical walls. Although the proposed project will result in impacts to these resources, the new sheet pile wall will provide suitable habitat for the re-establishment of similar resources. Additionally, the applicant is proposing to relocate existing corals prior to construction. Mitigation for water quality impacts associated with the installation of the new seawall and the filling of tidal waters will be completed through the placement of 5,525 cubic yards of artificial reef material on the Julia Tuttle Artificial Reef.

The proposed project is located within an area identified by the Miami-Dade County Manatee Protection Plan (MDCMPP) as essential manatee habitat for the West Indian Manatee (*Trichechus manatus*). The applicant will install a fender system along the new seawall that will provide at least four (4) feet of standoff at maximum operational compression to prevent manatees from being trapped or crushed by vessels docking at the facility. In addition, the Class I permit will require that all standard manatee conditions be followed during all in-water construction operations.

The proposed project complies with Section 24-48.3(2) of the Code as related to the criteria for the minimum dredging and filling for the creation and maintenance of marinas, piers, dock and attendant navigational channels and a physical modification necessary to protect public or private property. The project has been designed in accordance with all relevant Miami-Dade County coastal and wetland construction criteria and is consistent with all other Miami-Dade County coastal and wetland 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. 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: DERM Project Report

NOTICE OF PUBLIC HEARING ON AN APPLICATION BY MIAMI-DADE COUNTY FOR A CLASS I PERMIT TO INSTALL A NEW SEAWALL AND BACKFILL TIDAL WATERS ADJACENT TO FISHERMAN'S CHANNEL ALONG THE SOUTH SIDE OF THE PORT OF MIAMI, IN BISCAYNE BAY, MIAMI-DADE COUNTY, FLORIDA

BOARD OF COUNTY COMMISSIONERS  
MIAMI-DADE COUNTY, FLORIDA

NOTICE IS HEREBY GIVEN pursuant to Article IV, Division 1 of Chapter 24 of the Code of Miami-Dade County that the Board of County Commissioners of Miami-Dade County will hold and conduct a public hearing on a request by Miami-Dade County for a Class I permit to install a new seawall and backfill tidal waters adjacent to Fisherman's Channel along the south side of the Port of Miami, in Biscayne Bay, Miami-Dade County, Florida. Such public hearing will be held on the 7<sup>th</sup> day of July, 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 1st Court, Miami, Florida, 33136-3912.

Oral statements will be heard and appropriate records made. For accuracy of records, all important facts and arguments should be prepared in writing in triplicate, with two copies being submitted to the Deputy Clerk of the County Commission at the hearing or mailed to her beforehand (Diane Collins, Deputy Clerk), 111 NW 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, 33136-3912.

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

BOARD OF COUNTY COMMISSIONERS  
MIAMI-DADE COUNTY, FLORIDA

HARVEY RUVIN, CLERK

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



# MEMORANDUM

(Revised)

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

**DATE:** July 7, 2011

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

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

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(D)

Veto \_\_\_\_\_

7-7-11

Override \_\_\_\_\_

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

RESOLUTION RELATING TO AN APPLICATION BY MIAMI-DADE COUNTY FOR A CLASS I PERMIT TO INSTALL A NEW SEAWALL AND BACKFILL TIDAL WATERS ADJACENT TO FISHERMAN'S CHANNEL ALONG THE SOUTH SIDE OF THE PORT OF MIAMI, IN BISCAYNE BAY, MIAMI-DADE COUNTY, FLORIDA

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

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA**, that this Board having considered all the applicable factors contained within Section 24-48.3 of the Code of Miami-Dade County, hereby approves the application by Miami-Dade County for a Class I permit to install a new seawall and backfill tidal waters adjacent to Fisherman's Channel along the south side of the Port of Miami, in Biscayne Bay, Miami-Dade County, Florida, subject to the conditions set forth in the memorandum from 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.

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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                          |
| Esteban L. Bovo, Jr. | Jose "Pepe" Diaz                    |
| Sally A. Heyman      | Barbara J. Jordan                   |
| Jean Monestime       | Dennis C. Moss                      |
| Rebeca Sosa          | Sen. Javier D. Souto                |
| Xavier L. Suarez     |                                     |

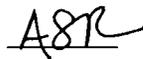
The Chairperson thereupon declared the resolution duly passed and adopted this 7<sup>th</sup> day of July, 2011. This resolution shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

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.



Abbie Schwaderer-Raurell



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



# Class I Permit Application

FOR DEPARTMENTAL USE ONLY	
Date Received:	Application Number: <u>31010-CU-PK-0010</u>
	Application Fee: <u>228,750.00</u>

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 NW 1st Street</u> <u>Miami, FL</u> Zip Code: <u>33128</u> Phone #: <u>(305) 375-1451</u> Fax #: <u>(305) 960-5442</u> Email: <u>ylort@miamidade.gov</u>	<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>HDR Engineering</u> Address: <u>200 W Forsyth St., Suite 800</u> <u>Jacksonville, FL</u> Zip Code: <u>32202</u> Phone #: <u>904-598-8940</u> Fax #: <u>904-598-8988</u> Email: <u>wesley.dortch@hdrinc.com</u>
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**3. Location where proposed activity exists or will occur (latitude and longitude are only necessary for properties without address or folio #):**

Folio #(s): 01-4205-000-0010 Latitude: \_\_\_\_\_ Longitude: \_\_\_\_\_

Street Address: 1007 North America Way Section: N/A Township: 54 S Range: 42 E

In City or Town: Miami, Florida Near City or Town: \_\_\_\_\_

Name of waterway at location of the activity: Biscayne Bay

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

<input checked="" type="checkbox"/> Seawall	<input type="checkbox"/> Dock(s)	<input type="checkbox"/> Boatlift	<input type="checkbox"/> Dredging	<input type="checkbox"/> Mangrove Trimming
<input checked="" type="checkbox"/> New/Replacement Seawall	<input type="checkbox"/> Pier(s)	<input type="checkbox"/> Mooring Piles	<input type="checkbox"/> Maintenance	<input type="checkbox"/> Mangrove Removal
<input checked="" type="checkbox"/> Seawall Cap	<input type="checkbox"/> Viewing Platform	<input type="checkbox"/> Fender Piles	<input type="checkbox"/> New	
<input type="checkbox"/> Batter Piles		<input type="checkbox"/> Davits	<input checked="" type="checkbox"/> Filling	
<input checked="" type="checkbox"/> King Piles				
<input type="checkbox"/> Footer/Toe Wall				
<input type="checkbox"/> Riprap				

Other: \_\_\_\_\_

Estimated project cost = \$ 66,000,000

Are you seeking an after-the-fact approval (ATF)?  Yes  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 checked="" 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>Container Ships (existing usage)</u> Vessel Make/Model (If known): <u>varies</u> Draft (s)(range in inches.): <u>504"</u> Length (s)(range in feet.): <u>varies</u> Total Number of Slips: <u>7</u>
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**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/ACOE	ERP/Sec. 404 & 10	130301570-001/20100185	June 2010	TBD

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

Name: TBD 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.

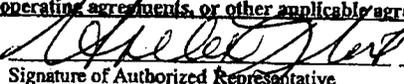
**A. IF APPLICANT IS AN INDIVIDUAL**

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.)

Miami-Dade County \_\_\_\_\_ Local Government \_\_\_\_\_ Florida \_\_\_\_\_  
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, \*\*\***

 Ysela Llorca \_\_\_\_\_ Assistant County Manager \_\_\_\_\_  
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 \_\_\_\_\_

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

I/We are the fee simple owner(s) of the real property located at Miami-Dade County Miami-Dade County, Florida, otherwise identified in the public records of Miami-Dade County as Folio No. 01-4205-000-0010

I am aware and familiar with the contents of this application for a Miami-Dade County Class I Permit to perform the work on or adjacent to the subject property, as described in Section 4 of this application. I possess the riparian rights to the area of the proposed work (if applicable) and hereby consent to the work identified in this Class I Permit application.

**A. IF THE OWNER(S) IS AN INDIVIDUAL**

Signature of Owner \_\_\_\_\_ Print Owner's Name \_\_\_\_\_ Date \_\_\_\_\_

Signature of Owner \_\_\_\_\_ Print Owner's Name \_\_\_\_\_ Date \_\_\_\_\_

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

Miami-Dade County \_\_\_\_\_ Local Government \_\_\_\_\_ Florida \_\_\_\_\_  
Print Name of Owner (Enter the complete name as registered) Type (Corp, LLC, LLP, etc.) State of Registration/Incorporation  
111 NW 1st Street, Miami, FL 33128  
Address of Owner \_\_\_\_\_

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

[Signature] Ysela Llort \_\_\_\_\_ Assistant County Manager \_\_\_\_\_  
Signature of Authorized Representative Print Authorized Representative's Name Title Date

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

**Please Review Above**  
Appropriate signature(s) must be included in:  
Box 9: either A, B or C  
**AND**  
Box 10: either A or B

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**Attachment B**

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



June 17, 2011

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

RE: **Class I Permit Application Number 2010-CLI-PER-00169**

Ladies and Gentlemen:

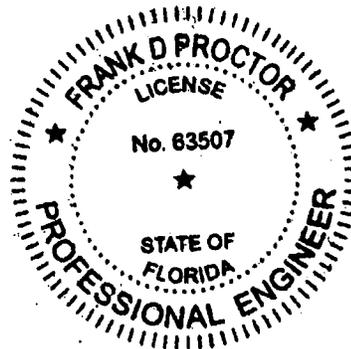
This letter will certify that I am an engineer registered/licensed in the State of Florida, qualified by education and experience in the area of construction, and that to the best of my knowledge and belief, the proposed work does not violate any laws of the State of Florida or any provision of the Code 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,

Frank D Proctor, P.E.  
PE #63507



cc. Becky Hope, Seaport Department

HDR Engineering Inc.

15450 New Barn Road  
Suite 304  
Miami Lakes, FL 33014

Office: (305) 728-7400  
Fax: (305) 728-7447  
www.hdrinc.com

## PERMIT APPLICANT/ AUTHORIZED AGENT STATEMENT

Date: June 20, 2011

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

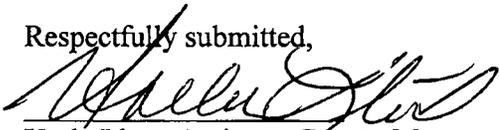
Re: Class I Standard Form Permit Application Number 2010-CLI-PER- 00169

By the attached Class I Standard Form permit application with supporting documents, I, Ysela Llord, Assistant County Manager, Miami Dade-County, am the Permit Applicant, and hereby request permission to perform the work associated with Class I permit application 2010-CLI-PER-00169. I understand that a Miami-Dade County Class I Standard Form Permit is required to perform this work.

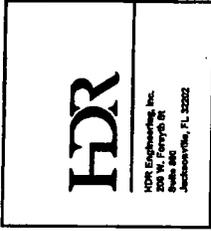
If approval is granted for the proposed work by the Board of County Commissioners, complete and detailed plans and calculations of the proposed work shall be prepared by an engineer registered/licensed in the State of Florida in accordance with the minimum requirements of Chapter 24 of the Code of Miami-Dade 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.

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Respectfully submitted,



Ysela Llord, Assistant County Manager  
Miami-Dade County  
Permit Applicant



Drawings For

# Wharves Strengthening Program Cargo Wharves I - VII Environmental Permit Drawings Civil / Structural

Project No.  
E09-SEA-01

Miami - Dade County  
Lummus Island - Port of Miami  
August 2010

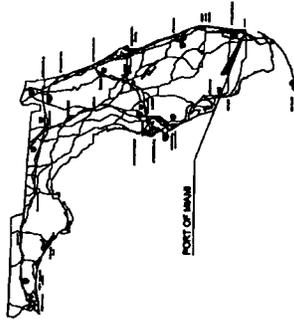
MAYOR: CARLOS ALVAREZ

COUNTY MANAGER: GEORGE M. BURGES

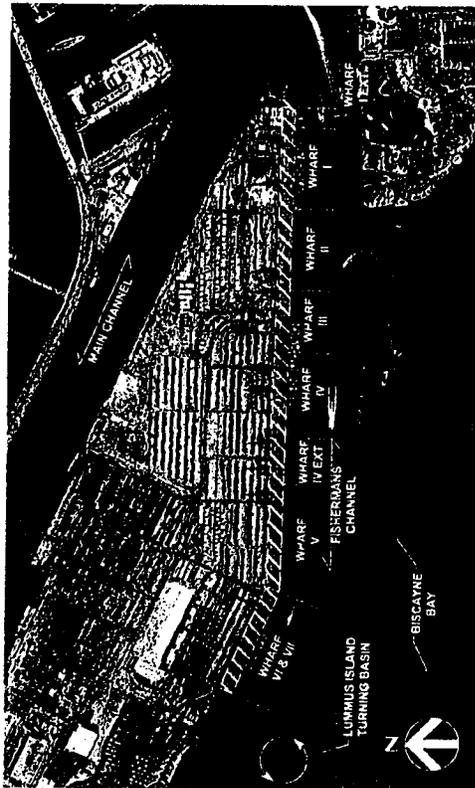
MIAMI DADE BOARD OF COUNTY COMMISSIONERS:

- DISTRICT 1 - LINDA BELL
- DISTRICT 2 - SEAN WATSON
- DISTRICT 3 - AUDREY EDMONSON
- DISTRICT 4 - SALLY A. HEYMAN
- DISTRICT 5 - JOE A. MARTINEZ
- DISTRICT 6 - RAFAEL GONZALEZ
- DISTRICT 7 - CARLOS A. GIMENEZ
- DISTRICT 8 - LINDA BELL
- DISTRICT 9 - SENATOR JAVIER D. SOUTO
- DISTRICT 10 - JOE A. MARTINEZ
- DISTRICT 11 - JOE A. MARTINEZ
- DISTRICT 12 - NANCY L. WALZ, VICE CHAIRMAN
- DISTRICT 13 - NANCY L. WALZ

PORT DIRECTOR: BILL JOHNSON



PROJECT LOCATION  
NTS



SITE VICINITY MAP  
NTS



ENVIRONMENTAL PERMIT DRAWINGS  
NOT FOR CONSTRUCTION

INDEX OF DRAWINGS

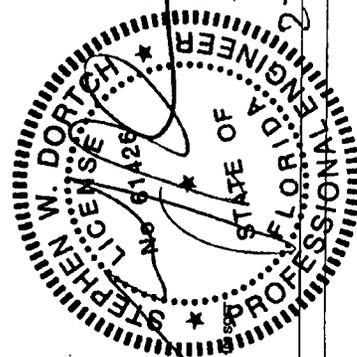
GENERAL

E0000	COVER SHEET
E0001	EXISTING GENERAL ARRANGEMENT (SHEET 1 OF 2)
E0002	PROPOSED GENERAL ARRANGEMENT (SHEET 2 OF 2)
E0003	EXISTING GENERAL ARRANGEMENT (SHEET 1 OF 2)
E0004	PROPOSED GENERAL ARRANGEMENT (SHEET 2 OF 2)
E0005-1	PROPOSED WHARF I EXT. SECTION
E0005-2	PROPOSED WHARF I EXT. SECTION
E0006	PARTIAL PLAN & DETAILS (SHEET 1 OF 2)
E0007-1	PROPOSED WHARF I PLAN
E0007-2	PARTIAL PLAN & DETAILS (SHEET 2 OF 2)
E0008-1	PROPOSED WHARF II
E0008-2	PARTIAL PLAN & DETAILS (SHEET 1 OF 2)
E0009-1	PROPOSED WHARF III
E0009-2	PARTIAL PLAN & DETAILS (SHEET 1 OF 2)
E0010-1	PROPOSED WHARF IV
E0010-2	PARTIAL PLAN & DETAILS (SHEET 2 OF 2)
E0011-1	PROPOSED WHARF V
E0011-2	PARTIAL PLAN & DETAILS (SHEET 1 OF 2)
E0012-1	PROPOSED WHARF VI
E0012-2	PARTIAL PLAN & DETAILS (SHEET 1 OF 2)
E0013	PROPOSED WHARF VII
E0014	PARTIAL PLAN & DETAILS (SHEET 2 OF 2)
E0015-1	SECTION & DETAILS
E0015-2	PROPOSED WHARF I EXT. SECTION
E0016-1	PROPOSED WHARF II SECTION
E0016-2	PROPOSED WHARF III SECTION
E0017	PROPOSED WHARF IV EXT. SECTION
E0018	PROPOSED WHARF V EXT. SECTION
E0019	PROPOSED WHARF VI EXT. SECTION
E0020-1	PROPOSED CONSTRUCTION PHASING & DETAILS
E0020-2	OUTFALL EXTENSION DETAILS
E0021	BULKHEAD CLOSURE DETAILS
R001	STRUCTURAL DEFECT REPAIR PLAN (WHARVE I)
R002	STRUCTURAL DEFECT REPAIR PLAN WHARF I - DECK
R003	STRUCTURAL DEFECT REPAIR PLAN WHARF I - DECK
R004	STRUCTURAL DEFECT REPAIR PLAN WHARF I - DECK
	TOPSIDE (SHEET 1 OF 2)
	TOPSIDE (SHEET 2 OF 2)

PROPOSED IMPACT TOTALS  
( FILLED SUBMERGED LANDS )

WHARF I EXT.	= 800 SQFT
WHARF II	= 4,000 SQFT
WHARF III	= 3,100 SQFT
WHARF IV EXT.	= 2,800 SQFT
WHARF V	= 5,800 SQFT
WHARF VI & VII	= 4,000 SQFT
TOTAL FILLED	= 23,000 SQFT

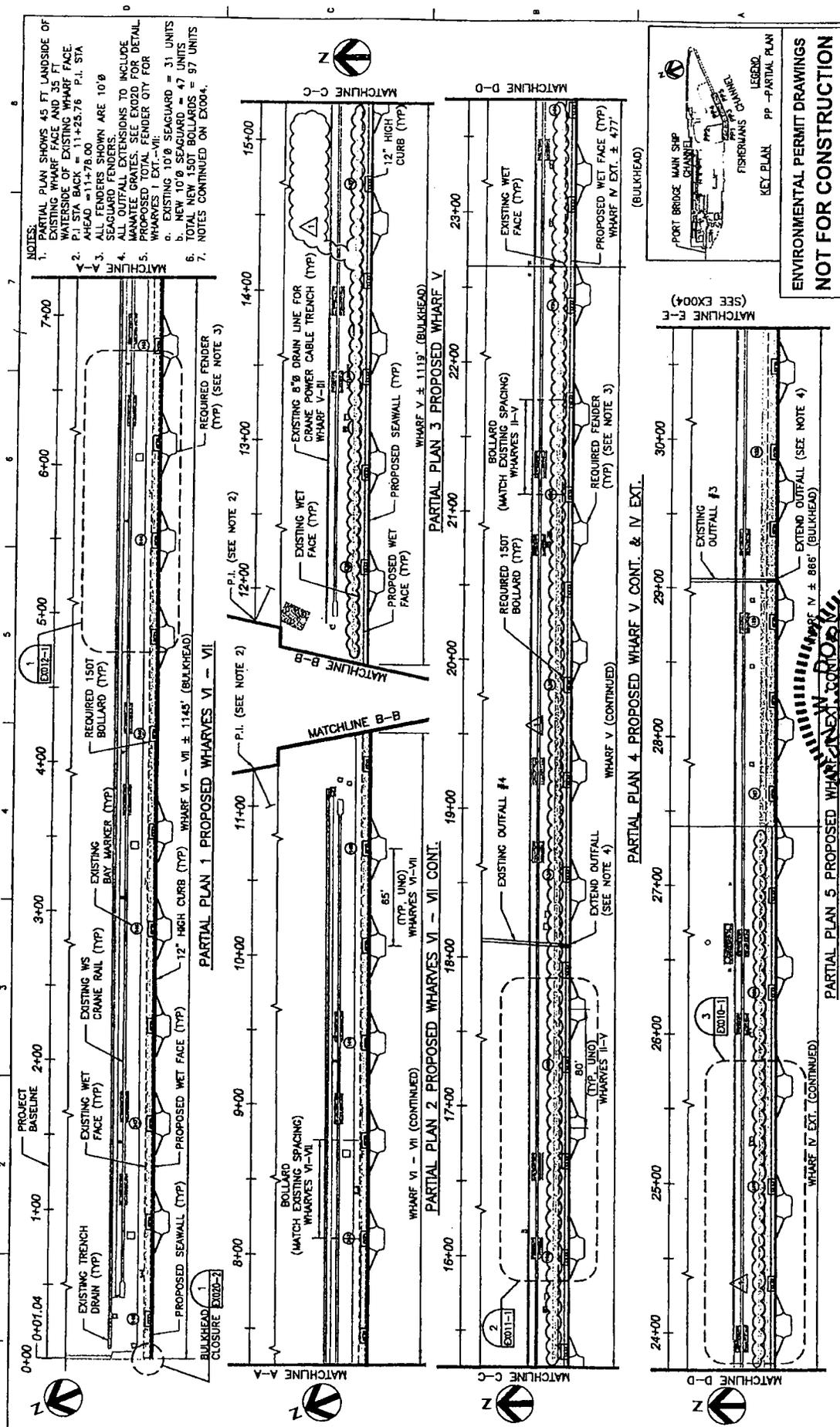
\* SUBTOTALS ARE ROUNDED TO NEAREST 100 SQFT



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- NOTES:**
- PARTIAL PLAN SHOWS 45 FT LANDSIDE OF EXISTING WHARF FACE AND 35 FT WATERSIDE OF EXISTING WHARF FACE. P.I. STA BACK = 11+25.76 P.I. STA AHEAD = 11+78.00
  - ALL FENDERS SHOWN ARE 10' Ø SEAGUARD FENDERS.
  - ALL OUTFALL EXTENSIONS TO INCLUDE MAIN DRAINAGE. SEE EXD04 FOR DETAIL PROPOSED EXT. UNDER CITY FOR WHARVES I EXT. - VI.
  - EXISTING 10' Ø SEAGUARD = 31 UNITS
  - NEW 10' Ø SEAGUARD = 47 UNITS
  - TOTAL NEW 150T BOLLARDS = 97 UNITS
  - NOTES CONTINUED ON EXD04.

**ENVIRONMENTAL PERMIT DRAWINGS NOT FOR CONSTRUCTION**

KEY PLAN PP - PARTIAL PLAN

LEGEND

- FISHERMAN'S CHANNEL
- PORT BRIDGE MAIN SHIP CHANNEL

WHARVES STRENGTHENING PROGRAM CARGO WHARVES I-VII PROPOSED GENERAL ARRANGEMENT (SHEET 1 OF 2)

DATE: FEB 22 2011

SCALE: AS SHOWN

PROJECT NUMBER: 13-2448

**Port of Miami**

**STEPHEN W. TORRES**  
 LICENSE NO. 81426  
 STATE OF FLORIDA  
 PROFESSIONAL ENGINEER

PROJECT MANAGER: R. BORTCH  
 DRAWING BY: J. PROCTOR  
 CHECKED BY: J. WISFIELD  
 DRAWN BY: D. JAMES

ISSUE	DATE	REASON FOR CONSTRUCTION CHANGE	PREPARED BY	DESCRIPTION
1	12/03/11	ISSUED PER CONSTRUCTION DRAWING		

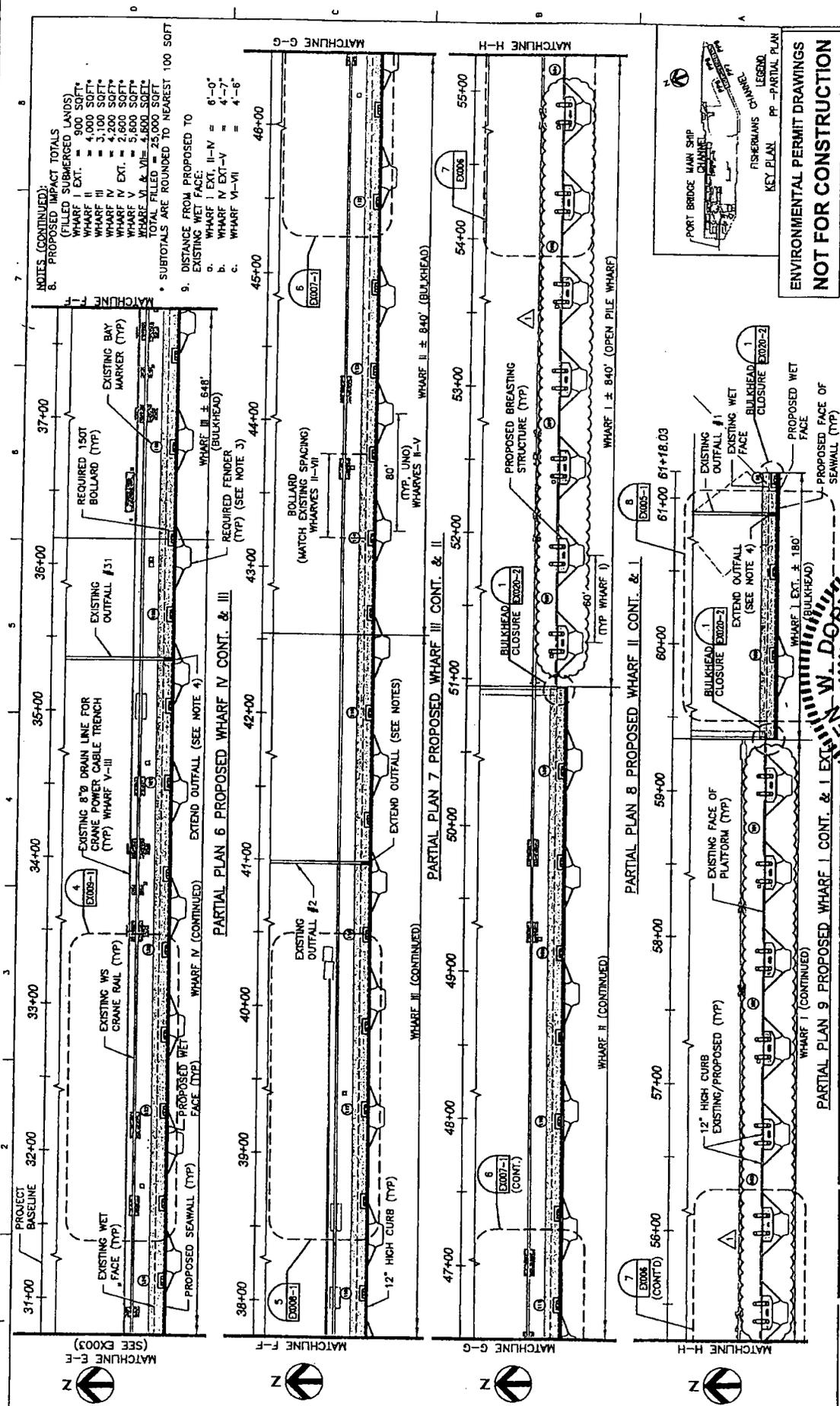
DATE: FEB 22 2011

PROJECT NUMBER: 13-2448

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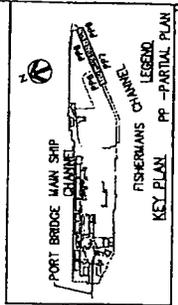
FEB 22 2011

DERM Coastal Resources Section  
 Natural Resources Regulation & Permitting



NOTES (CONTINUED):  
 8. PROPOSED IMPACT TOTALS (FILLED SUBMERGED LANDS)  
 WHARF I EXT. = 900 SQFT  
 WHARF II = 4,000 SQFT  
 WHARF III = 3,100 SQFT  
 WHARF IV = 4,200 SQFT  
 WHARF IV EXT. = 2,600 SQFT  
 WHARF V = 5,800 SQFT  
 WHARF VI & VII = 25,000 SQFT  
 TOTAL FILLED = 45,600 SQFT  
 \* SUBTOTALS ARE ROUNDED TO NEAREST 100 SQFT

9. DISTANCE FROM PROPOSED TO EXISTING WET FACE:  
 a. WHARF I EXT. II-IV = 6'-0"  
 b. WHARF IV EXT-V = 4'-7"  
 c. WHARF V-VI = 4'-6"



ENVIRONMENTAL PERMIT DRAWINGS  
 NOT FOR CONSTRUCTION

WHARVES STRENGTHENING PROGRAM  
 CARGO WHARVES I-VII  
 PROPOSED GENERAL ARRANGEMENT  
 (SHEET 2 OF 2)

**Port of Miami**

STEPHEN W. DOUGLAS  
 LICENSED PROFESSIONAL ENGINEER  
 No. 61226

PROJECT MANAGER: BETH  
 CHECKED BY: [Signature]  
 DRAWN BY: J. J. JUREK

ISSUE NO. DATE DESCRIPTION

1	02/03/11	REVISED PER CONSTRUCTION DRAWINGS
2	05/17/10	PROJECT SUBMITTAL

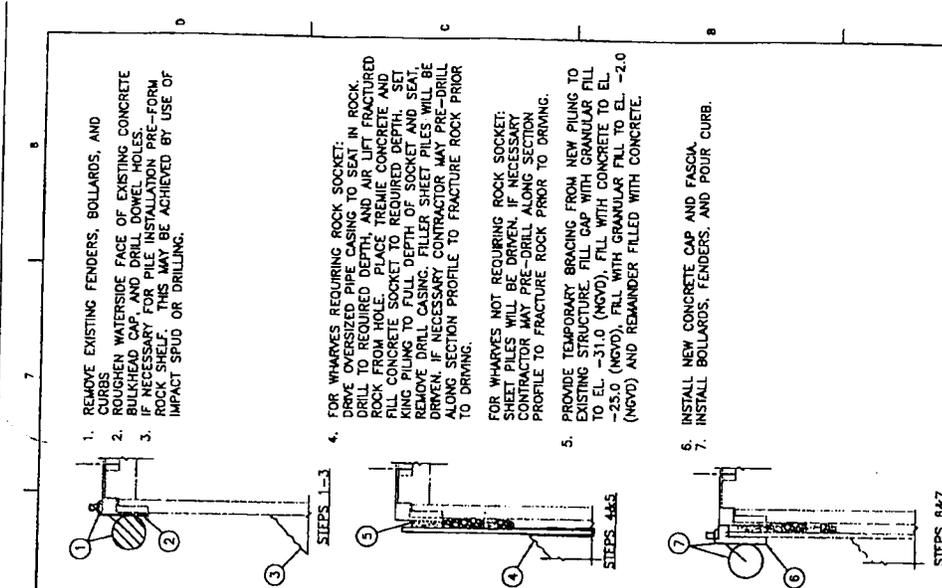
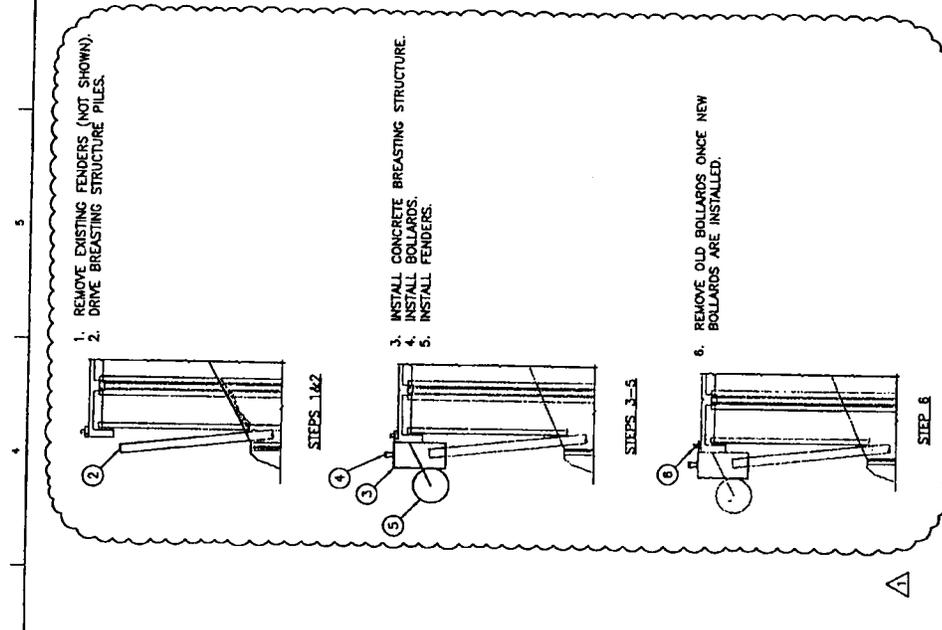
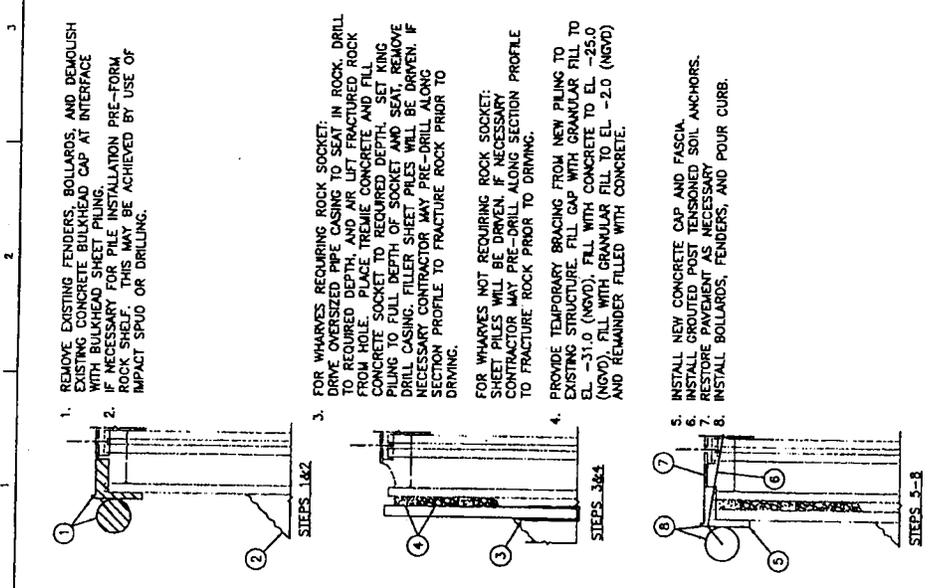
PROJECT NUMBER: 13448

FEB 22 2011

FRI Coastal Resources Section  
 Resources Regulation & Data

11-2-2-11

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**ENVIRONMENTAL PERMIT DRAWINGS**  
**NOT FOR CONSTRUCTION**

WHARVES STRENGTHENING PROGRAM  
 CARGO WHARVES I-VII

PROPOSED CONSTRUCTION SEQUENCE

SCALE: 1/4" = 1'-0"

EX-018

**Port of Miami**

STATE OF FLORIDA  
 PROFESSIONAL ENGINEER

THE W. PORTER LITTLESEY, INC.  
 No. 61426

PROJECT NUMBER: 00000000  
 DRAWN BY: [Signature]  
 CHECKED BY: [Signature]  
 PROJECT NUMBER: 00000000

REVISIONS:

NO.	DATE	DESCRIPTION
1	02/24/11	REVISED FOR CONSTRUCTION DRAWINGS
2	04/15/10	PERMIT SUBMITTAL

**HR**

**FEB 22 2011**

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

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

# Memorandum



**Date:** June 17, 2011

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

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

**Subject:** Class I Permit Application by Miami-Dade County to Install a New Seawall and Backfill Tidal Waters Adjacent to Fisherman's Channel and Along the South Side of the Port of Miami in Biscayne Bay, Miami-Dade County, Florida

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

**Attachment D**  
**DERM Project Report**

**PROJECT REPORT  
CLASS I PERMIT APPLICATION NO. 2010-CLI-PER-00169**

**APPLICATION BY MIAMI-DADE COUNTY FOR A CLASS I PERMIT TO INSTALL A  
NEW SEAWALL AND BACKFILL TIDAL WATERS ADJACENT TO FISHERMAN'S  
CHANNEL ALONG THE SOUTH SIDE OF THE PORT OF MIAMI IN BISCAYNE BAY**

**DATE: May 31, 2011**

is proposing to relocate existing corals prior to construction. Mitigation for water quality impacts associated with the installation of the new seawall and the filling of tidal waters will be completed through the placement of 5,525 cubic yards of artificial reef material on the Julia Tuttle Artificial Reef.

15. **Wetland Soils Suitable for Habitat** – The proposed project does not involve any work in wetland soils.
16. **Floral Values** – The proposed project will result in minimal impacts to floral values. Although the proposed project will result in impacts to macroalgae documented along the existing vertical wall, the new sheet pile wall will provide suitable habitat for the re-establishment of marine flora.
17. **Fauna Values** – The proposed project will result in minimal impacts to marine fauna. A dense coverage of invertebrate resources was documented along the existing vertical walls. In addition, the marine soils may support marine fauna, specifically, marine epifauna (animals living on the sediment surface or on the surface of other plants or animals) and infauna (animals living within submerged sediments). Although the proposed project will result in impacts to these resources, the new sheet pile wall will provide suitable habitat for the re-establishment of similar resources and the applicant is proposing to relocate existing corals prior to construction.  
  
The proposed project is located within an area designated by the Miami-Dade County Manatee Protection Plan (MPP) as essential habitat for *Trichechus manatus* (West Indian Manatee). The applicant will install a fender system along the new seawall that will provide at least four (4) feet of standoff at maximum operational compression to prevent manatees from being trapped or crushed by vessels docking at the facility. In addition, the Class I permit will require that all standard manatee conditions be followed during all in-water construction operations.
18. **Rare, Threatened and Endangered Species** – The proposed work is not reasonably expected to adversely affect rare, threatened and endangered species. The proposed project is located within an area designated by the MPP as essential habitat for the West Indian Manatee. The applicant will install a fender system along the new seawall that will provide at least four (4) feet of standoff at maximum operational compression to prevent manatees from being trapped or crushed by vessels docking at the facility. In addition, the Class I permit will require that all standard manatee conditions be followed during all in-water construction operations.
19. **Natural Flood Damage Protection** - The proposed project is not reasonably expected to adversely affect surface water drainage or retention of stormwater.
20. **Wetland Values** – The proposed project does not involve dredging or filling of wetlands.
21. **Land Use Classification** – Pursuant to Section 24-48.2(II)(A)(7), of the Code of Miami-Dade County, Florida, a substantiating letter shall be submitted stating that the proposed project does not violate any zoning laws. Said letter will be submitted after the approval by the Board of County Commissioners and prior to the issuance of a Class I permit.
22. **Recreation** - The proposed project does not conflict with the recreation element of the Miami-Dade County Comprehensive Development Master Plan.
23. **Other Environmental Values Affecting the Public Interest** – The proposed project is not reasonably expected to adversely affect other environmental values affecting the public interest. The proposed project will occur on lands owned entirely by Miami-Dade County.

**Objective 4/Policies 4A, 4B, 4C** - Water storage, aquifer recharge potential and maintenance of natural surface water drainage. - The proposed project is not reasonably expected to 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** - Fill material on-site is suitable for the support of development. – No fill material on-site will be used in associated with this project.

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

**Objective 9/Policies 9A, 9B, 9C** - Protection of habitat critical to Federal or State-designated threatened or endangered species. – The proposed project is located within an area designated by the MPP as essential habitat for the West Indian Manatee. Therefore, the applicant will install a fender system along the new seawall that will provide at least four (4) feet of standoff at maximum operational compression to prevent manatees from being trapped or crushed by vessels docking at the facility. In addition, the Class I permit will require that all standard manatee conditions be followed during all in-water construction operations.

#### **COASTAL MANAGEMENT ELEMENT VII:**

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

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

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

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

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

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

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

**35. Class I Permit Applications Proposing to Exceed the Boundaries Described in Section D-5.03(2)(a) of the Miami-Dade County Public Works Manual** – Not applicable.

The proposed project was also evaluated for compliance with the standards contained in Sections 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 complies with the following dredge and fill criteria specified in Section 24-48.3(2):

- Minimum dredging and filling for the creation and maintenance of marina, piers, docks and attendant navigational channels
- A physical modification to protect public or private property.

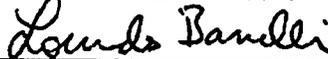
**24-48.3 (3) Minimum Water Depth Required for Boat Slips Created by the Construction or Placement of Fixed or Floating Docks and Piers, Piles and Other Structures Requiring a Permit Under Article IV, Division 1 of Chapter 24 of the Code of Miami-Dade County** - The proposed project is consistent with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

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

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



Lisa M. Spadafina, Manager  
Coastal Resources Section



Lourdes Barrelli, Biologist II  
Coastal Resources Section