Memorandum

MIAMI-DADE COUNTY

Agenda Item No. 5(P)

Date: May 7, 2013

To: Honorable Chairwoman Rebeca Sosa
and Members, Board of County Commissioners

From: Carlos A. Gimenez
Mayor

Subject: Class I Permit Application by Miami-Dade County to Trim and Alter Mangroves in a Coastal Band Community at the Vizcaya Museum and Gardens in the City of Miami

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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 Regulatory and Economic Resources and a proposed resolution approving the issuance of the Class I permit.

Jack Osterholt, Deputy Mayor

Memorandum

MIAMI-DADE COUNTY

Date: April 26, 2013

To: Carlos A. Gimenez
Mayor

From: Jack Osterholt, Deputy Mayor, Director
Department Regulatory and Economic Resources

Subject: Class I Permit Application by Miami-Dade County to Trim and Alter Mangroves in a Coastal Band Community at the Vizcaya Museum and Gardens in the City of Miami

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Recommendation
I have reviewed the attached application for a Class I permit 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 approve the issuance of a Class I permit for the reasons set forth below.

Scope
Vizcaya Museum and Gardens is located at 3251 South Miami Avenue, Miami in Commission District 7 (Commissioner Suarez).

Fiscal Impact/Funding Source
Not applicable

Track Record/Monitor
The Coastal and Wetlands Resources Section Manager, Lisa Spadafina, within the Department of Regulatory and Economic Resources, Division of Environmental Resources Management (RER-DERM), will be responsible for monitoring the proposed permit.

Background
This Class I permit application requests authorization to perform maintenance dredging and to trim and alter mangroves that are part of a coastal band community as defined in Section 24-5 of the Code. The proposed work will maintain access through the existing canal and re-establish historical views at the Vizcaya Museum and Gardens (Vizcaya), Miami. The proposed trimming and alteration of the mangroves must be approved by the Board at a public hearing because the scope of work is specifically referenced in Section 24-48.2 of the Code as work that shall be processed as a standard form application with a required public hearing.

Vizcaya is a National Historic Landmark that was originally built by James Deering in 1916 as a private residence and was conveyed to Miami-Dade County in 1952 to be preserved in perpetuity as a public museum featuring a main house, several outbuildings, and extensive grounds including ten acres of formal gardens and a native forest. The south side of the Vizcaya property consists of halophytic (salt tolerant) wetlands dominated by mature red mangrove trees and a manmade canal that runs adjacent to the southern property line and connects to Biscayne Bay. The wetland area extends beyond the southern property line and onto lands owned by the Archdiocese of Miami where Mercy Hospital is located. In 1986, RER-DERM issued a Class I permit that authorized the trimming of 6 mangrove trees along the canal but did not authorize trimming in any other locations. The mangroves have since grown to extend into historic view corridors and into previously navigable areas of the canal.

Therefore, Miami-Dade County, as landowner and applicant, has proposed minor trimming and alteration of the canopy, lateral branches, and drop-roots of the mangroves in order to preserve the historic aspects of Vizcaya, including view corridors and navigability of the waterway. Additional work proposed in this permit application includes the maintenance dredging of the canal to restore navigability and to enhance hydrological and biological functions to the adjacent wetlands. The Class I permit will authorize continued maintenance of the permitted mangrove configuration.

Section 24-48.3 of the Code requires mitigation for permittable projects that result in adverse environmental impacts. The proposed work will result in the removal of 814 square feet of mangrove canopy. Mitigation for these impacts will be satisfied through the planting of red mangroves within an area of equal size, located in the northern corner of the Vizcaya property. The Class I permit will require that the mitigation area be monitored for success, managed appropriately, and maintained free of exotics in perpetuity. Additionally, no submerged resources were documented within the canal in the area of the proposed work. Therefore, no mitigation for the proposed maintenance dredging of the canal is required.

The project was evaluated for consistency with the Miami-Dade County Manatee Protection Plan. The project site is not located in an area designated as essential habitat for the West Indian Manatee. However, the Class I permit will require that all standard construction permit conditions regarding manatees be followed during all in-water operations.

The proposed 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 Project Report which sets forth the reasons the proposed project is recommended for approval 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: Department of Regulatory and Economic Resources Project Report

MEMORANDUM
(Revised)

TO: Honorable Chairwoman Rebeca Sosa
and Members, Board of County Commissioners

DATE: May 7, 2013

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

SUBJECT: Agenda Item No. 5(P)

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 Mayor'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
Veto _____
Override _____

Agenda Item No. 5(P)
5-7-13

RESOLUTION NO. _____

RESOLUTION APPROVING A CLASS I PERMIT APPLICATION BY MIAMI-DADE COUNTY TO TRIM AND ALTER MANGROVES IN A COASTAL BAND COMMUNITY AT VIZCAYA MUSEUM AND GARDENS IN THE CITY OF MIAMI, MIAMI-DADE COUNTY, FLORIDA

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

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that this Board having considered all the applicable factors contained within Section 24-48.3 of the Code of Miami-Dade County, hereby approves the application by Miami-Dade County for a Class I permit application to trim and alter mangroves in a coastal band community at the Vizcaya Museum and Gardens in the City of Miami, Miami-Dade County, Florida, subject to the conditions set forth in the memorandum from the Miami-Dade County Department of Regulatory and Economic Resources, a copy of which is attached hereto and made a part hereof. The issuance of this approval does not relieve the applicant from obtaining all applicable Federal, State, and local permits.

The foregoing resolution was offered by Commissioner ,

who moved its adoption. The motion was seconded by Commissioner

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

Rebeca Sosa, Chairwoman
Lynda Bell, Vice Chair

Bruno A. Barreiro	Esteban L. Bovo, Jr.
Jose "Pepe" Diaz	Audrey M. Edmonson
Sally A. Heyman	Barbara J. Jordan
Jean Monestime	Dennis C. Moss
Sen. Javier D. Souto	Xavier L. Suarez
Juan C. Zapata	

The Chairperson thereupon declared the resolution duly passed and adopted this 7th day of May, 2013. 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.

Thomas H. Robertson

Attachment A

Class I Permit Application

MIAMI-DADE COUNTY

Class I Permit Application

FOR DEPARTMENTAL USE ONLY	
Date Received:	**Application Number: CLI-2012-0111** **Application Fee: $1,795.00**

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

1. Applicant Information:

Name: Miami - Dade County

Address: 111 NW 1st Street

Miami, FL Zip Code: 33128

Phone #: (305) 375-1451 Fax#: (305) 960-5442

Email:

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

2. Applicant's Authorized Permit Agent:

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

Name: Ian Simpkins

Address: 3251 South Miami Avenue

Miami, FL Zip Code: 33129

Phone #: (305) 860-8430 Fax #: (305) 285-7137

Email: ian.simpkins@vizcayamuseum.org

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

Folio #(s): 01-4114-005-0010 Latitude: 25.743001 Longitude: -80.211774

Street Address: 3251 South Miami Avenue Section: 14 Township: 54S Range: 41E

In City or Town: Miami Near City or Town:

Name of waterway at location of the activity: Man-made canal tidally connected to Biscayne Bay

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

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

☐ Other:

Estimated project cost = $ 120,000.00

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

5. Proposed Use (check all that apply):

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

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

Proposed Vessel Type (s): N/A

Vessel Make/Model (If known):

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

Total Number of Slips:

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

Issuing Agency	Type of Approval	Identification Number	Application Date	Approval Date
DEP	Exemption	13-0306054-002	4/19/2012	8/21/2012

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.)

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. ***

Signature of Authorized Representative | Lisa Martinez (Print Authorized Representative's Name) | Senior Advisor (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

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 3251 South Miami Avenue Miami-Dade County, Florida, otherwise identified in the public records of Miami-Dade County as Folio No. 01-4114-005-0010. 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.)

Print Name of Owner (Enter the complete name as registered)	Type (Corp, LLC, LLP, etc.)	State of Registration/Incorporation
Miami – Dade County	Local Government	Florida

Address of Owner: 111 NW 1st Street, Miami, FL 33128

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

Signature of Authorized Representative	Print Authorized Representative's Name	Title	Date
	Lisa Martinez	Senior Advisor	
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

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 3601 South Miami Avenue Miami-Dade County, Florida, otherwise identified in the public records of Miami-Dade County as Folio No. 01-4114-005-0051. 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.)

The Archdiocese of Miami

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

9401 Biscayne Boulevard, Miami Shores FL 33138

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. ***

Sr. Elizabeth Worley, SSJ | Sr. Elizabeth Worley, SSJ | Chief Operating Officer | 1-11-13

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

RECEIVED
FEB 20 2013
PERM... Resources Section
Natural Reso... Regulation & Restoration

Revised 11/16/09

Attachment B

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

PERMIT APPLICANT/ AUTHORIZED AGENT STATEMENT

Date: April 26, 2013

To:
Miami Dade County Department of Regulatory and Economic Resources
Class I Permitting Program
701 NW 1st Court
Miami FL, 33136

Re: Class I Permit Application Number CLI-2012-0111

By the attached Class I Standard Form permit application with supporting documents, I, Lisa Martinez, Senior Advisor, Miami Dade-County, am the permit applicant and hereby request permission to perform the work associated with Class I permit application CLI-2012-0111. 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 Regulatory and Economic Resources. 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,

Lisa Martinez, Senior Advisor
Miami-Dade County
Permit Applicant

ENGINEER LETTER OF CERTIFICATION

Note: Please insert applicable information

February 13, 2013

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

RE: Class I Permit Application Number CLI-2012-0111
Vizcaya Museum and Gardens-Maintenance Dredging and Mangrove Trimming

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, the *applicant intends to retain me, contingent upon available funding at the time of construction*, 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 contract to me.

Sincerely,

Richard W. Earp, P.E.
P.E. # 57430
2-13-13

RECEIVED
FEB 20 2013

E Sciences, INCORPORATED
111 NE First Street, Suite 906 • Miami, FL 33132
ph 786-517-2632 fax 305-397-1556
www.esciencesinc.com

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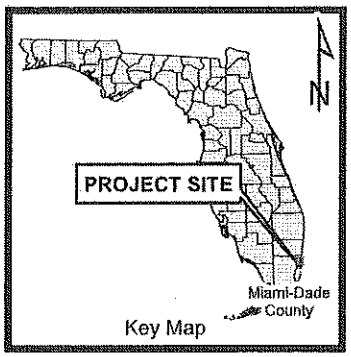
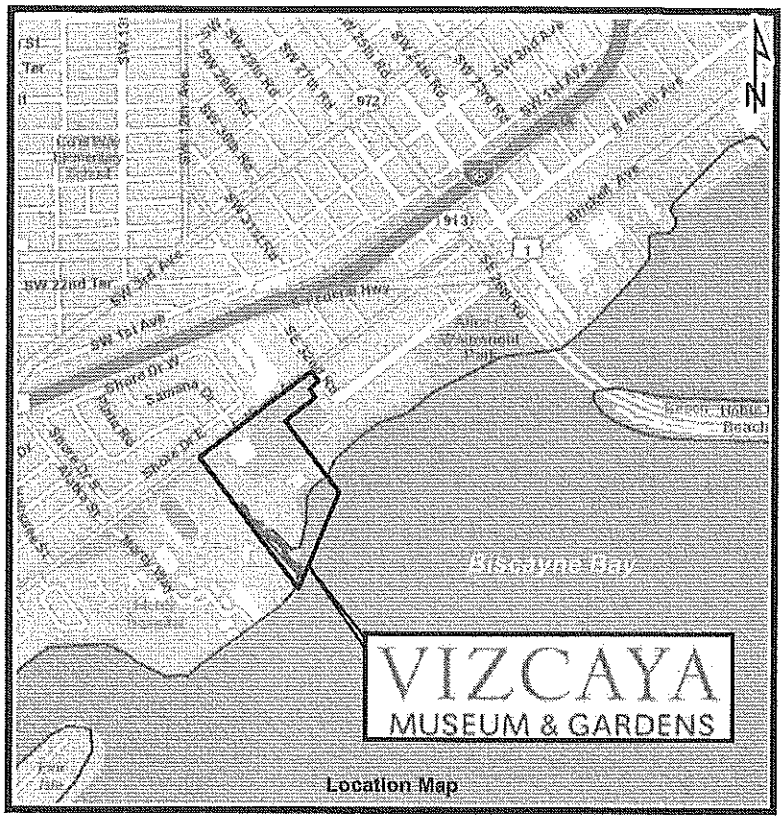
Natural Resc... Reg...





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Vizcaya Museum and Gardens South Canal Restoration - Phase 1

Miami-Dade Project Number: EDP-VZ-VZ065

E Sciences Project Number 7-0091-002

Survey provided by:
Manuel G. Vera & Associates, Inc. dated 2-27-2012. Reduced survey plan sheets have been attached to this plan set for reference. Full sized and scaled survey sheets have been provided under separate cover.

Prepared for:
Vizcaya Museum and Gardens
3251 South Miami Avenue
Miami, FL 33129
Phone: 305-860-8430

Prepared on:
2/4/13

Prepared by:
E Sciences, Incorporated
FL Engineering Lic. #8691
111 NE 1st St., Suite 906
Miami, FL 33132
www.esciencesinc.com
Phone: 786-517-2632

This restoration plan was funded in part, through a grant agreement from the Florida Department of Environmental Protection, Florida Coastal Management Program, by a grant provided by the Office of Ocean and Coastal Resource Management under the Coastal Zone Management Act of 1972, as amended, National Oceanic and Atmospheric Administration Award No. # NA11NOS4190073. The views, statements, findings, conclusions and recommendations expressed herein are those of the author(s) and do not necessarily reflect the views of the State of Florida, NOAA or any of their subagencies.

Professional of Record for Figures 2 through 15:

PROFESSIONAL OF RECORD
Richard W. Earp, P.E.

Date: _____
Florida License Number: 57430

Attention is directed to the fact that these plans may have been altered in size by reproduction. This must be considered when obtaining scaled data.

Erosion Control

The Contractor shall prepare and submit a Stormwater Pollution Prevention Plan, a Spill Prevention Plan, and a Notice of Intent for coverage under the National Pollution Discharge Elimination System (NPDES) Construction Generic Permit to the Florida Department of Environmental Protection at least 48 hours prior to beginning construction. The Contractor shall meet all permit requirements throughout the construction. Erosion Control Pay Item shall include all costs associated with permit preparation, submittal, compliance, and turbidity testing as required.

This project is adjacent to Biscayne Bay, which is designated an Outstanding Florida Water. No degradation of water quality, increased turbidity of the water, and/or the discharge of any foreign material into Biscayne Bay shall be permitted. Turbidity from construction cannot exceed 0 nephelometric turbidity units (NTUs) above background in the Bay. The contractor will be required to use Best Management Practices and comply with the most recent edition of the FDOT's *Standard Specifications for Road and Bridge Construction* (Section 104) to ensure that no adverse or secondary impacts will occur to the water quality from construction activities. All activities associated with construction shall be in compliance with the current National Pollutant Discharge Elimination System requirements, and any other permit requirements.

The Contractor shall develop the schedule and sequence of all soil disturbing activities and provide same to the Engineer of Record for acceptance prior to beginning construction.

The Contractor shall describe means, methods, and proposed equipment to be used for construction and provide same to the Engineer of Record for acceptance prior to beginning construction. Only shallow draft equipment shall be acceptable for use within the construction area or within Biscayne Bay.

The Contractor shall install all erosion control best management practices prior to beginning work.

Material

All excavated material within the limits of dredging shall become the property of the contactor and shall be removed from the project limits and placed at an appropriate upland disposal area.

The Contractor shall comply with all legal load restrictions when hauling materials or equipment. No permit shall relieve the contractor from any liability for damage or injury, which may result from moving equipment or material.

The Channel Excavation Pay Item shall include all cost associated with removal, temporary storage, removal of excess moisture, removal of material from the project area, and proper disposal of all excavated material.

The Contractor shall use extreme care to avoid damage of historic structures, bridges, abutments, terraces, walls, columns, and similar structures. The Contractor shall keep all equipment at least 10-feet away from all structures at all times.

Miscellaneous

The Contractor shall demonstrate previous experience working in close proximity to mangroves, seagrass, or similar ecologically sensitive areas without causing damage to same.

The Contractor shall prepare informational signs for identifying and protecting manatees and crocodiles that will be posted throughout the construction site and along proposed access roads. The protection measures will be reviewed with construction personnel during project orientation and will be presented as necessary during weekly safety meetings. Construction personnel will be instructed on how to identify manatees and crocodiles and appropriate measures to respond and protect these animals if sighted. The contractor will be responsible for ensuring these animals are not harmed or harassed during the duration of the project.

All permits shall be posted at the jobsite by the contractor and made readily accessible throughout the duration of the project.

The Contractor shall assume all responsibility for making his own determination as to the type and location of underground and other utilities as may be necessary to avoid damage thereto, maintain safety all times, and coordinate relocation as necessary.

All property affected by this work shall be restored to a condition equal to or better than existing. The cost for such restoration shall be incidental to construction and no additional compensation will be allowed.

Apparent errors, discrepancies or omissions within this set of plans shall be brought to the Engineer of Record's attention before bidding. No additional payment will be allowed for any work required due to misunderstanding of the job or site conditions affecting the work described in the specifications or shown in the drawings. The contractor shall not take advantage of any apparent error or omission in the drawings, and the engineer shall be permitted to make corrections and interpretations as may be deemed necessary for fulfillment of the intent of the contract documents. The submission of a proposal will acknowledge acceptance of these conditions by the bidder.

Mangrove roots and branches shall be protected at all times, except as specified in the mangrove trimming specifications. A 1 foot buffer shall be maintained between mangrove roots and dredged material. Seagrass shall be protected at all times.

Hydraulic pipeline will not go through wetlands of a National Forest Community. Stockpile area and pipeline route approval are contingent upon inspection by the county.

PROFESSIONAL OF RECORD
RICHARD W. EARP P.E.

Date: _____

Florida License Number: 57430

E Sciences, Incorporated
FL Engineering Lic. #8691
111 NE 1st St., Suite 906
Miami, Florida, 33132
www.esciencesinc.com
Phone: 786-517-2632
Fax: 305-397-1556

VIZCAYA MUSEUM AND GARDENS SOUTH CANAL RESTORATION - PHASE I

Section 14, Township 54S, Range 41E
3251 South Miami Avenue
Miami, Miami-Dade County, Florida

CONSTRUCTION NOTES

FIGURE 2

DRAWN BY: RM	CHECKED BY: GC	PROJECT NUMBER: 7-0091-002	DATE: 2/4/2013

P:\Projects\7-0000-00997-0091-00214_figures and drawings\CADD\Cross Sections.dwg

Estimate of Quantities				
Reference Number	FDOT Index	Item Description	Unit	Quantity
1	101-1	Mobilization	LS	1
2	120-2.5	Channel Excavation	CY	1,100
3	104-5	Erosion Control	LS	1
4	104-13	Staked Silt Fence	LF	950
5	104-11	Floating Turbidity Barrier	LF	350
6		Mangrove Trimming	LS	1
7		Identify and protect manatees and crocodiles	LS	1

- Quantities shown above are for information purposes only and must be verified by the contractor prior to bid.
- Construction Specifications: FDOT Standard Specifications for Road and Bridge Construction 2010 as Amended.

Future Maintenance

Figures 2 through 15 may be relied upon as signed and sealed drawings for the initial restoration exclusively. The drawings may not be relied upon for other purposes without the Engineer of Record's prior written permission. Use of these drawings other than for the initial restoration is at the user's sole risk.

It is the intent of Vizcaya to perform maintenance dredging of the canal on an as needed basis within the same limits as indicated for this project, and to trim mangroves in perpetuity within the waterway within 9 feet of either side of the centerline and to provide a 12 foot clearance from the MHWL (1.77'). Fallen trees will be cut and removed from the waterway. It is our understanding that by issuance of a permit for the restoration, Miami-Dade Regulatory and Economic Resources Department is accepting the maintenance dredging and mangrove trimming into perpetuity.

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VIZCAYA MUSEUM AND GARDENS SOUTH CANAL RESTORATION - PHASE I

Section 14, Township 54S, Range 41E
3251 South Miami Avenue
Miami, Miami-Dade County, Florida

QUANTITIES AND FUTURE MAINTENANCE NOTES

FIGURE 3

DRAWN BY: LG	CHECKED BY: GC	PROJECT NUMBER: 7-0091-002	DATE: 2/7/2013

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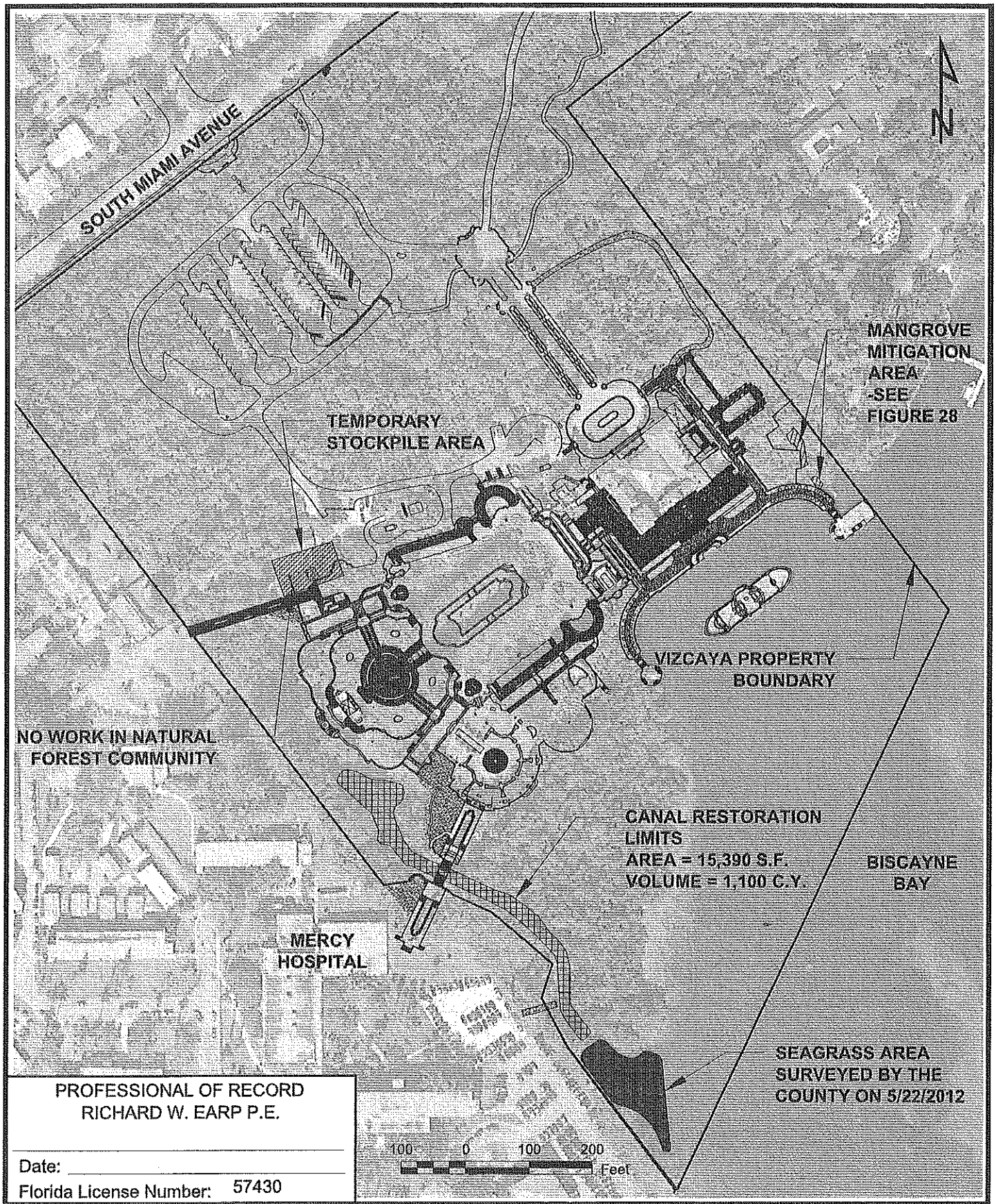

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VIZCAYA MUSEUM AND GARDENS SOUTH CANAL RESTORATION - PHASE I

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Miami, Miami-Dade County, Florida

SITE PLAN

FIGURE 4

DRAWN BY: RM	CHECKED BY: GC	PROJECT NUMBER: 7-0091-002	SCALE: 1" = 200'	DATE: 2/6/2013

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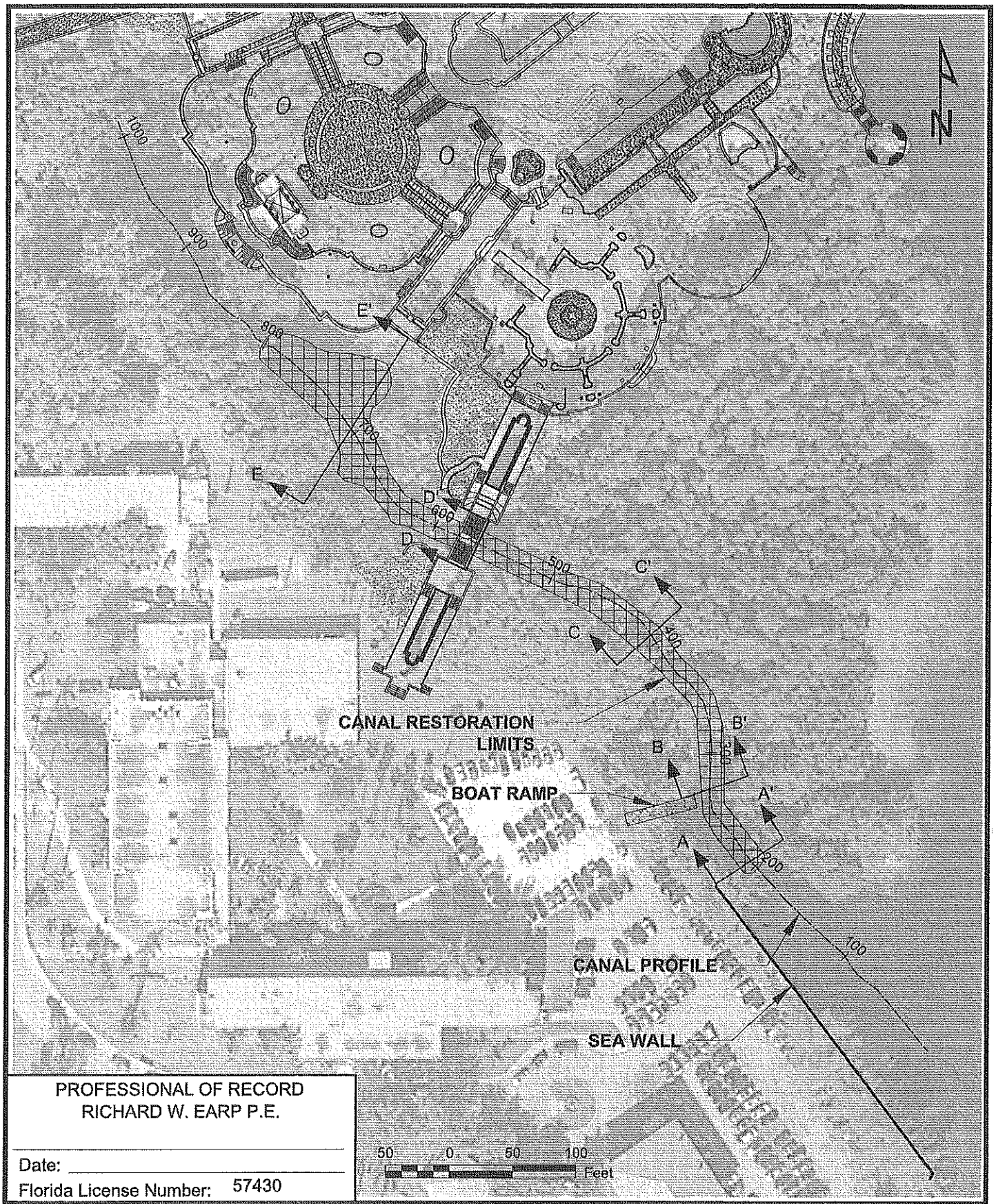

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VIZCAYA MUSEUM AND GARDENS SOUTH CANAL RESTORATION - PHASE I

Section 14, Township 54S, Range 41E
3251 South Miami Avenue
Miami, Miami-Dade County, Florida

PLAN VIEW

FIGURE 5

DRAWN BY: RM	CHECKED BY: GC	PROJECT NUMBER: 7-0091-002	SCALE: 1" = 100'	DATE: 2/4/2013

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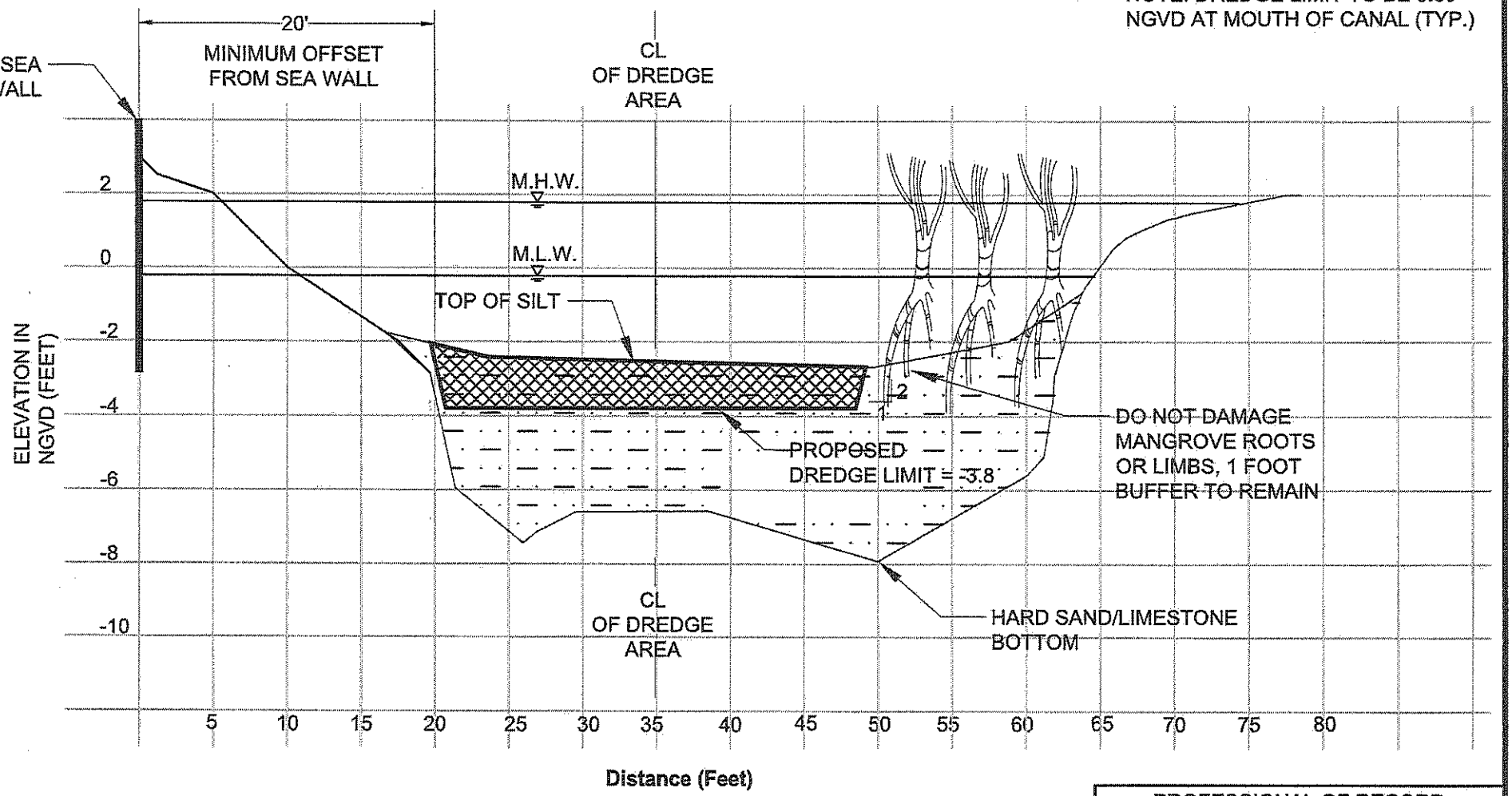
NOTE: DREDGE LIMIT TO BE 3.69' NGVD AT MOUTH OF CANAL (TYP.)



SILT

MATERIAL TO BE REMOVED

A-A'

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VIZCAYA MUSEUM AND GARDENS SOUTH CANAL RESTORATION - PHASE I

3251 South Miami Avenue
Section 14, Township 54S, Range 41E
Miami, Miami-Dade County, Florida

CROSS SECTION A-A'

SCALE: Vertical: 1"=4' Horizontal: 1"=10'

DATE: 2/7/2013

FIGURE 7

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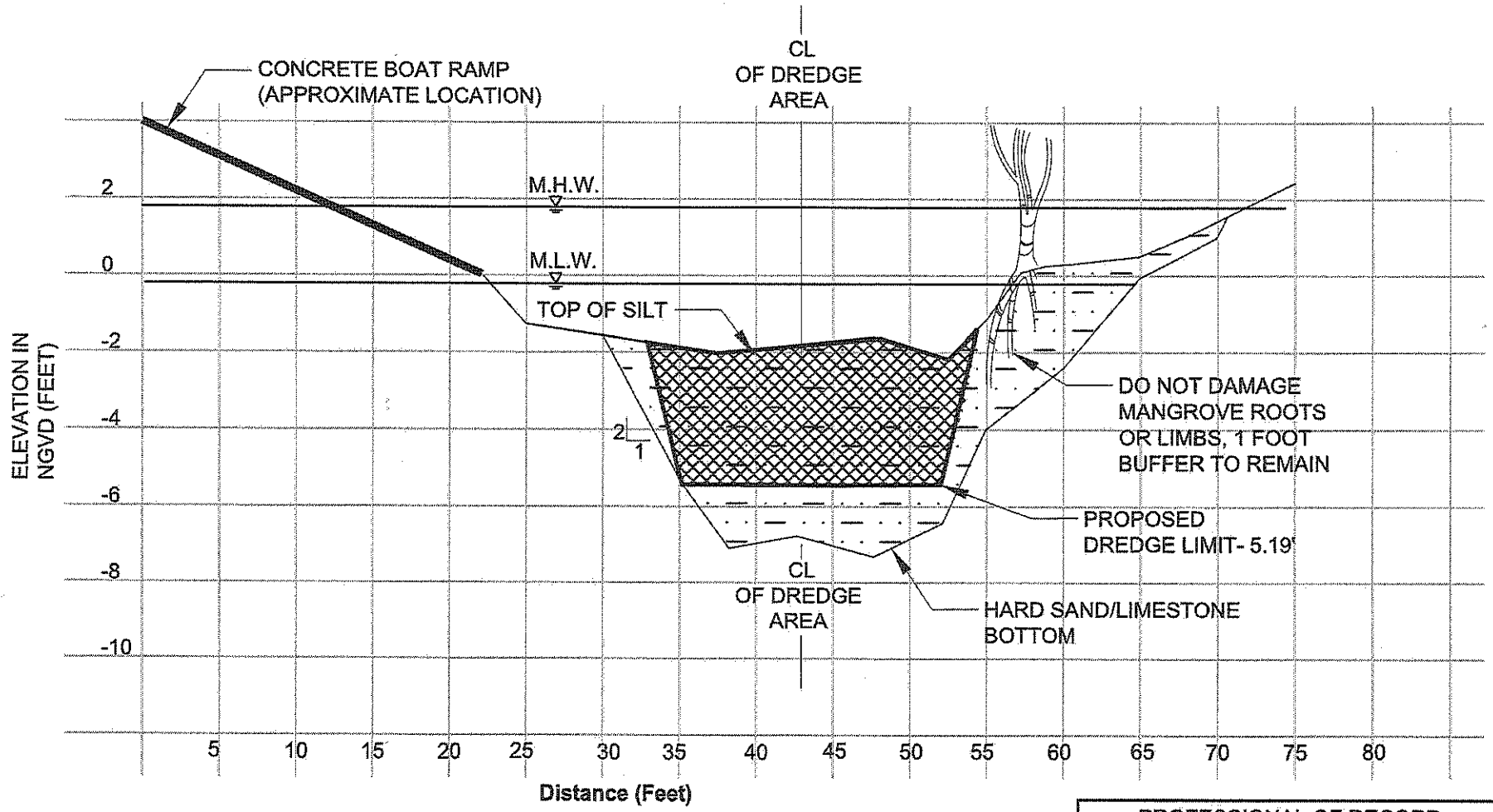

SILT

MATERIAL TO BE REMOVED

B-B'

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VIZCAYA MUSEUM AND GARDENS SOUTH CANAL RESTORATION - PHASE I

3251 South Miami Avenue
Section 14, Township 54S, Range 41E
Miami, Miami-Dade County, Florida

CROSS SECTION
B-B'

SCALE: Vertical: 1"=4' Horizontal: 1"=10'

DATE: 2/4/2013

FIGURE 8

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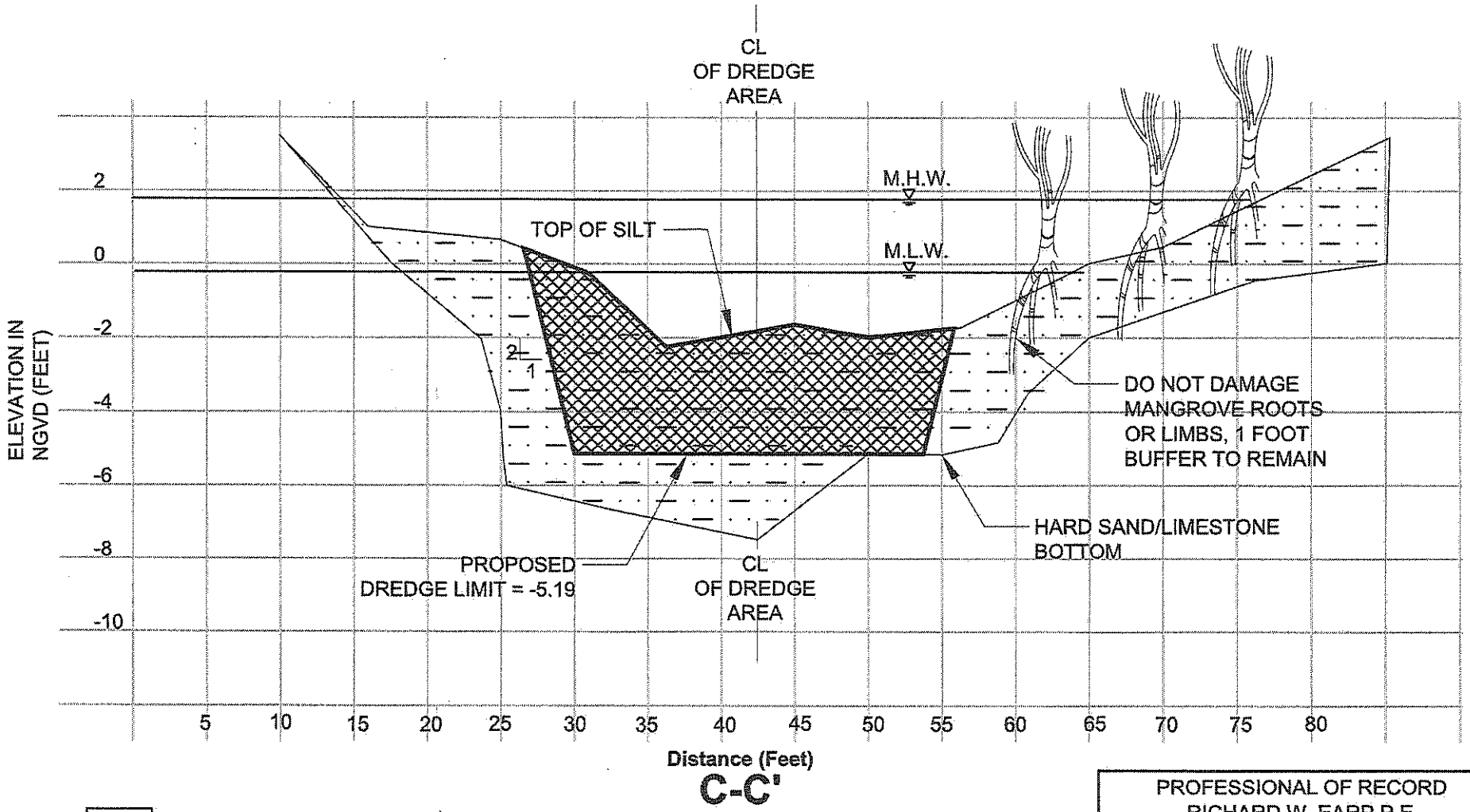

C-C'

SILT

MATERIAL TO BE REMOVED

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VIZCAYA MUSEUM AND GARDENS
SOUTH CANAL RESTORATION - PHASE I

3251 South Miami Avenue
Section 14, Township 54S, Range 41E
Miami, Miami-Dade County, Florida

CROSS SECTION
9 C-C'

SCALE: Vertical: 1"=4' Horizontal: 1"=10'

DATE: 2/6/2013

FIGURE
9

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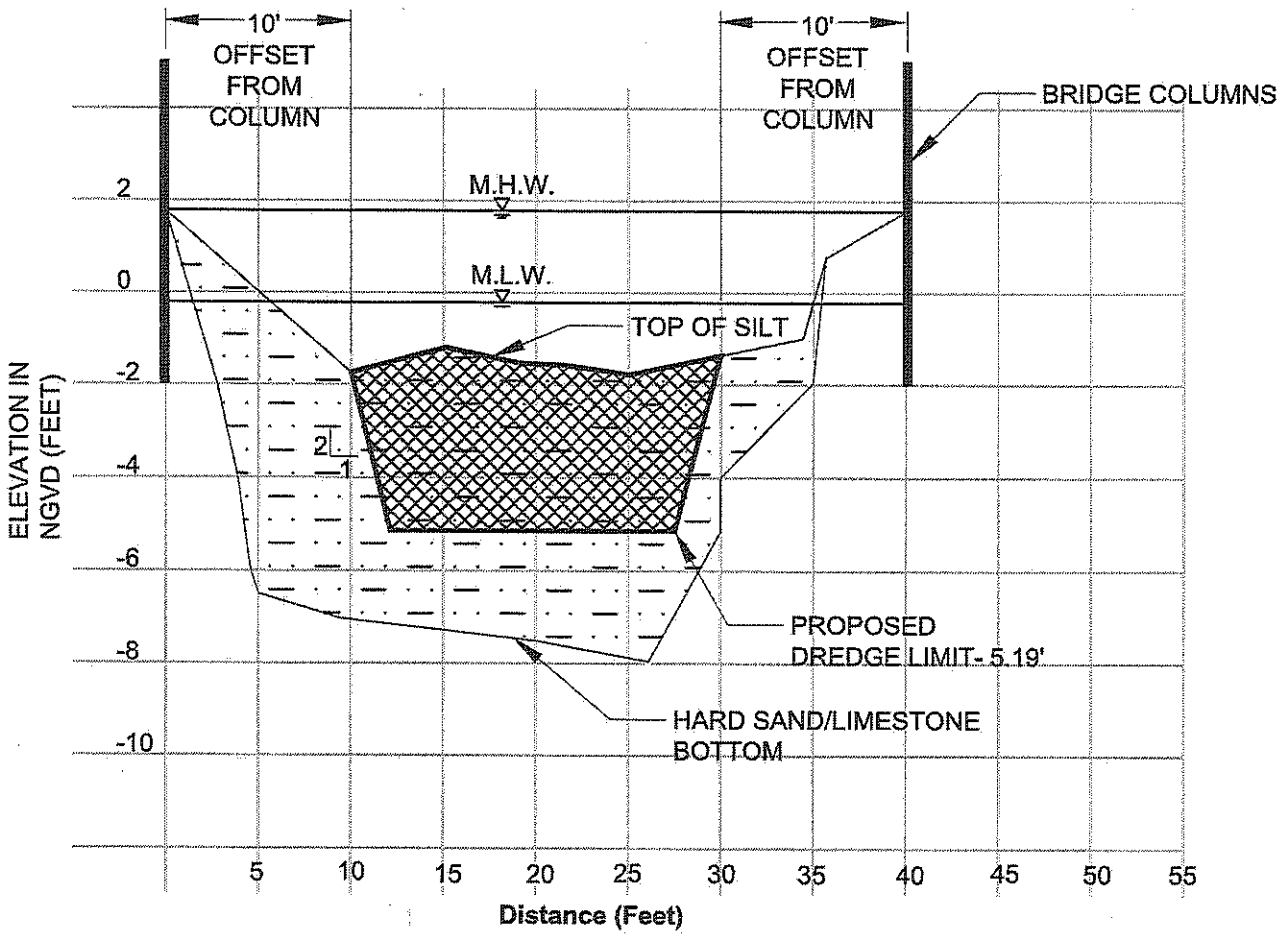

D-D'

SILT

MATERIAL TO BE REMOVED

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Date:

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VIZCAYA MUSEUM AND GARDENS
SOUTH CANAL RESTORATION - PHASE I

3251 South Miami Avenue
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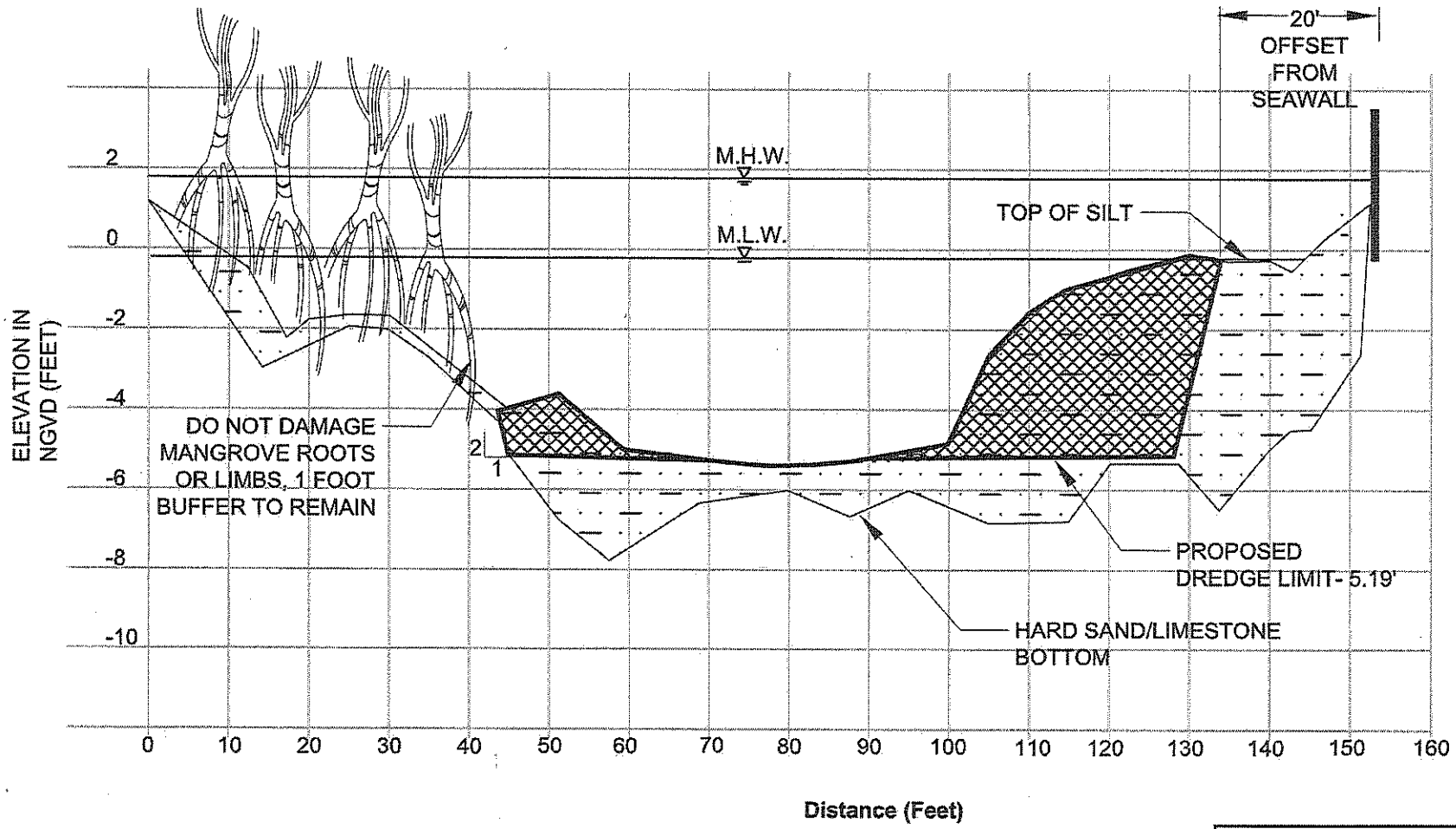
CROSS SECTION
D-D'

SCALE: Vertical: 1"=4' Horizontal: 1"=10'

DATE: 2/4/2013

FIGURE
10

P:\Projects\7-0000-0099\7-0091-002\4_figures and drawings\CADD\Cross Sections.dwg



E-E'

SILT

MATERIAL TO BE REMOVED

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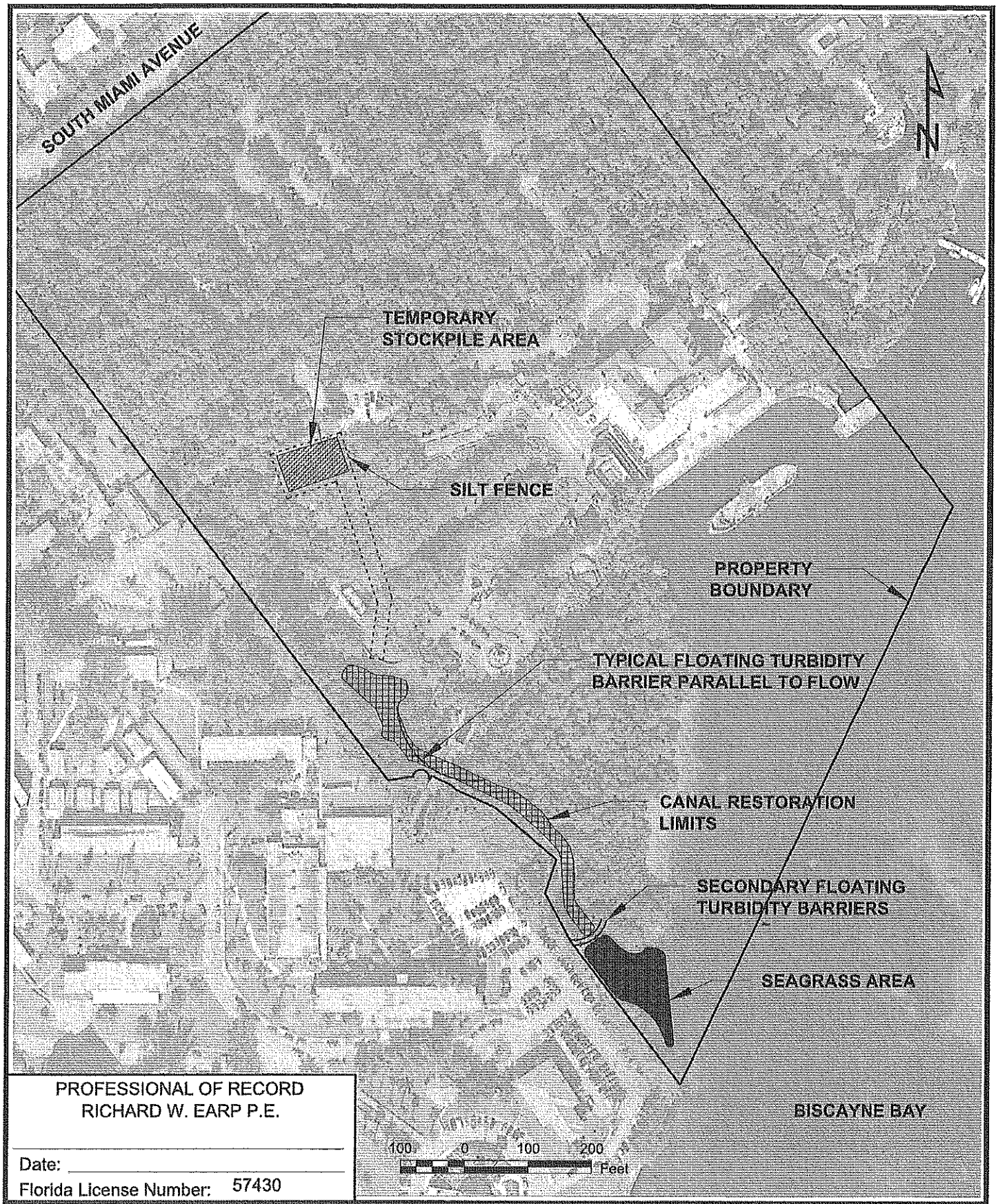
Miami, Miami-Dade County, Florida

CROSS SECTION
E-E'

SCALE: Vertical: 1"=4' Horizontal: 1"=10'

DATE: 2/4/2013

FIGURE
11



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VIZCAYA MUSEUM AND GARDENS SOUTH CANAL RESTORATION - PHASE I

Section 14, Township 54S, Range 41E
3251 South Miami Avenue
Miami, Miami-Dade County, Florida

SEDIMENT & EROSION CONTROL PLAN

FIGURE 12

DRAWN BY: RM	CHECKED BY: GC	PROJECT NUMBER: 7-0091-002	SCALE: 1" = 200'	DATE: 2/4/2013

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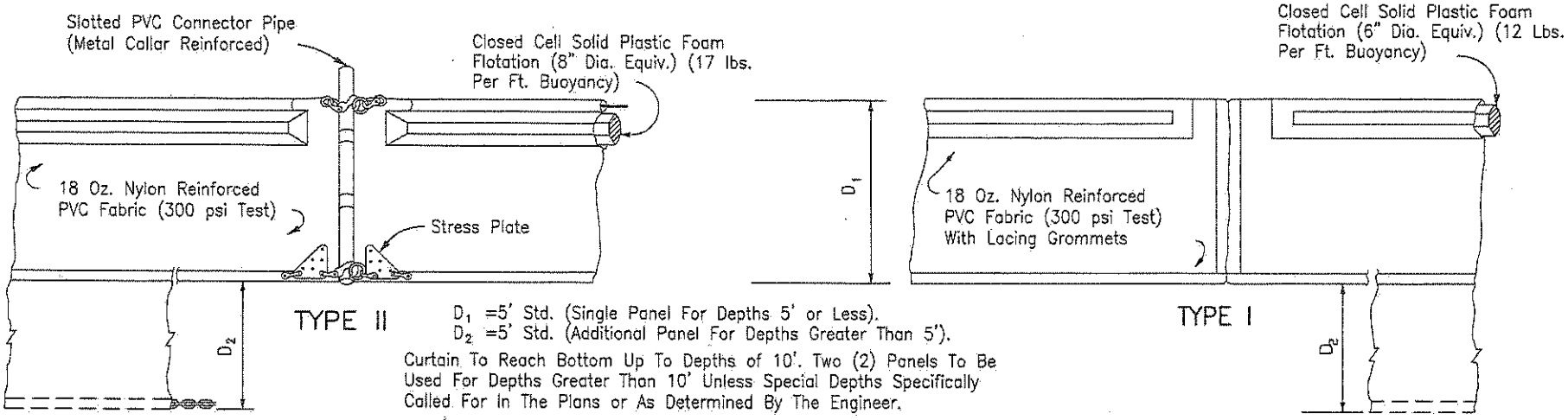
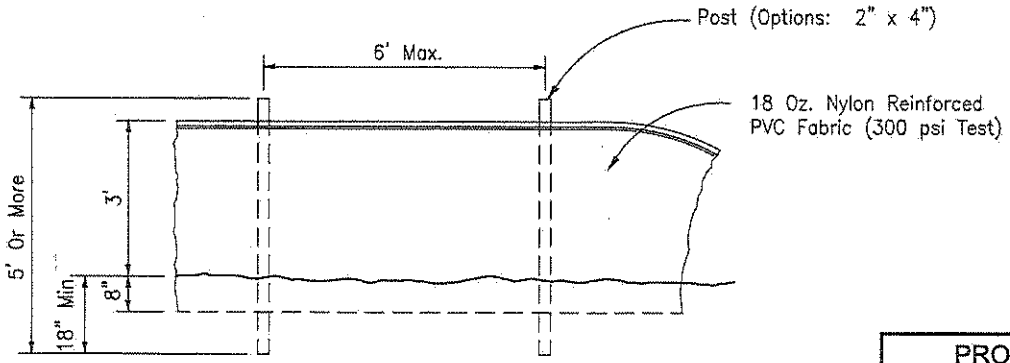


D_1 =5' Std. (Single Panel For Depths 5' or Less).
D_2 =5' Std. (Additional Panel For Depths Greater Than 5').
Curtain To Reach Bottom Up To Depths of 10'. Two (2) Panels To Be Used For Depths Greater Than 10' Unless Special Depths Specifically Called For In The Plans or As Determined By The Engineer.

FLOATING TURBIDITY BARRIERS



STAKED TURBIDITY BARRIER

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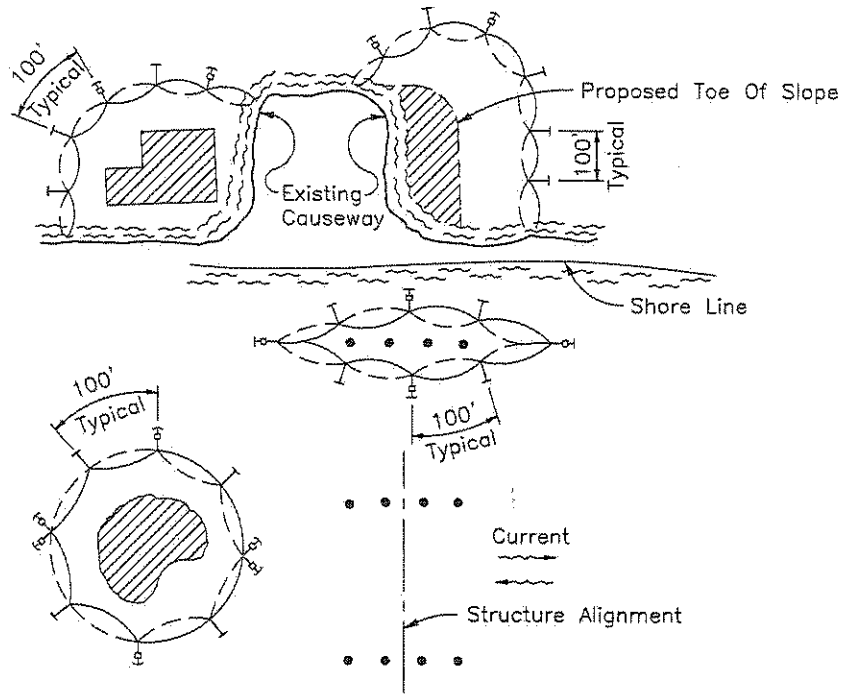
VIZCAYA MUSEUM AND GARDENS
SOUTH CANAL RESTORATION - PHASE I

3251 South Miami Avenue
Section 14, Township 54S, Range 41E
Miami, Miami-Dade County, Florida

TURBIDITY BARRIER DETAILS

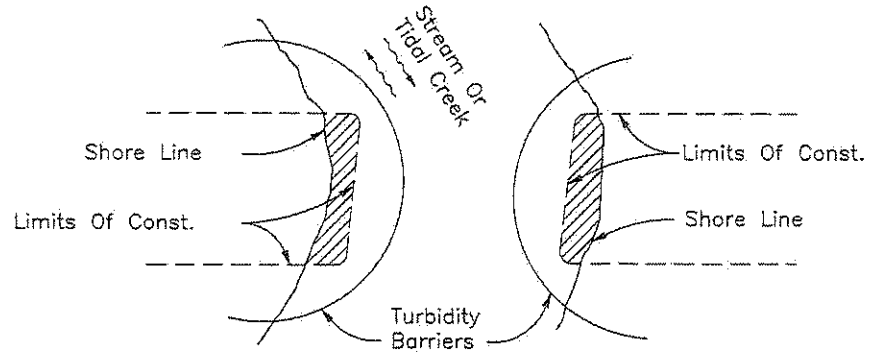
SCALE:	DATE:
NOT TO SCALE	2/4/2013

FIGURE 13



LEGEND

- Pile Locations
- Dredge Or Fill Area
- Mooring Buoy w/Anchor
- Anchor
- Barrier Movement Due To Current Action



NOTES:

1. Turbidity barriers are to be used in all permanent bodies of water regardless of water depth.
2. Number and spacing of anchors dependent on current velocities.
3. Deployment of barrier around pile locations may vary to accommodate construction operations.

Note:
Turbidity barriers for flowing streams and tidal creeks may be either floating, or staked types or any combinations of types that will suit site conditions and meet erosion control and water quality requirements. The barrier type(s) will be at the Contractors option unless otherwise specified in the plans.

FLOATING TURBIDITY BARRIER - STANDARD DETAIL

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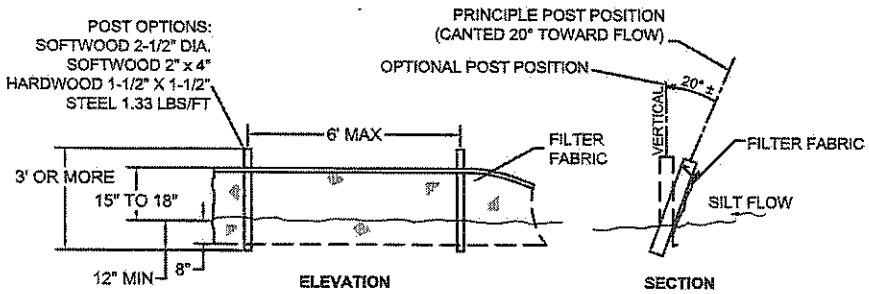
VIZCAYA MUSEUM AND GARDENS
SOUTH CANAL RESTORATION - PHASE I

3251 South Miami Avenue
Section 14, Township 54S, Range 41E
Miami, Miami-Dade County, Florida

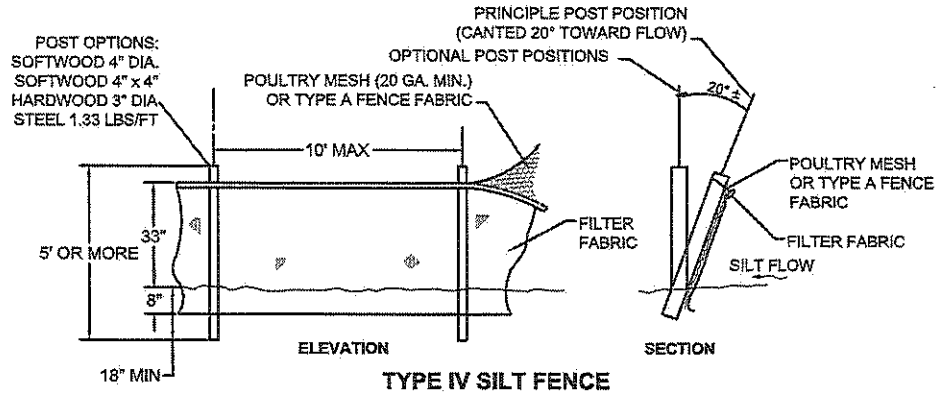
FLOATING TURBIDITY BARRIER DETAIL

SCALE: NOT TO SCALE	DATE: 2/4/2013

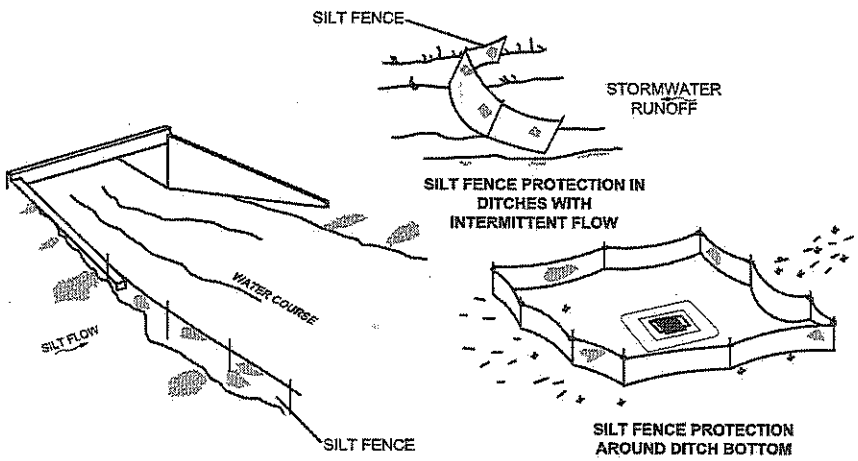
FIGURE 14



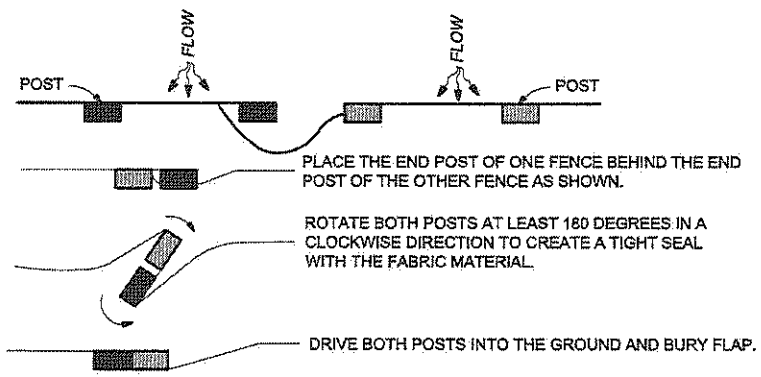
TYPE III SILT FENCE



TYPE IV SILT FENCE



SILT FENCE APPLICATIONS



PLAN VIEW
JOINING TWO SILT FENCES

NOTES:

1. Type III Silt Fence to be used at most locations.
2. Type IV Silt Fence to be used where large sediment loads are anticipated. Suggested use is where fill slope is 1:2 or steeper and length of slope exceeds 25 feet. Avoid use where the detained water may back into travel lanes or off the right-of-way.
3. Do not construct silt fences across permanent flowing watercourses. Silt fences are to be at upland locations and turbidity barriers used at permanent bodies of water.
4. When used as slope protection, silt fence is to be constructed on 0% longitudinal grade to avoid channelizing runoff along the length of the fence.

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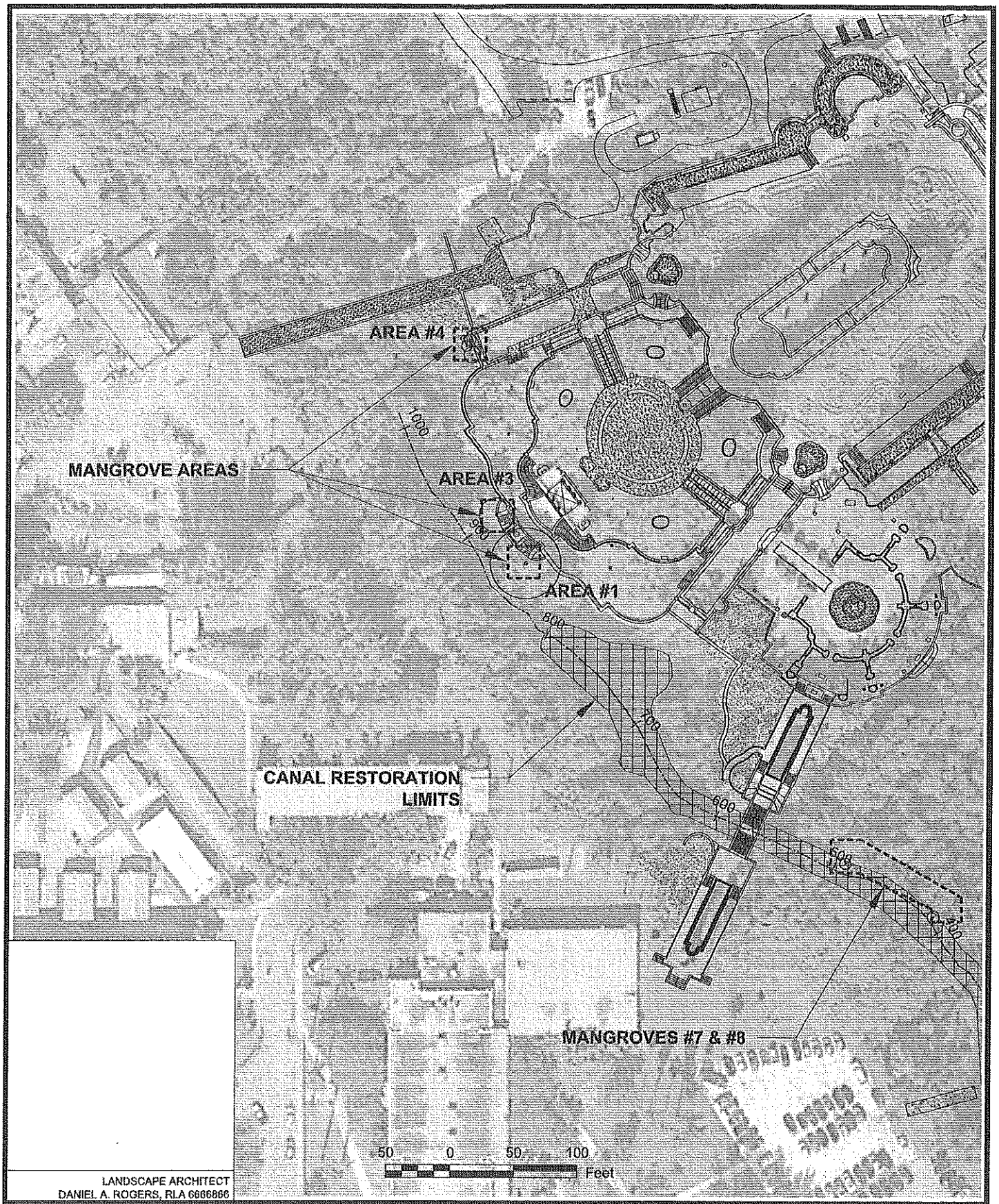
VIZCAYA MUSEUM AND GARDENS
SOUTH CANAL RESTORATION - PHASE I

3251 South Miami Avenue
Section 14, Township 54S, Range 41E
Miami, Miami-Dade County, Florida

SILT FENCE DETAIL

SCALE: NOT TO SCALE	DATE: 2/4/2013

FIGURE
15



LANDSCAPE ARCHITECT
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VIZCAYA MUSEUM AND GARDENS SOUTH CANAL RESTORATION - PHASE I

Section 14, Township 54S, Range 41E
3251 South Miami Avenue
Miami, Miami-Dade County, Florida

EXISTING MANGROVE SITE PLAN

FIGURE 16

DRAWN BY: MA	CHECKED BY: GC	PROJECT NUMBER: 7-0091-002	SCALE: 1" = 100'	DATE: 2/6/2013

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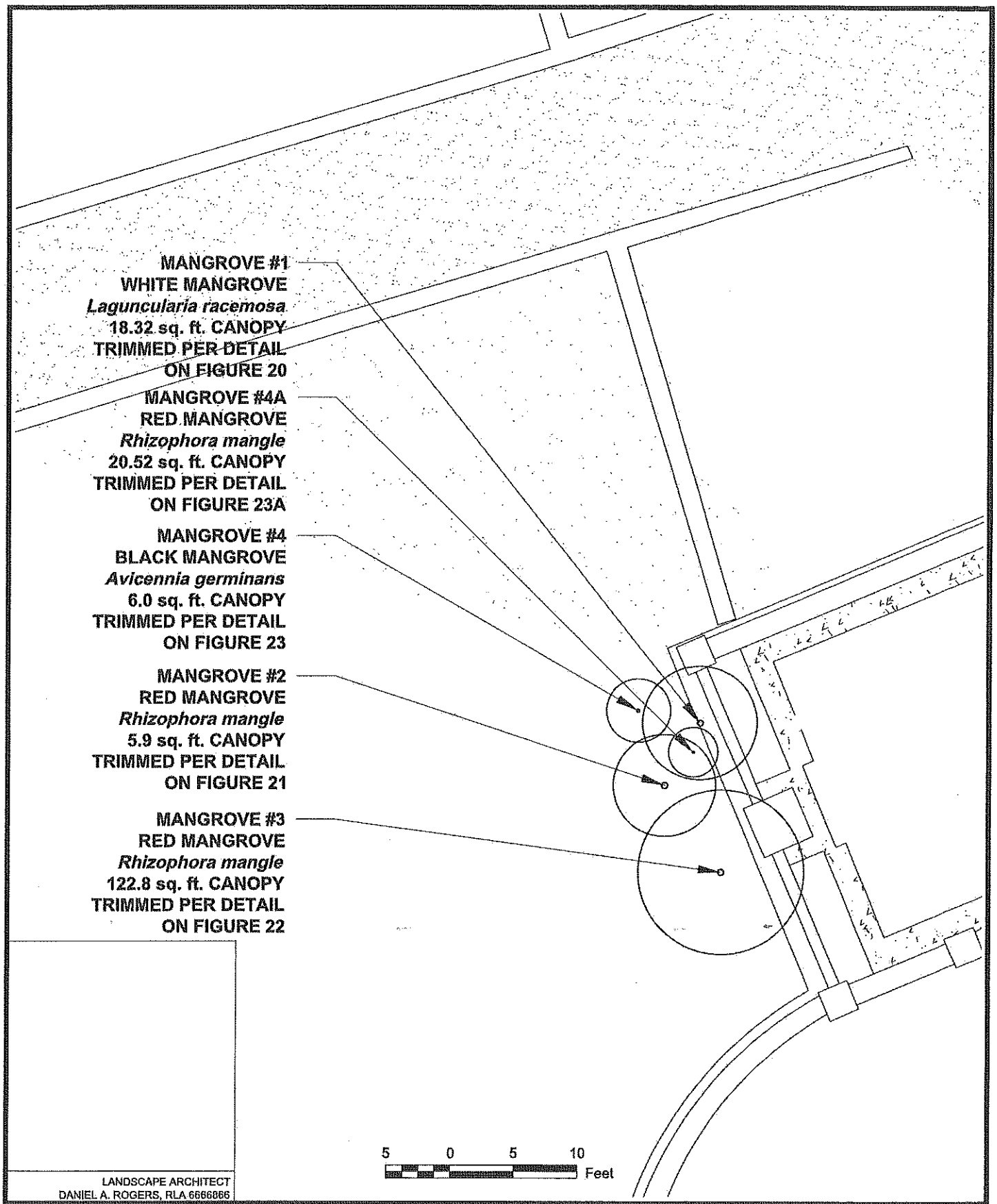

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3251 South Miami Avenue
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ENLARGED MANGROVE AREA #4 PLAN

FIGURE 17

DRAWN BY: MA	CHECKED BY: GC	PROJECT NUMBER: 7-0091-002	SCALE: 1" = 10'	DATE: 2/4/2013

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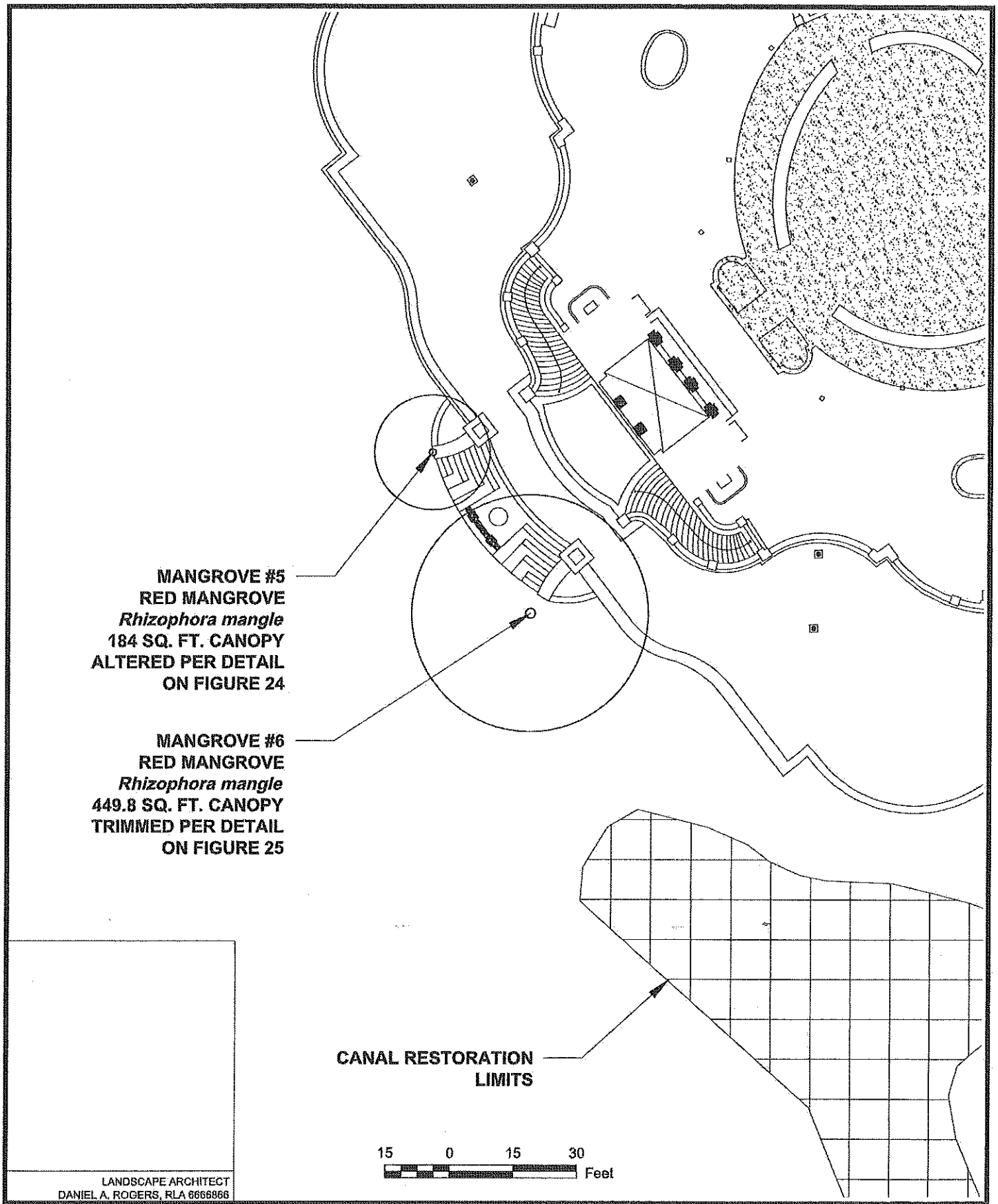

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VIZCAYA MUSEUM AND GARDENS SOUTH CANAL RESTORATION - PHASE I

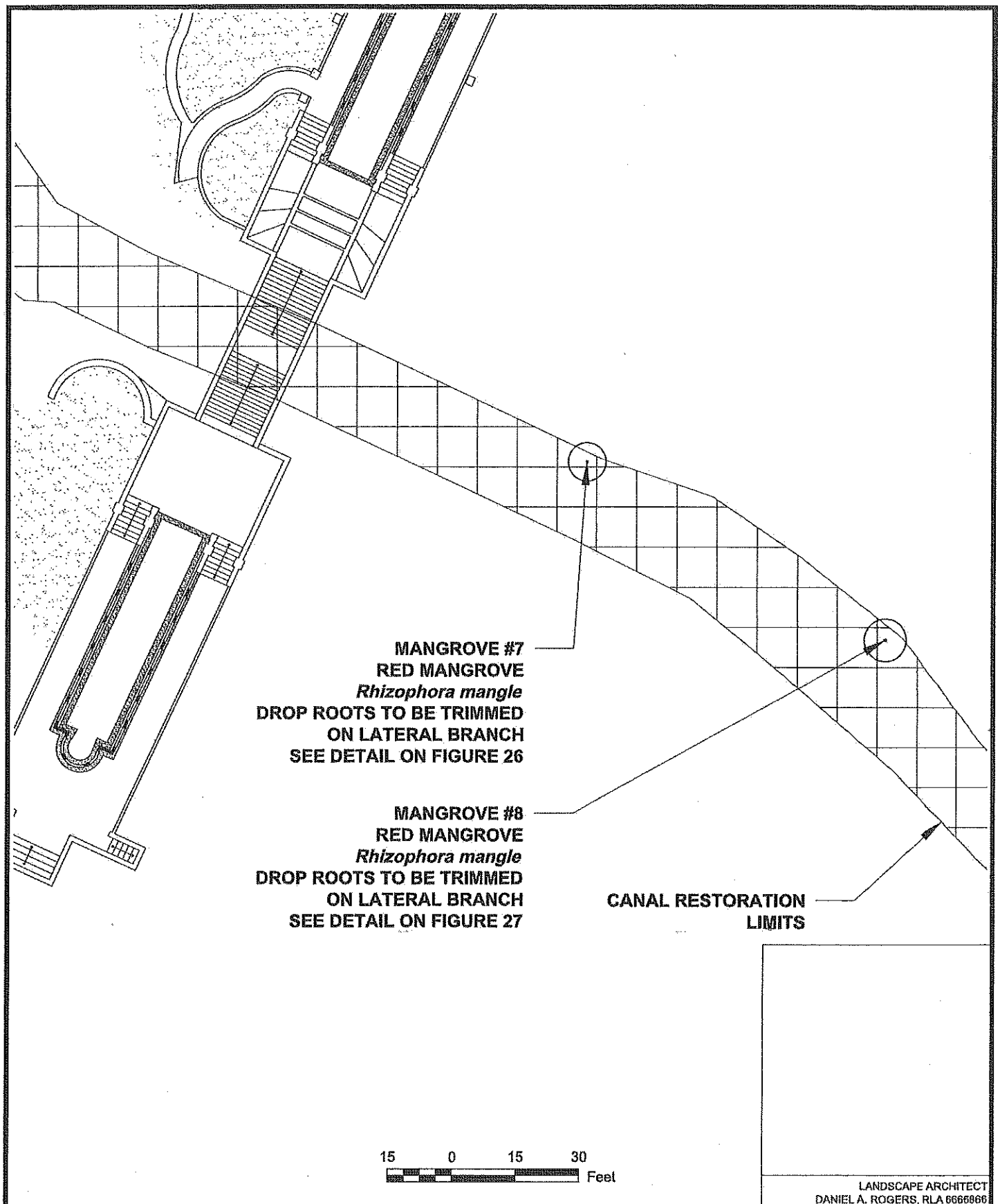
Section 14, Township 54S, Range 41E
3251 South Miami Avenue
Miami, Miami-Dade County, Florida

ENLARGED MANGROVE AREA #1 & #3 PLAN

SCALE: 1" = 30'
DATE: 2/4/2013

FIGURE 18

P:\Projects\7-0000-00997-0091-002\4_figures and drawings\CAD\Mangrove Plan Sheets.dwg



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VIZCAYA MUSEUM AND GARDENS SOUTH CANAL RESTORATION - PHASE I

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3251 South Miami Avenue
Miami, Miami-Dade County, Florida

ENLARGED MANGROVE DROP ROOT TRIMMING PLAN

FIGURE 19

DRAWN BY: MA	CHECKED BY: GC	PROJECT NUMBER: 7-0091-002	SCALE: 1" = 30'	DATE: 2/4/2013

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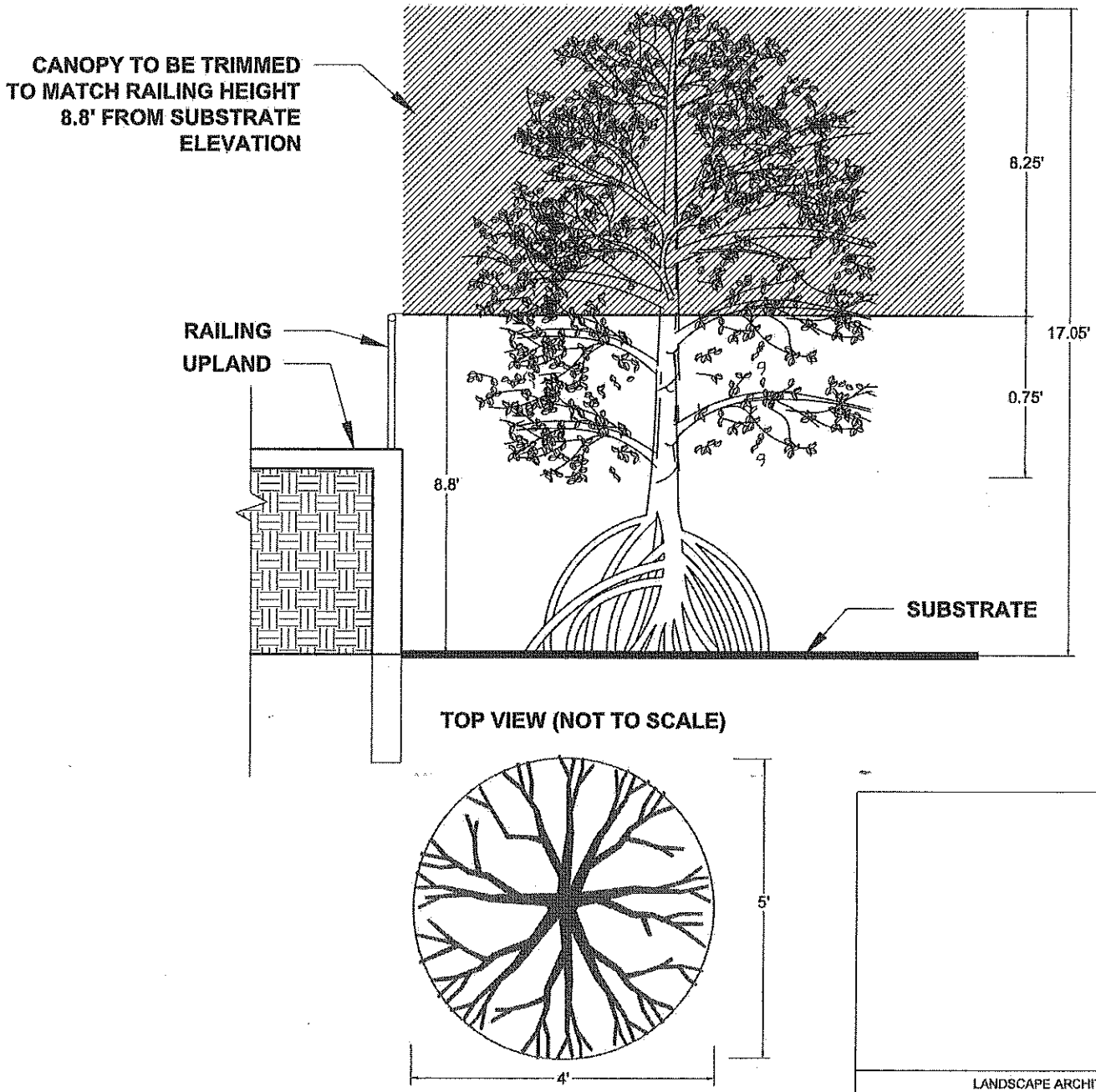
WHITE MANGROVE
Laguncularia racemosa

OVERALL SQ. FT. TO BE REMOVED = 18.32



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VIZCAYA MUSEUM AND GARDENS SOUTH CANAL RESTORATION - PHASE I

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Miami, Miami-Dade County, Florida

MANGROVE #1
AREA #4 TRIMMING
SECTION

FIGURE 20

DRAWN BY: MA	CHECKED BY: GC	PROJECT NUMBER: 7-0091-002	SCALE: 1" = 4'	DATE: 2/4/2013

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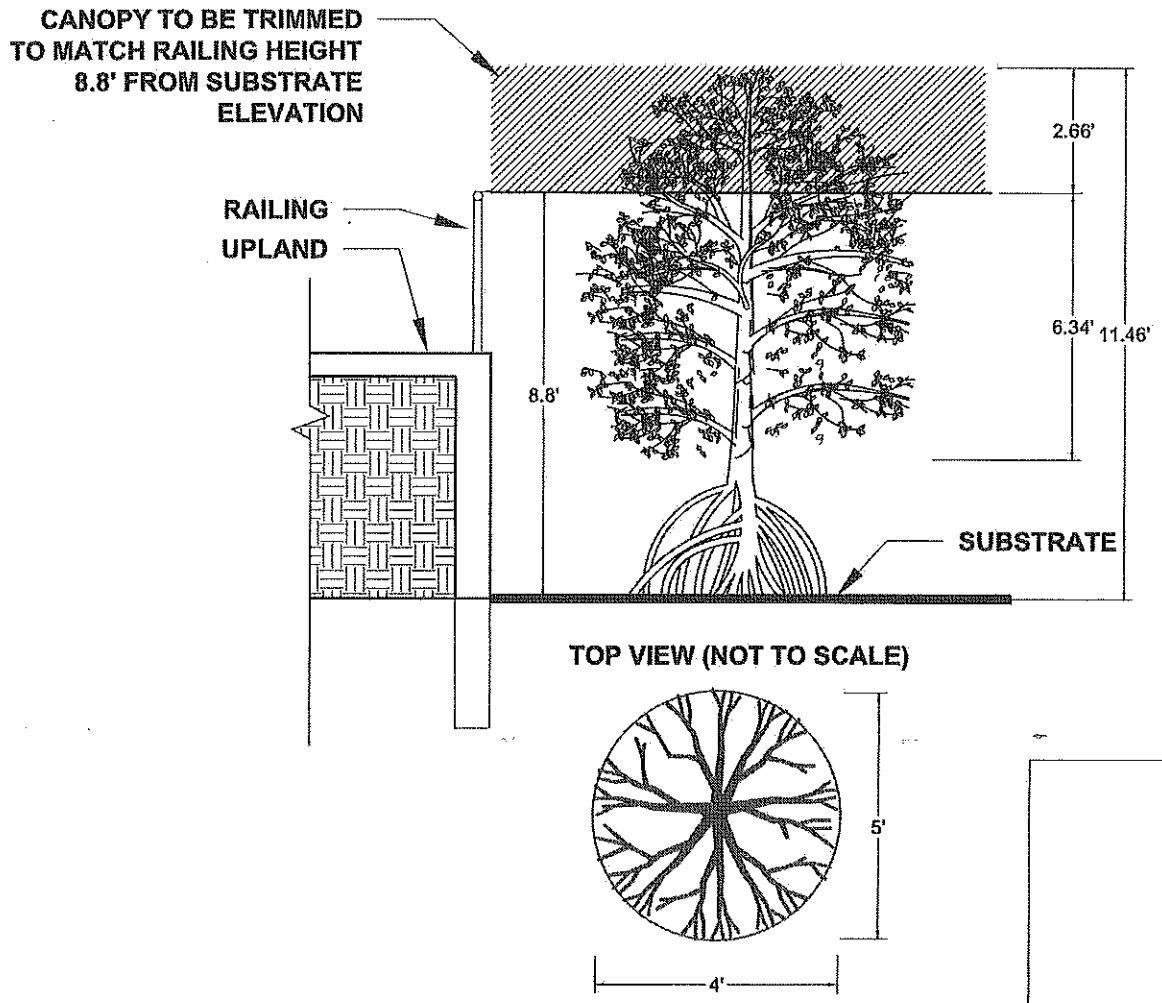
RED MANGROVE
Rhizophora mangle

OVERALL SQ. FT. TO BE REMOVED = 5.9



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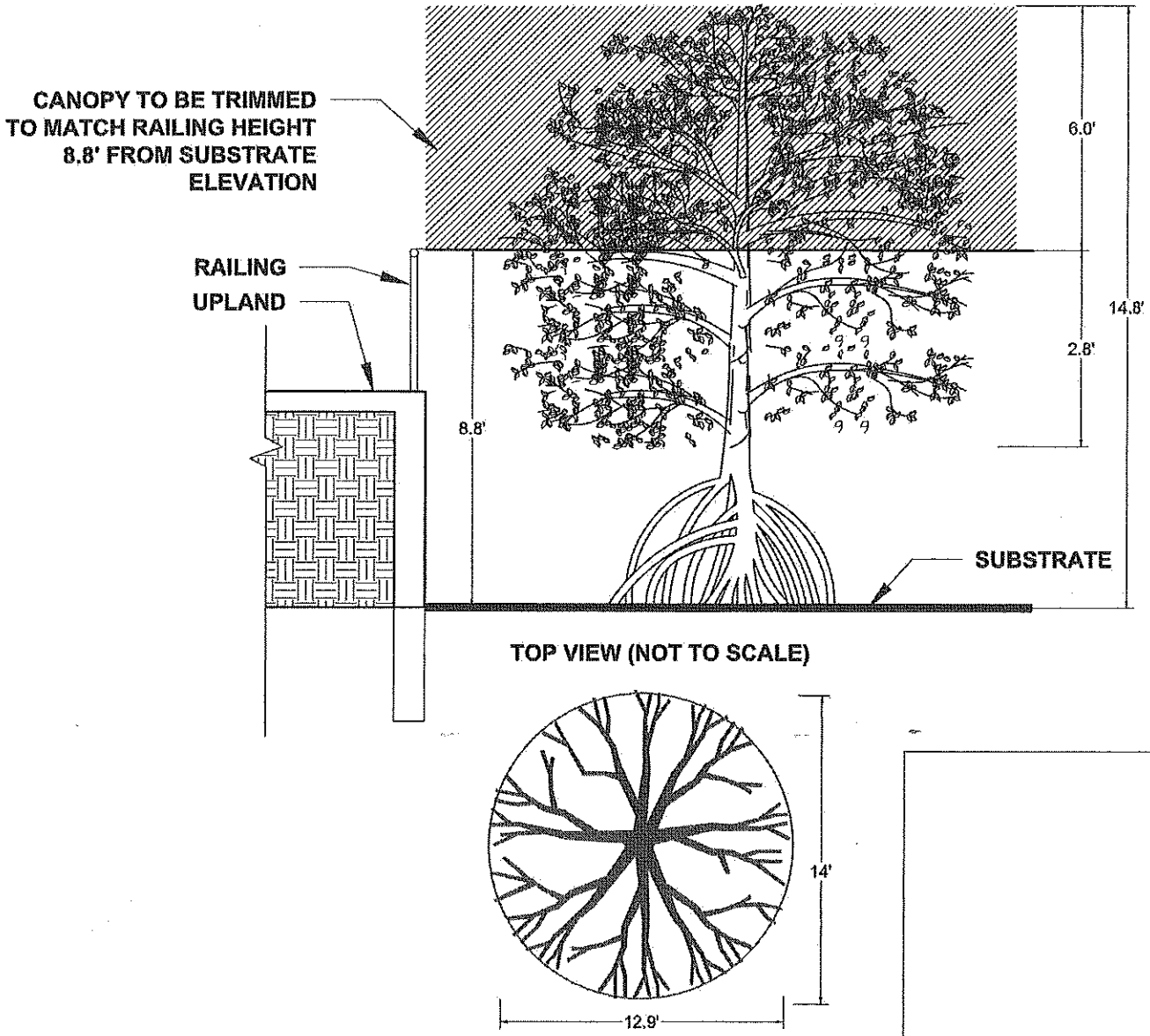
P:\Projects\7-0000-0099\7-0091-00214_figures and drawings\CADD\Mangrove Plan Sheets.dwg

E Sciences, Incorporated FL Engineering Lic. #8691 111 NE 1st St., Suite 906 Miami, Florida, 33132 www.esciencesinc.com Phone: 786-517-2632 Fax: 305-397-1556	VIZCAYA MUSEUM AND GARDENS SOUTH CANAL RESTORATION - PHASE I Section 14, Township 54S, Range 41E 3251 South Miami Avenue Miami, Miami-Dade County, Florida	MANGROVE #2 AREA #4 TRIMMING SECTION			FIGURE 21
DRAWN BY:MA	CHECKED BY: GC	PROJECT NUMBER: 7-0091-002	SCALE: 1" = 4'	DATE: 2/6/2013	

RED MANGROVE
Rhizophora mangle

OVERALL SQ. FT. TO BE REMOVED = 122.8



LANDSCAPE ARCHITECT
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VIZCAYA MUSEUM AND GARDENS SOUTH CANAL RESTORATION - PHASE I

Section 14, Township 54S, Range 41E
3251 South Miami Avenue
Miami, Miami-Dade County, Florida

MANGROVE #3
AREA #4 TRIMMING
SECTION

FIGURE 22

DRAWN BY: MA	CHECKED BY: GC	PROJECT NUMBER: 7-0091-002	SCALE: 1" = 4'	DATE: 2/4/2013

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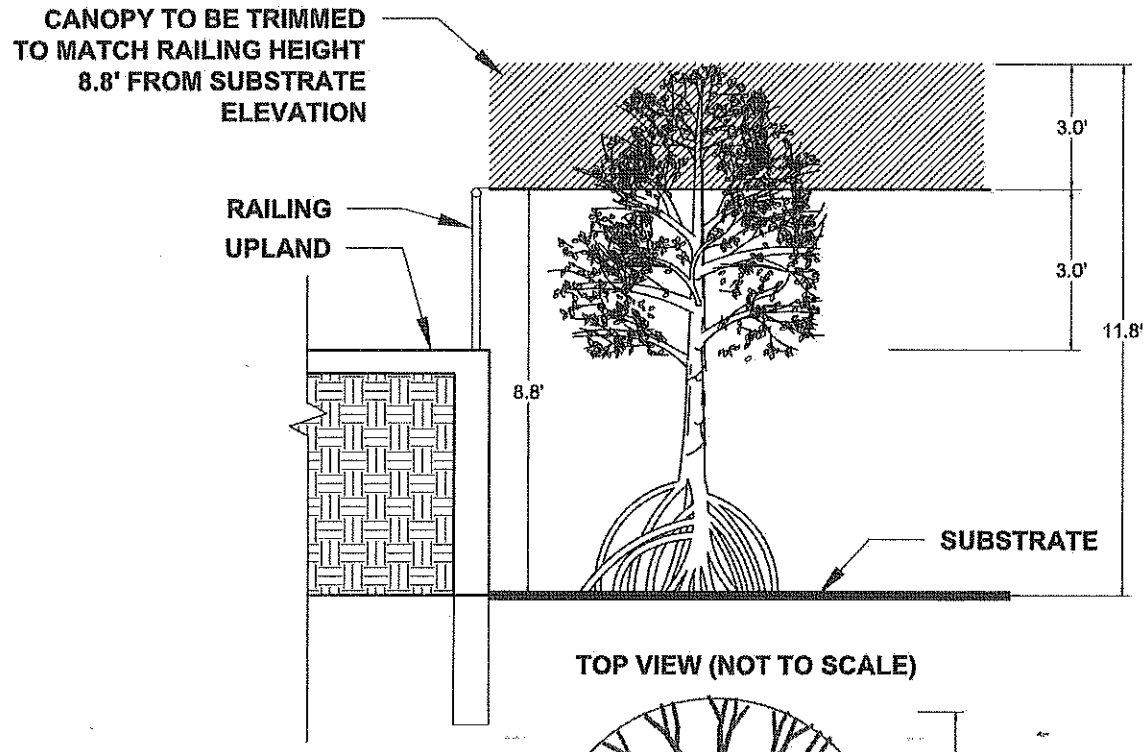
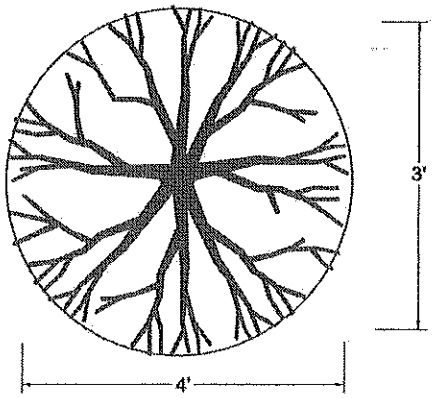
BLACK MANGROVE
Avicennia germinans

OVERALL SQ. FT. TO BE REMOVED = 6



TOP VIEW (NOT TO SCALE)



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VIZCAYA MUSEUM AND GARDENS SOUTH CANAL RESTORATION - PHASE I

Section 14, Township 54S, Range 41E
3251 South Miami Avenue
Miami, Miami-Dade County, Florida

MANGROVE #4
AREA #4 TRIMMING
SECTION

DRAWN BY: MA	CHECKED BY: GC	PROJECT NUMBER: 7-0091-002	SCALE: 1" = 4'	DATE: 2/4/2013

FIGURE 23

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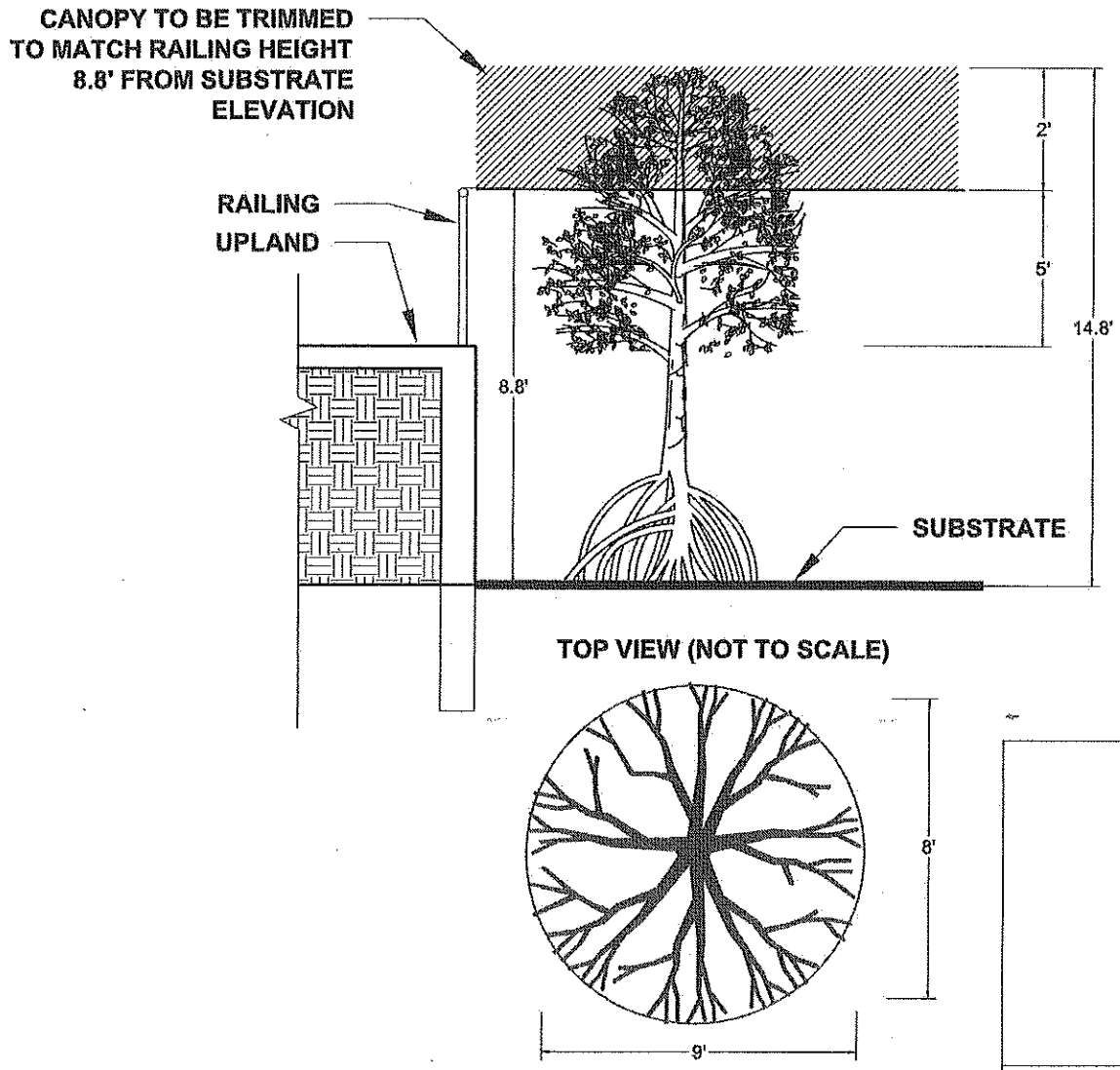
BLACK MANGROVE
Avicennia germinans

OVERALL SQ. FT. TO BE REMOVED = 20.52



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E Sciences, Incorporated FL Engineering Lic. #8691 111 NE 1st St., Suite 906 Miami, Florida, 33132 www.esciencesinc.com Phone: 786-517-2632 Fax: 305-397-1556	VIZCAYA MUSEUM AND GARDENS SOUTH CANAL RESTORATION - PHASE I Section 14, Township 54S, Range 41E 3251 South Miami Avenue Miami, Miami-Dade County, Florida	MANGROVE #4A AREA #4 TRIMMING SECTION			FIGURE 23A
DRAWN BY:MA	CHECKED BY: GC	PROJECT NUMBER: 7-0091-002	SCALE: 1" = 4'	DATE: 2/4/2013	

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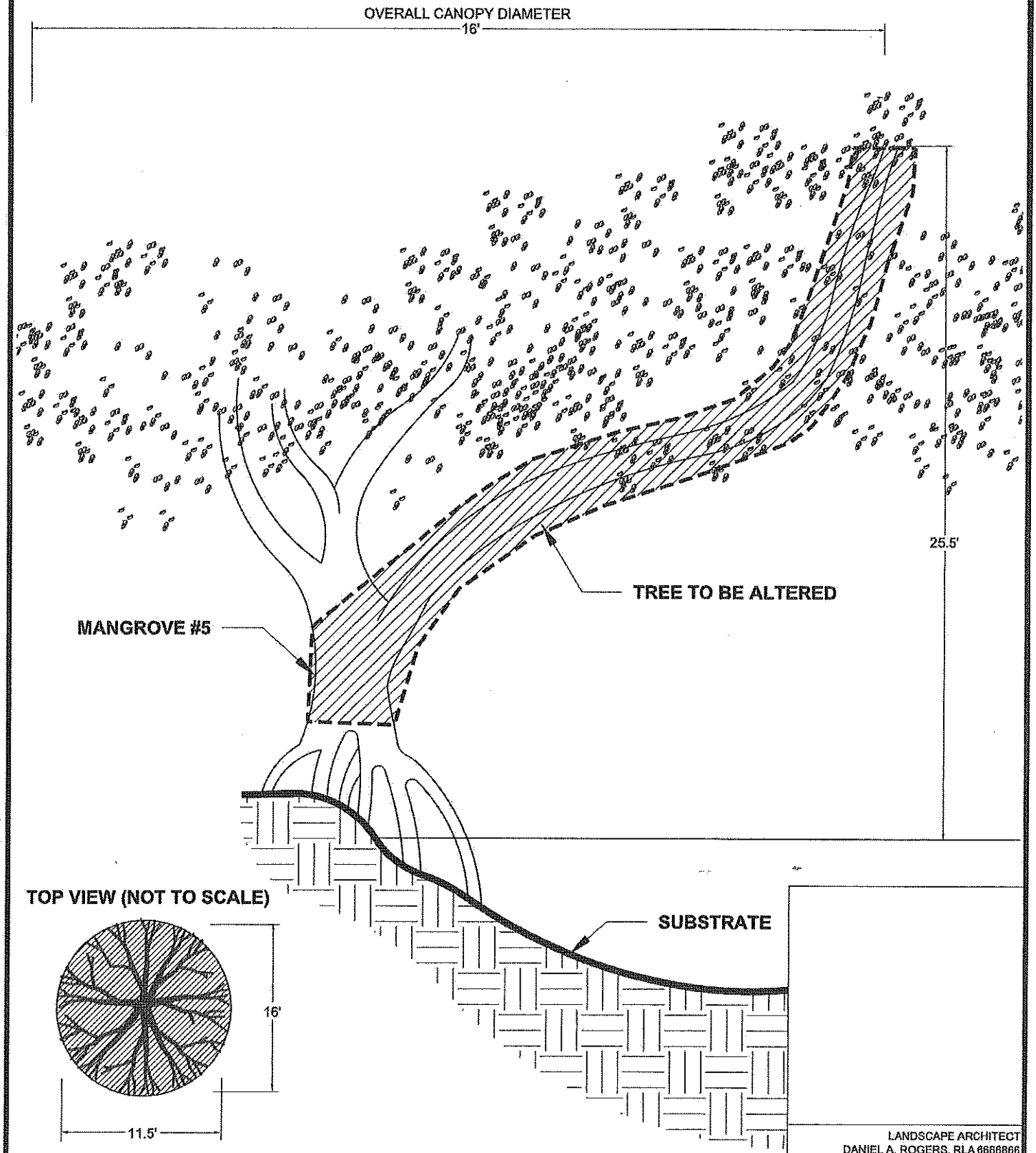
OVERALL SQ. FT. TO BE REMOVED = 184

RED MANGROVE
Rhizophora mangle



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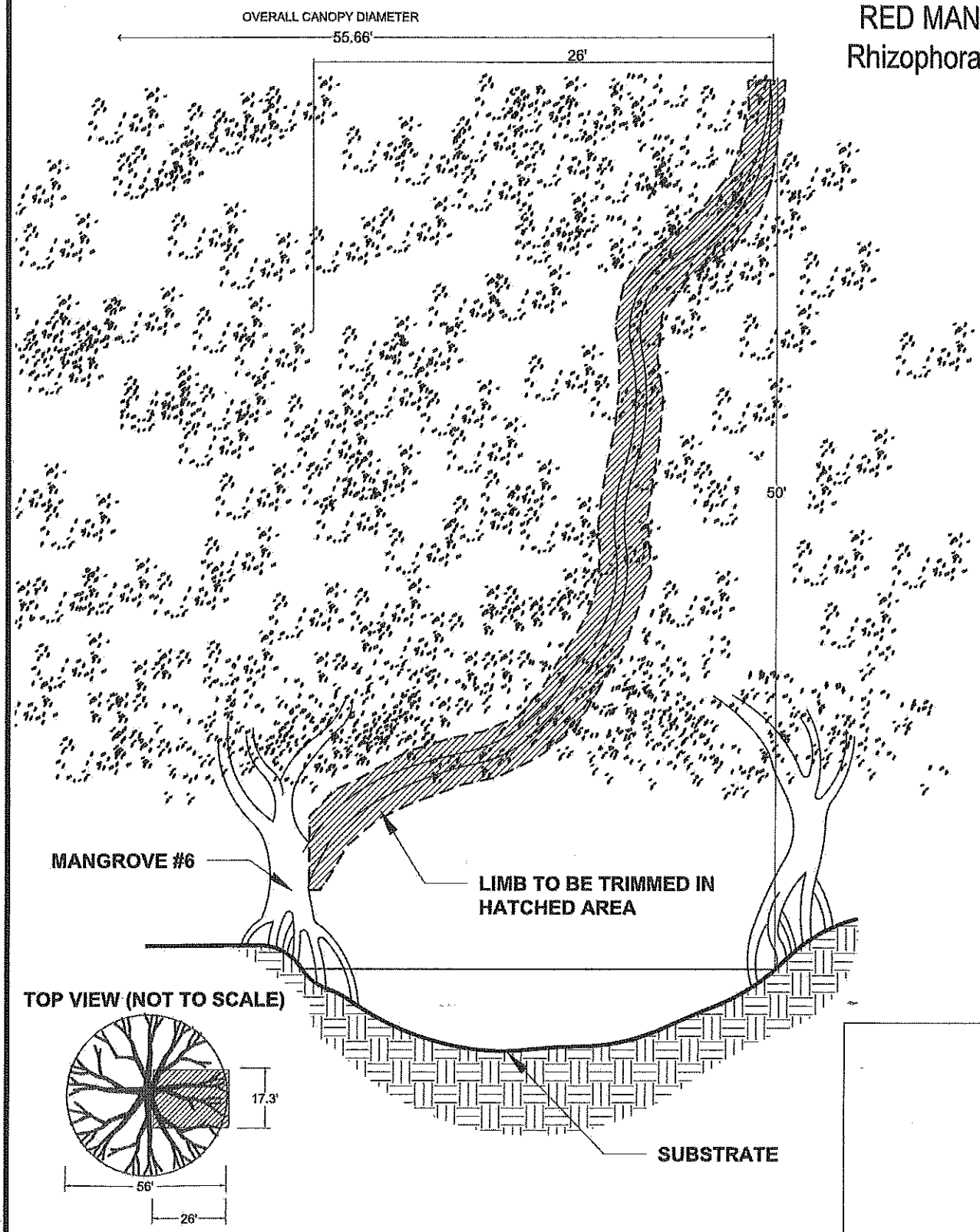
VIZCAYA MUSEUM AND GARDENS SOUTH CANAL RESTORATION - PHASE I

Section 14, Township 54S, Range 41E
3251 South Miami Avenue
Miami, Miami-Dade County, Florida

MANGROVE #5
AREA #3 TRIMMING SECTION

DRAWN BY: MA	CHECKED BY: GC	PROJECT NUMBER: 7-0091-002	SCALE: 1" = 4'	DATE: 2/4/2013	FIGURE 24

RED MANGROVE
Rhizophora mangle



OVERALL SQ. FT. TO BE REMOVED = 449.8

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VIZCAYA MUSEUM AND GARDENS SOUTH CANAL RESTORATION - PHASE I

Section 14, Township 54S, Range 41E
3251 South Miami Avenue
Miami, Miami-Dade County, Florida

MANGROVE #6
AREA #1 TRIMMING SECTION

FIGURE 25

DRAWN BY: MA	CHECKED BY: GC	PROJECT NUMBER: 7-0091-002	SCALE: 1" = 8'	DATE: 2/4/2013

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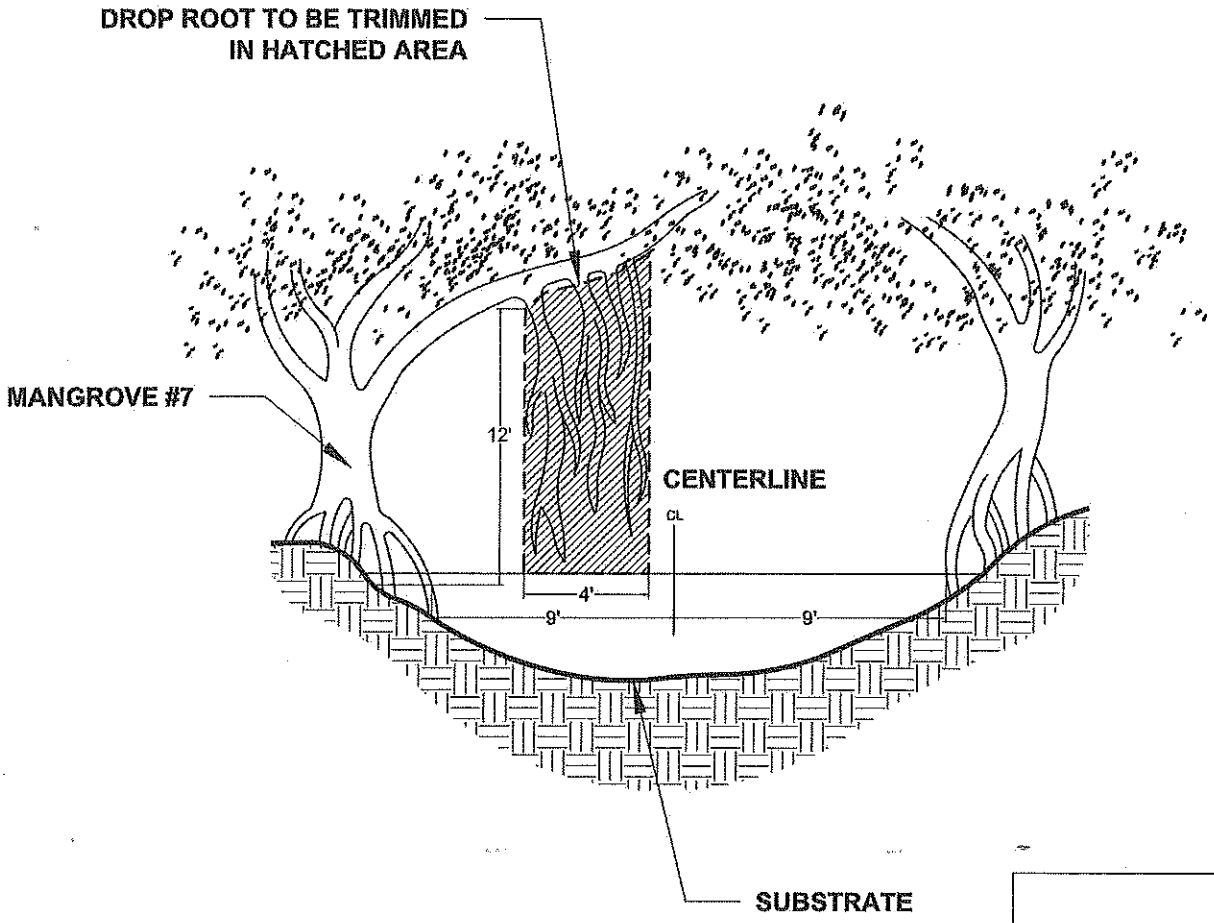
RED MANGROVE
Rhizophora mangle

OVERALL SQ. FT. TO BE REMOVED = 2'



NOTE: MAINTENANCE IN PERPETUITY
9' WIDTH ON EACH SIDE OF CENTER LINE AND
12' VERTICAL CLEARANCE FROM (MHWL) 1.77 NGVD

LANDSCAPE ARCHITECT
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VIZCAYA MUSEUM AND GARDENS
SOUTH CANAL RESTORATION - PHASE I
Section 14, Township 54S, Range 41E
3251 South Miami Avenue
Miami, Miami-Dade County, Florida

MANGROVE #7
DROP ROOT TRIMMING
TYPICAL SECTION

FIGURE
26

DRAWN BY: MA	CHECKED BY: GC	PROJECT NUMBER: 7-0091-002	SCALE: 1" = 8'	DATE: 2/6/2013

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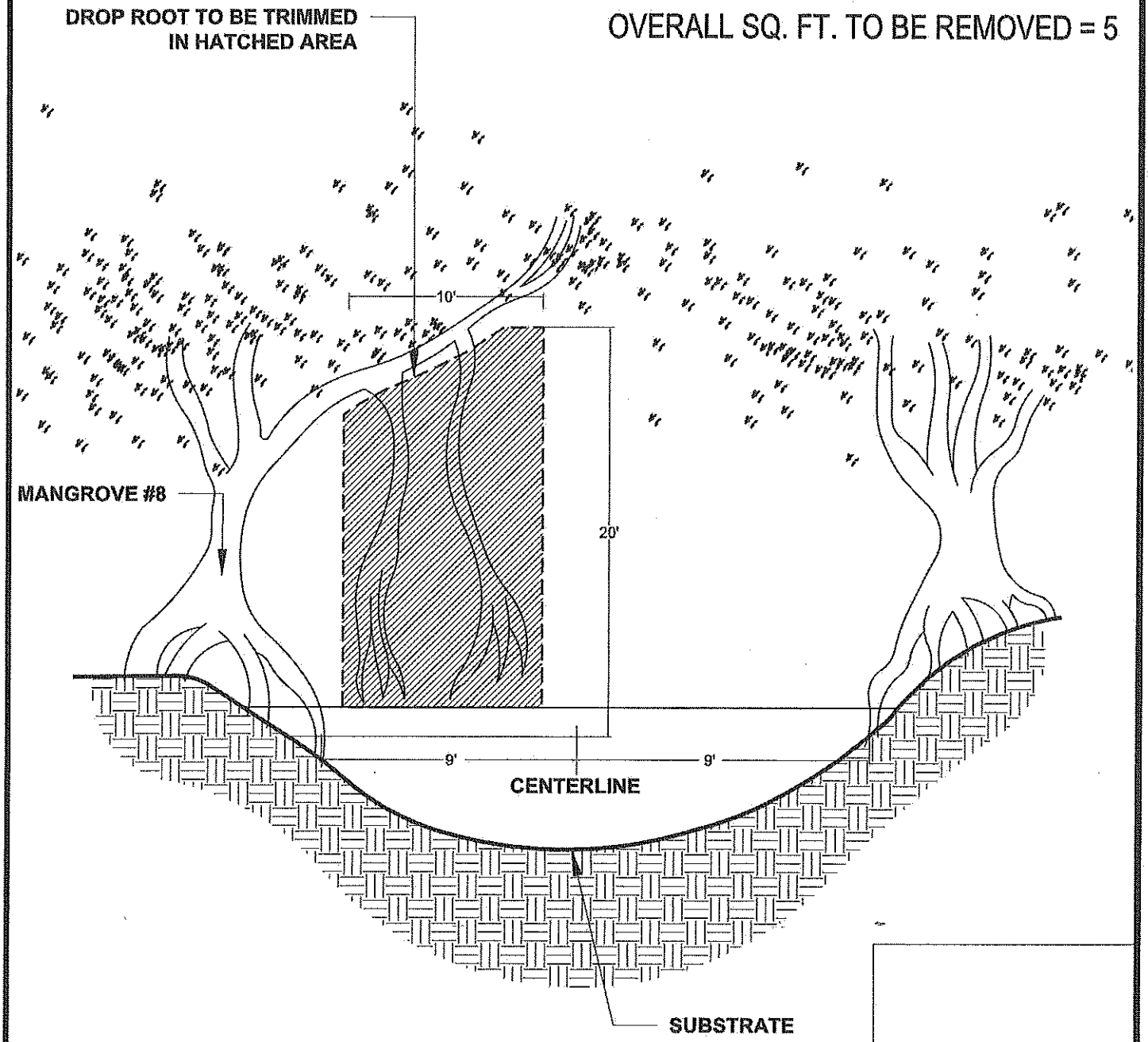
RED MANGROVE
Rhizophora mangle

OVERALL SQ. FT. TO BE REMOVED = 5



NOTE: MAINTENANCE IN PERPETUITY
9' WIDTH ON EACH SIDE OF CENTER LINE AND
12' VERTICAL CLEARANCE FROM (MHWL) 1.77 NGVD

LANDSCAPE ARCHITECT
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VIZCAYA MUSEUM AND GARDENS SOUTH CANAL RESTORATION - PHASE I
Section 14, Township 54S, Range 41E
3251 South Miami Avenue
Miami, Miami-Dade County, Florida

MANGROVE #8
DROP ROOT TRIMMING SECTION

FIGURE 27

DRAWN BY: MA	CHECKED BY: GC	PROJECT NUMBER: 7-0091-002	SCALE: 1" = 8'	DATE: 2/6/2013

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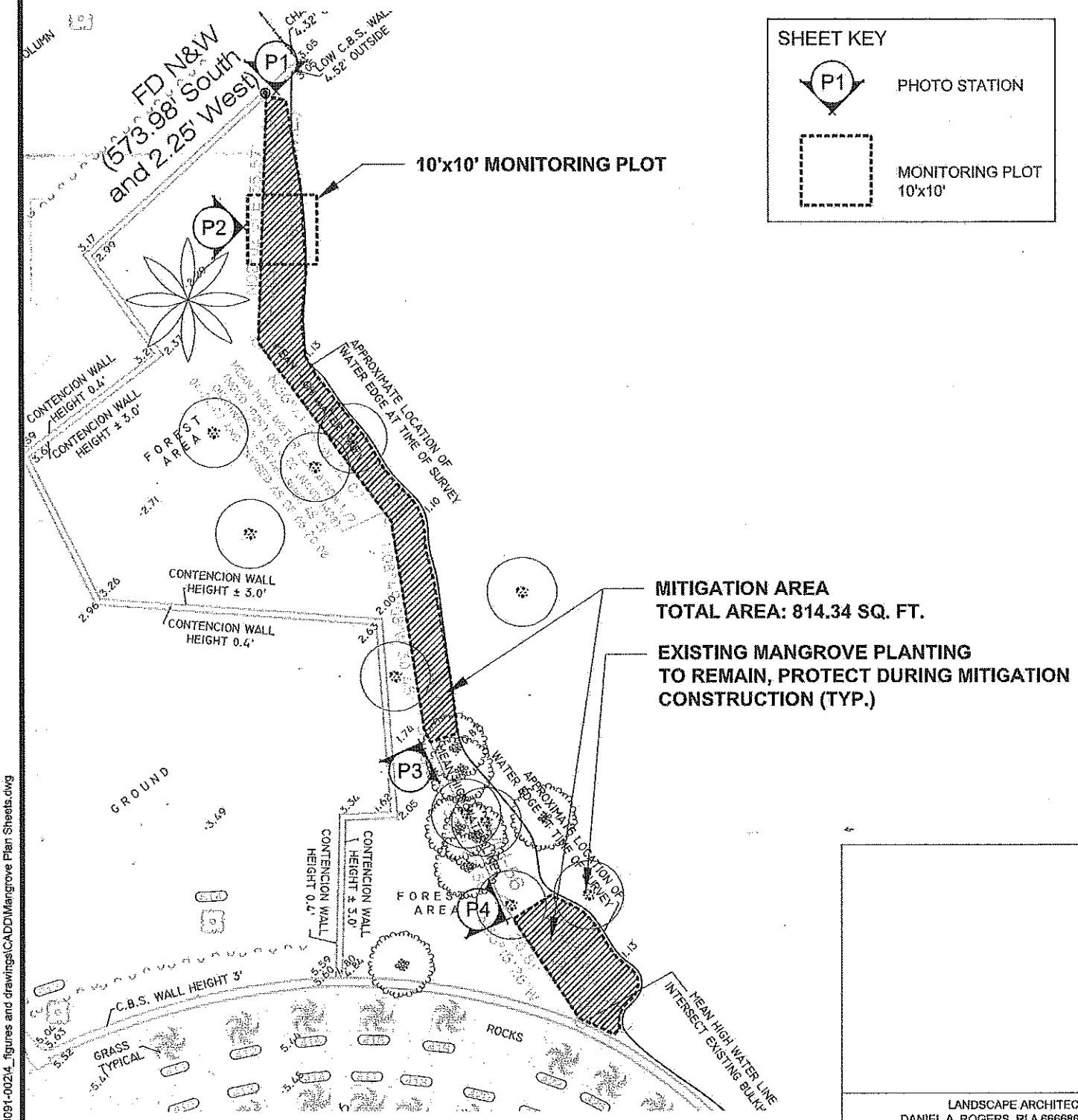
VIZCAYA SOUTH CANAL MITIGATION AREA - PROPOSED PLANTING PALETTE

HABITAT	PLANT SPECIES		QUANTITY	SIZE	SPACING (Ft on Center)
	Scientific name	COMMON NAME			
Mangrove Mitigation Area - 814.34 sq.ft.	*Rhizophora mangle*	RED MANGROVE	90	Bare Root	3



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VIZCAYA MUSEUM AND GARDENS SOUTH CANAL RESTORATION - PHASE I

Section 14, Township 54S, Range 41E
3251 South Miami Avenue
Miami, Miami-Dade County, Florida

MANGROVE MITIGATION PLAN

FIGURE 28

DRAWN BY: MA	CHECKED BY: GC	PROJECT NUMBER: 7-0091-002	SCALE: 1" = 20'	DATE: 4/8/2013

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Attachment C

Zoning Memorandum

Memorandum

MIAMI-DADE COUNTY

Date: April 26, 2013

To: Lisa Spadafina, Manager
Coastal and Wetlands Resources Section
Department of Regulatory and Economic Resources

From: Lourdes Barrelli, Biologist II
Coastal and Wetlands Resources Section
Department of Regulatory and Economic Resources

Subject: Class I Permit Application by Miami-Dade County to Trim and Alter Mangroves in a Coastal Band Community at the Vizcaya Museum and Gardens in the City of Miami

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

Attachment D

Department of Regulatory and Economic Resources Project Report

PROJECT REPORT
CLASS I PERMIT APPLICATION NO. CLI-2012-0111

Class I Permit Application by Miami-Dade County to Trim and Alter Mangroves in a Coastal Band Community at the Vizcaya Museum and Gardens in the City of Miami

DATE: April 5, 2013

Staff's recommendation of approval for the above-referenced permit application is based on the applicable evaluation factors under Section 24-48.3 of the Code of Miami-Dade County (Code), Florida. The following is a summary of the proposed project with respect to each applicable evaluation factor:

1. **Potential Adverse Environmental Impact** – The proposed project will result in minimal impacts to halophytic (salt tolerant) wetlands that are part of a Coastal Band Community as defined in Section 24-5 of the Code, The wetland areas are primarily vegetated with *Rhizophora mangle* (red mangrove), although *Laguncularia racemosa* (white mangrove), *and Avicennia germinans* (black mangrove) are also present. The proposed work will result in the trimming and alteration of 814 square feet of mangroves that extend into the navigable area and into historic view corridors. In addition, the applicant is proposing to maintenance dredge portions of the canal, 0.35 acres, which will result in the removal of 1,100 cubic yards of accumulated marine sediments. Although the work may result in temporary impacts, the project site is part of an over 2 acre high-quality wetland system that can be used as alternate habitat.

   The applicant is proposing to mitigate on-site through the planting of red mangrove seedlings to restore an 814 square foot area within an existing halophytic wetland system, along the north corner of the property. The Class I permit will include specific conditions that require the mitigation area to be monitored for success, managed appropriately, and maintained free of exotics in perpetuity. No benthic resources were documented within the canal in the areas of the proposed maintenance dredging; therefore, no mitigation for this portion of the work is required.

   The project was evaluated for consistency with the Miami-Dade County Manatee Protection Plan (MDCMPP). The project site is not located within an area designated by the MDCMPP as essential habitat for the *Trichechus manatus* (West Indian Manatee). However, the Class I permit shall require that all standard construction permit conditions regarding manatees be followed during all in-water operations.

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 surface water drainage or retention of stormwater.

4. **Water Quality** – The proposed project includes maintenance dredging of the canal and may temporarily impact water quality within the project area. In order to minimize impacts to surface waters, the Class I permit shall require that a water quality monitoring plan and proper turbidity controls be implemented during the proposed work to ensure turbidity levels within the surrounding waters do not exceed State and County water quality standards.

5. **Wellfields** – Not applicable.

6. **Water Supply** – Not applicable.

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

8. **Aesthetics** – The project is designed to restore and maintain the aesthetic values of Vizcaya and will be compatible with the surrounding area. However, during the construction process, there may be temporary aesthetic impacts related to the presence of equipment and other machinery associated with trimming and alteration, and dredging activities.

9. **Navigation** – The proposed project is located within and adjacent to a man made canal owned by Vizcaya; the project will restore, and provide for the maintenance of, navigational access within the canal.

10. **Public Health** - The proposed project is not reasonably expected to adversely affect 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 involves the trimming and alteration of 814 square feet mangrove canopy and maintenance dredging of the canal. These impacts are not reasonably expected to adversely affect the marine and wildlife habitats and new wetland habitat will be created as mitigation for the proposed project. Although the work may result in temporary impacts, the project site is part of an over 2 acre high-quality wetland system that can be used as alternate habitat. The applicant has minimized impacts to marine and wildlife habitats and is mitigating for the proposed project as set forth in Number 1 above.

    The proposed project is not located within an area designated as essential manatee habitat for the West Indian Manatee by the MDCMPP. However, the Class I permit will require that all standard manatee construction permit conditions be followed during all in-water construction operations.

15. **Wetland Soils Suitable for Habitat** – The proposed project is not reasonably expected to adversely affect wetland soils.

16. **Floral Values** – The proposed project will result in minimal impacts to floral values as a result of the removal of 814 square feet of mangrove canopy. However, the impacts have been minimized and shall be mitigated as set forth in Number 1 above.

17. **Fauna Values** - The proposed project may result in temporary impacts to fauna values due to the displacement of fauna such as small mammals and wading birds. However, new wetland habitat is required to be created as mitigation for the proposed project, and unavoidable impacts to fauna have been minimized and shall be mitigated as set forth in Number 1 above.

18. **Rare, Threatened and Endangered Species** – The proposed project is not reasonably expected to result in adverse environmental impacts to rare, threatened, or endangered species. The proposed project is not located within *Halophila johnsonii* (Johnson's Seagrass) Critical Habitat, and a biological assessment done by RER-DERM biologists revealed no significant benthic resources along the canal. Although the area has the potential to be utilized by the American Crocodile and Wood Stork, the project site is part of a high quality wetland system that can be used as alternate habitat. In addition, the impacts have been minimized and shall be mitigated as set forth in Number 1 above.

    The project site is not located in an area designated by the MDCMPP as essential habitat for the West Indian Manatee. However, the Class I permit shall require that all standard construction permit conditions regarding manatees be followed during all in-water 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 is not reasonably expected to adversely affect wetland values. Although the proposed project will result in impacts to 814 square feet of mangrove canopy, the project site is part of a high quality wetland system and the impacts to wetlands have been minimized and shall be mitigated as set forth in Number 1 above.

21. **Land Use Classification** – Pursuant to Section 24-48.2(II)(B)(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 applicant has obtained authorization for the portion of the work that will occur over land they do not own.

24. **Conformance with Standard Construction Procedures and Practices and Design and Performance Standards** – The proposed project complies with the standard construction procedures and practices and design and performance standards of the applicable portions of the following:
    a) Chapter 33B of the Code of Miami-Dade County
    b) Miami-Dade County Public Works Manual

25. **Comprehensive Environmental Impact Statement (CEIS)** - In the opinion of the Director, the proposed project is not reasonably expected to result in significant adverse environmental impacts or cumulative adverse environmental impacts. Therefore, a CEIS was not required by RER to evaluate the project.

26. **Conformance with All Applicable Federal, State and Local Laws and Regulations** - The proposed project is in conformance with applicable State, Federal and local laws and regulations:
    a) Chapter 24 of the Code of Miami-Dade County
    b) United States Clean Water Act US Army Corps of Engineers, (permit is required)
    c) Florida Department of Environmental Protection (permit is required)

27. **Conformance with the Miami-Dade County Comprehensive Development Master Plan (CDMP)** - In the opinion of the Director, 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 3/Policies 3A, 3B, 3C - Protection of natural resources and systems. – The proposed project is consistent with the Conservation and Coastal Management Elements of the CDMP. The project is compatible with surrounding land uses in Biscayne Bay and does not involve development in the Big Cypress area of Critical State concern or the East Everglades.

TRANSPORTATION ELEMENT II

Aviation Subelement/Objective 9 - Aviation System Expansion - There is no aviation element to the proposed project.

Port of Miami River Subelement/Objective 3 - Minimization of impacts to estuarine water quality and marine resources. The proposed project is not located within the Miami River.

CONSERVATION, AQUIFER RECHARGES AND DRAINAGE ELEMENT IV:

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

Objective 3/Policy 3E - Limestone mining within the area bounded by the Florida Turnpike, the Miami-Dade/ Broward Levee, N.W. 12 Street and Okeechobee Road. - The proposed project is not located within this area.

Objective 4/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 will not compromise flood protection.

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. – 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. – Although the proposed project will result in impacts to 814 square feet of mangrove canopy, the project site is part of a high quality wetland system and the impacts to wetlands have been minimized and shall be mitigated as set forth in Number 1 above.

Objective 9/Policies 9A, 9B, 9C - Protection of habitat critical to Federal or State-designated threatened or endangered species. – The proposed project is not located within Johnson's Seagrass Critical Habitat or an area identified by the MDCMPP as essential habitat for the West Indian Manatee. Although the area has the potential to be utilized by the American Crocodile, Wood Stork, and West Indian Manatee, alternate habitat is available, and the scope of the project is not reasonably expected to affect rare, threatened, or endangered species.

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. – Maintenance dredging of the canal is intended to improve natural surface flow and flushing of the halophytic wetland system through the removal of the accumulated marine and organic sediment from the canal.

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

Objective 1/Policy 1D - Protection and maintenance of mangrove forests and related natural vegetational communities. - The proposed project will result in the removal of 814 square feet of mangrove canopy. However, the project site is part of a high quality wetland system and the impacts to wetlands have been minimized and shall be mitigated as set forth in Number 1 above.

Objective 1/Policy 1E - Mitigation for the degradation and destruction of coastal wetlands. Monitoring and maintenance of mitigation areas. – To mitigate for the removal of 814 square feet of mangrove canopy, the applicant shall plant red mangrove seedlings on-site. The Class I permit will include specific conditions that require the mitigation area to be monitored for success, managed appropriately, and maintained free of exotics in perpetuity.

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. – A biological survey conducted by RER-DERM staff revealed no significant benthic resources within the area proposed to be dredged.

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

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

Objective 4/Policy 4A, 4C, 4E, 4F – Protection of endangered or threatened animal species - The proposed project is not reasonably expected to affect endangered or threatened animal species, as set forth in Number 18 above.

Objective 5/Policy 5B - Existing and new areas for water-dependent uses. - The proposed project will maintain existing water-dependent uses.

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

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

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

29. **Conformance with Miami-Dade County Ordinance 81-19** (Biscayne Bay Management Plan Sections 33D-1 through 33D-4 of the Code of Miami-Dade County) - The proposed project is not located within Biscayne Bay.

30. **Conformance with the Miami-Dade County Manatee Protection Plan** - The proposed project is not located within an area identified by the MDCMPP as essential habitat for the West Indian Manatee. However, all standard construction permit conditions regarding manatees shall be followed during all in-water construction operations.

31. **Consistency with Miami-Dade County Criteria for Lake Excavation** – The proposed project does not involve lake excavation.

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

33. **Coastal Resources Management Line** - A coastal resources management line was not required for the proposed project, pursuant to Section 24-48.2(II)(B)(10)(b) of the Code of Miami-Dade County.

34. **Maximum Protection of a Wetland's Hydrological and Biological Functions** – Although the proposed project will result in impacts to 814 square feet of mangrove canopy, the project site is part of a high quality wetland system and the impacts to wetlands have been minimized and shall be mitigated as set forth in Number 1 above.

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** –
    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 from adjoining riparian property owners** – Not applicable.
    iv. **Whether any letters of objection from adjoining riparian property owners were received by RER-DERM** – 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 project complies with the following criteria:
a) Minimum dredging and filling for the creation and maintenance of marinas, piers, docks and attendant navigational channels.
b) Minimum dredging and filling as is necessary to enhance the biological, chemical or physical characteristics of adjacent waters.

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 placing clean fill in wetlands.

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

for
Lisa Spadafina, Manager
Coastal and Wetlands Resources Section

Lourdes Barrelli
Lourdes Barrelli, Biologist II
Coastal and Wetlands Resources Section