

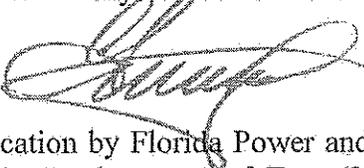
Memorandum

MIAMI-DADE
COUNTY

Agenda Item No. 5(J)

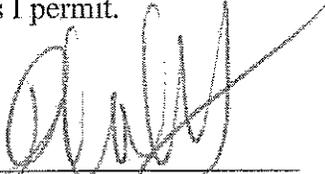
Date: May 6, 2014

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

From: Carlos A. Gimenez
Mayor 

Subject: Class I Permit Application by Florida Power and Light to Dredge and Fill Halophytic Wetland Areas for the Replacement of Two (2) Culverts in the Vicinity of SW 97 Avenue and SW 312 Street, Miami-Dade County

Attached, please find for your consideration an application by Florida Power and Light for a Class I permit. Also attached is the recommendation of the Department of Regulatory and Economic Resources, Division of Environmental Resources Management (RER-DERM) and a proposed resolution approving the issuance of the Class I permit.



Jack Osterholt, Deputy Mayor

Date: April 4, 2014

To: Carlos A. Gimenez
Mayor

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

Subject: Class I Permit Application by Florida Power and Light to Dredge and Fill Halophytic Wetlands for the Replacement of Two (2) Culverts in the Vicinity of SW 97 Avenue and SW 312 Street, Miami-Dade County

Recommendation

I have reviewed the attached application for a Class I permit by Florida Power and Light (FPL). Based upon the applicable evaluation factors set forth in Section 24-48.3 of the Code of Miami-Dade County, Florida (Code), I recommend that the Board of County Commissioners approve the issuance of a Class I permit for the reasons set forth below.

Scope

The project sites are located in Commission District 9 (Commissioner Moss), west of SW 97 Avenue between SW 306 and 312 Streets and east of SW 97 Avenue between SW 344 and 360 Streets.

Fiscal Impact/Funding Source

This resolution is for consideration of a Class I permit application as required by Chapter 24 of the Code, the County's Environmental Protection Ordinance. This resolution is a regulatory approval and does not have a fiscal impact as contemplated by Resolution No. R-530-10.

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 dredge and fill 0.03 acres of halophytic (salt tolerant) wetland areas for the replacement of two damaged culverts. The proposed project is required to be reviewed and 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. Therefore, a standard form application including a public hearing is required.

Culvert C-1 is located west of SW 97 Avenue between SW 306 and 312 Streets and Culvert C-2 is located east of SW 97 Avenue between SW 344 and 360 Streets (see Attachment E). The culverts are located on properties owned by FPL and identified by folio numbers 30-7028-000-0010 and 30-7008-000-0060. The culverts serve as hydrologic conduits between the adjacent wetland areas and Biscayne Bay. The culverts were damaged while FPL or its agents conducted work at the properties. Therefore, the applicant is proposing to replace the two culverts.

Section 24-48.3 of the Code requires mitigation for permissible projects that otherwise result in adverse environmental impacts. The replacement of the culverts will involve dredging and filling of 0.03 acres of halophytic wetland areas and the removal of wetland vegetation including mangrove trees and green buttonwood trees.

Although the construction will result in impacts to 0.03 acres of wetlands, the adjacent high-quality wetland areas are available as alternate habitat, and the replacement of the culverts will improve the hydrologic connection to the adjacent wetlands, and is expected to result in increased productivity of these areas. Mitigation for adverse impacts to halophytic wetlands will be satisfied through the purchase of mitigation credits from the Everglades Mitigation Bank. The wetland restoration and enhancement projects conducted within the Everglades Mitigation Bank have enhanced property in the South Dade Wetland Basin by removing exotic vegetation, replanting with native species, restoring filled areas to natural wetland grade and implementing a fire management program.

The proposed project has been designed in accordance with all relevant Miami-Dade County coastal construction criteria and is consistent with all Miami-Dade County coastal protection provisions. The attached Project Report 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: Names and Addresses of Owners of All Riparian or Wetland Property within Three Hundred (300) Feet of the Proposed Work
- Attachment E: Location Sketch
- Attachment F: RER-DERM Project Report



MEMORANDUM
(Revised)

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

DATE: May 6, 2014

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

SUBJECT: Agenda Item No. 5(J)

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

Agenda Item No. 5(J)

Veto _____

5-6-14

Override _____

RESOLUTION NO. _____

RESOLUTION APPROVING A CLASS I PERMIT APPLICATION BY FLORIDA POWER AND LIGHT TO DREDGE AND FILL HALOPHYTIC WETLANDS FOR THE REPLACEMENT OF CULVERTS AT THE PROPERTIES IDENTIFIED BY FOLIO NUMBERS 30-7028-000-0010 AND 30-7008-000-0060, 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 Florida Power and Light for a Class I permit to dredge and fill halophytic wetlands for the replacement of culverts at the properties identified by folio numbers 30-7028-000-0010 and 30-7008-000-0060, 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 6th day of May, 2014. 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

RECEIVED DEPARTMENTAL USE ONLY

Date Received: MAR 24 2014 DERM Coastal Resources Section Natural Resources Regulation & Restoration Division (NRRRD)	Application Number: CEL-2012-0366 Application Fee: \$539.00
--	--

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

1. Applicant Information: Name: <u>Florida Power and Light Company</u> Address: <u>700 Universe Boulevard TS4/JW</u> <u>Juno Beach, Florida</u> Zip Code: <u>33408</u> Phone #: <u>(561) 904-3675</u> Fax #: <u>(561) 904-3710</u> Email: <u>Gregg.A.Hall@fpl.com</u> <small>* This should be the applicant's information for contact purposes.</small>	2. Applicant's Authorized Permit Agent: <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>Gregg Hall</u> Address: <u>700 Universe Boulevard</u> <u>Juno Beach, Florida</u> Zip Code: <u>33408</u> Phone #: <u>(561) 904-3675</u> Fax #: <u>(561) 904-3710</u> Email: <u>Gregg.A.Hall@fpl.com</u>
--	--

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

Folio #: 30-7828-000-0010 & 30-7008-000-0060 Latitude: _____ Longitude: _____
 Street Address: C-1 West of 97th Avenue between 306th & 312th Streets / C-2 east of 97th Avenue between 344th & 360th Streets
 Section: _____ Township: _____ Range: _____
 In City or Town: _____ Near City or Town: _____
 Name of waterway at location of the activity: _____

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

<input type="checkbox"/> Seawall	<input type="checkbox"/> Dock(s)	<input type="checkbox"/> Boatlift	<input type="checkbox"/> Dredging	<input type="checkbox"/> Mangrove Trimming
<input 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 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 type="checkbox"/> Filling	
<input type="checkbox"/> King Piles				
<input type="checkbox"/> Footer/Toe Wall				
<input type="checkbox"/> Riprap				

Other: Replacement of culverts

Estimated project cost = \$13,000.00

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

5. Proposed Use (check all that apply): <input type="checkbox"/> Single Family <input type="checkbox"/> Multi-Family <input type="checkbox"/> Private <input type="checkbox"/> Public <input type="checkbox"/> Commercial <input type="checkbox"/> Industrial <input checked="" type="checkbox"/> 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): <u>Not Applicable</u> Vessel Make/Model (If known): <u>Not Applicable</u> Draft (s)(range in inches.): <u>Not Applicable</u> Length (s)(range in feet.): <u>Not Applicable</u> Total Number of Slips: <u>Not Applicable</u>
---	--

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

Issuing Agency	Type of Approval	Identification Number	Application Date	Approval Date

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

RECEIVED

Signature of Applicant _____ Print Applicant's Name _____ Date MAR 26 2014

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

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

Florida Power and Light Company _____ Corporation _____ 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] _____ Gregg A. Hall _____ Manager, Siting and Permitting Group _____ 3/19/14 _____
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 _____

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 the properties identified by folio numbers 30-7828-000-0010 and 30-7008-000-0060, Miami-Dade County, Florida. 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.)

Florida Power and Light Company _____ Corporation _____ Florida _____
 Print Name of Owner (Enter the complete name as registered) Type (Corp, LLC, LLP, etc.) State of Registration/Incorporation

700 Universe Boulevard TS4/JW, Juno Beach, Florida 33408

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] _____ Gregg A. Hall _____ Manager, Siting and Permitting Group _____ 3/19/14 _____
 Signature of Authorized Representative Print Authorized Representative's Name Title Date

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

RECEIVED

MAR 24 2014

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

Attachment B

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

RECEIVED

MAR 24 2014

PERMIT APPLICANT / AUTHORIZED AGENT STATEMENT

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

Date 3/19/14

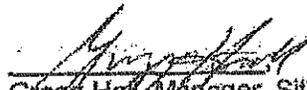
Miami Dade County Department of Regulatory and Economic Resources
Class I Permitting Program
701 NW 1st Court
Miami, FL 33136

Re: Class I Standard Form Permit Application Number CLI-2012-0356

By the attached Class I Standard Form permit application with supporting documents, I, Gregg Hall, Manager, Siting and Permitting Group, Florida Power and Light Company, am the permit applicant and hereby request permission to perform the work associated with Class I Permit Application CLI-2012-0356. 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 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. The permit applicant will secure the services of an engineer 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,


Gregg Hall, Manager, Siting and Permitting Group
Florida Power and Light

ENGINEER LETTER OF CERTIFICATION

RECEIVED

MAR 24 2014

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

Date March 19, 2014

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

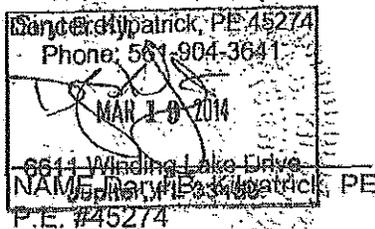
RE: Class I Permit Application Number CLI-2012-0356

Ladies and Gentlemen:

This letter will certify that I am an engineer licensed in the State of Florida, qualified by education and experience in the area of engineering design and inspection, and that to the best of my knowledge and belief, the proposed work does not violate any laws, rules, or regulations of the State of Florida or any provisions 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 of 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, certified surveys, drawings, and other data furnished by the contractor to me.



PRINCETON-TURKEY POINT CULVERT REPLACEMENT SITE DEVELOPMENT PLAN

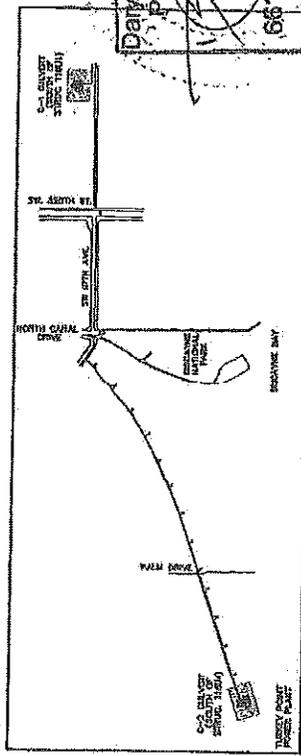
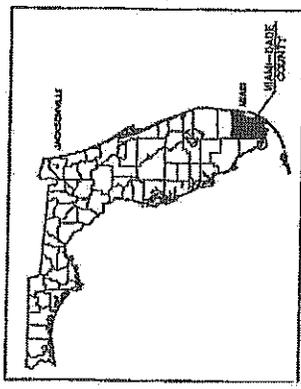
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MAR 24 2014
 DERM Coastal Resources Section
 Natural Resources Regulation & Restoration
 Division (NRRD)



FPL

MIAMI DADE COUNTY, FLORIDA



DAVID E. KAPLAVICK, P.E. 35274
 Phone: 561-904-3664
 MAR 19 2014
 661 WINDING LAKE DRIVE
 JUPITER, FL 33458



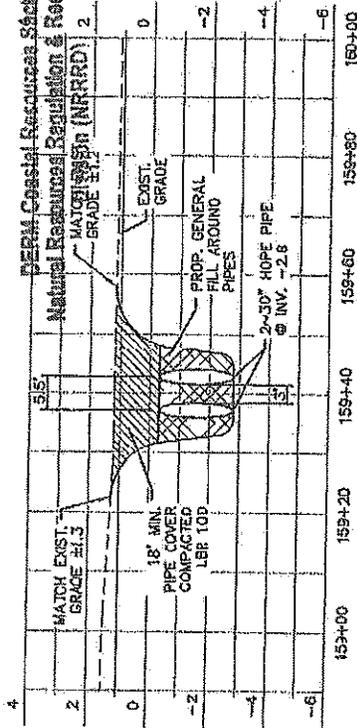
PLANS PREPARED BY :
 FLORIDA POWER AND LIGHT COMPANY
 TRANSMISSION AND SUBSTATION SITING SECTION

700 UNIVERSE BLVD. (TS4-JW)
 JUNO BEACH, FLORIDA 33408

PRINCETON-TURKEY
 POINT PATROL ROAD
 IPIKOO
 O A D E

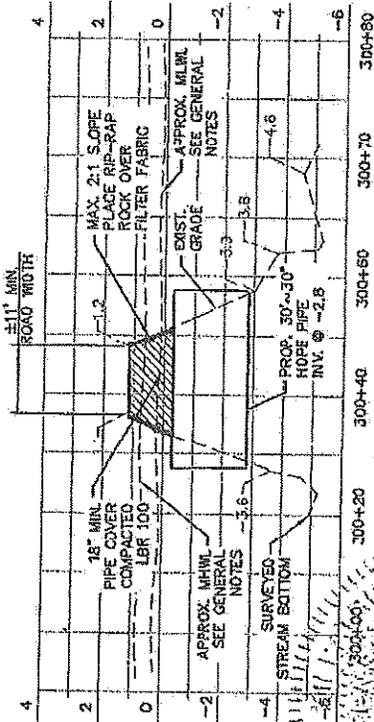
MAR 24 2014

DEPM Coastal Resource Section
 Natural Resources Regulation & Restoration
 MATCH LINE (NRRD) 2



NOTE:
 A MINIMUM OF 25 CU. YD. OF LBR 100 WILL BE PLACED AND
 COMPACTED OVER THE PIPES, PROVIDING A MINIMUM COVER
 OF 18 INCHES.

SECTION A-A
 SCALE: HORIZ. 1"=20'
 VERT. 1"=4'

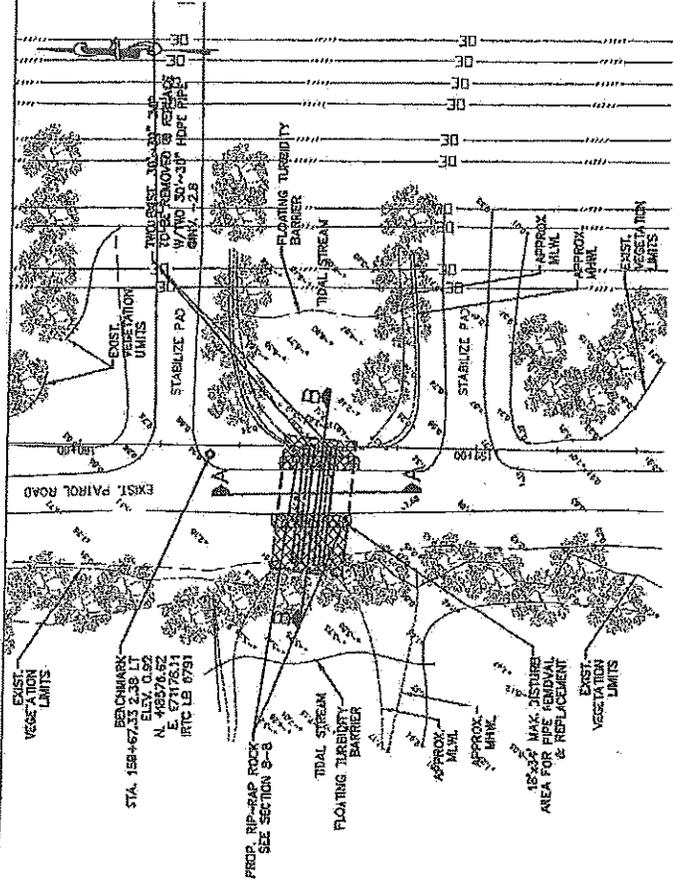


NOTE:
 TO PREVENT EROSION PROTECTION A LAYER OF RIP-RAP
 WILL BE INSTALLED ALONG CULVERT CROSSING. THE
 RIP-RAP WILL BE PLACED ON BOTH SIDES OF THE CULVERT SHALL COVER
 A 20 FT LONG SECTION OF THE CULVERT AND BE 2 FT THICK
 A TOTAL OF 2 CU. YD. FOR EACH SIDE OF THE CULVERTS.

SECTION B-B
 SCALE: HORIZ. 1"=20'
 VERT. 1"=4'

PRINCETON-TURKEY POINT
 TRANS. ACCESS ROAD
 (SOUTH OF STRUC. 119U1) DATE: 08-20-12
 SCALE: AS-SHOWN
 SHEET 2 OF 3
 B-PTK31

Daryl P. Kupatnik, PE 4527A
 Project: 041 904-3641
 DATE: 11-8-2014
 6611 Winding Lake Drive
 Jupiter, FL 33458



- LEGEND:
- [---] DISTURB AREA (612 SQ.FT. OR 102 CU.YD.)
 - [---] RIP-RAP AREA (160 SQ.FT. OR 2 CU.YD.)
 - [---] VEGETATION REMOVAL (422 SQ.FT.)

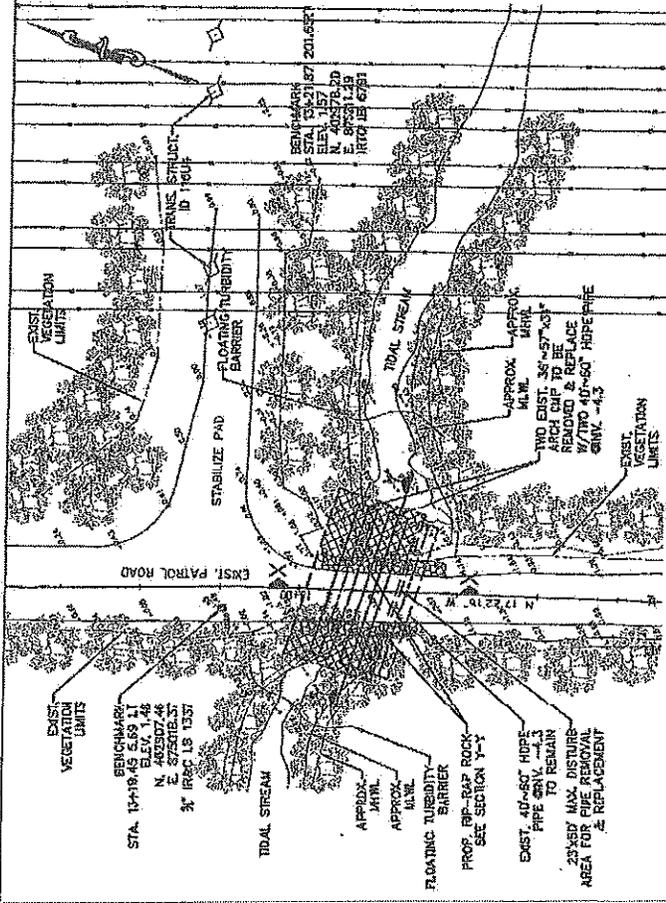
PLAN VIEW (CULVERT C-1)
 SCALE: 1"=30'

WETLAND AREA
 TO BE EXCAVATED
 414 SQ.FT. (0.01 AC)

NOTE:
 THE TOTAL AREA TO BE EXCAVATED SHALL BE NO
 MORE THAN 414 SQ. FT. TO A MAX DEPTH OF 4.5
 BELOW EXISTING GRADE. A TOTAL OF 172 CU. YD.
 SHALL BE EXCAVATED (VOLUME ACCOUNT FOR PIPE
 VOLUME). CUTTING SHALL BE APPROXIMATELY 80
 CU. YD. WILL BE RE-USE FOR COMPACTION
 BETWEEN PIPES.

SURVEY INFO PROVIDED BY
 CALVIN GORDON & ASSOC., INC.
 1800 ELLER CR., SUITE 800
 FT. LAUDERDALE, FL 33316
 PHONE: 954-821-7781
 DATE OF SURVEY: 05-23-13

REV.	NO.	DATE	REVISION	BY	CHK	APP
4	03-19-14		ADD WETLAND NOTE PER COUNTY COMMENT	JSR		
3	09-16-13		REVO PLAN VIEW NOTE PER COUNTY COMMENT	JSR		
2	07-05-13		REVO PER RAI DATED 03-08-13	JSR		
1	01-23-13		ADD NOTES FOR VOLUME OF EXCAVATION, LBR 100 AND RIP-RAP ROCK AS PER THE COUNTY REQUIREMENT	JSR		



NOTE:
 THE TOTAL AREA TO BE EXCAVATED SHALL BE NO MORE THAN 500 SQ. FT. TO A MAX DEPTH OF 7 FT BELOW EXISTING GRADE. A TOTAL OF 200 CU. YD. SHALL BE REQUIRED FOR PIPE AND 100 CU. YD. SHALL BE REQUIRED FOR PIPE REMOVAL. THESE VOLUMES ARE APPROXIMATE AND WILL BE RE-USED FOR COMPACTION BETWEEN PIPES.

LEGEND:
 [] WETLAND AREA (1150 SQ.FT. OR 200 CU.YD.)
 [] RIP-RAP ROCK (240 SQ.FT. OR 4 CU.YD.)
 [] VEGETATION REMOVAL (603 SQ.FT.)

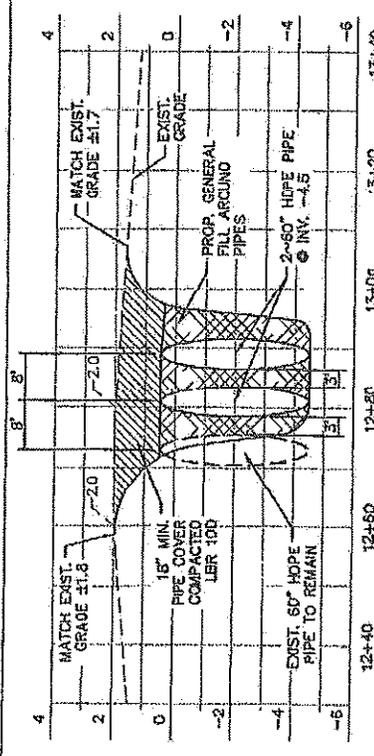
RECEIVED
 SCALE: 1"=30'

MAR 24 2014
 WETLAND AREA TO BE EXCAVATED
 920 SQ.FT. (0.22 AC)
 DERM Coastal Resources Section
 Natural Resources Regulation & Restoration
 Division (NRRD)

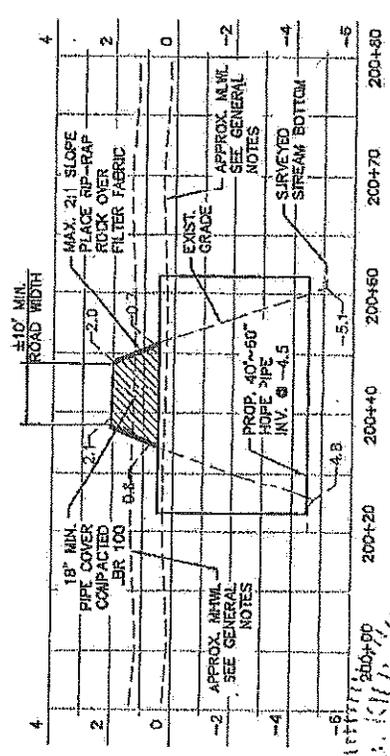
SURVEY AND PROVIDED BY:
 CALVIN W. ANDERSON, INC., INC.
 1500 ELLER DR. SUITE 500
 FT. LAUDERDALE, FL 33316
 PHONE: 954-821-7781
 DATE OF SURVEY: 05-22-13

REV	NO	DATE	REVISION
4	03-19-14		ADD WETLAND NOTE PER COUNTY COMMENT
3	09-16-13		REV'D PLAN VIEW NOTE PER COUNTY COMMENT
2	07-05-13		REV'D PER RAI DATED 03-08-13
1	01-23-13		ADD NOTES FOR VOLUME OF EXCAVATION, LBR 100 AND RIP-RAP ROCK AS PER THE COUNTY REQUIREMENT

BY: CH COR/APP



SECTION X-X
 SCALE: HORIZ. 1"=20'
 VERT. 1"=4'



SECTION Y-Y
 SCALE: HORIZ. 1"=20'
 VERT. 1"=4'

PRINCETON-TURKEY POINT
 TRANS. ACCESS ROAD
 (SOUTH OF STRUC. 116U4)
 CULVERT REPLACEMENT

Attachment C
Zoning Memorandum

Memorandum



Date: March 28, 2014

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

From: Nicole Fresard, Biologist II *NF*
Coastal and Wetlands Resources Section
Department of Regulatory and Economic Resources

Subject: Class I Permit Application by Florida Power and Light to Dredge and Fill Halophytic Wetlands for the Replacement of Culverts at the Properties Identified by Folio Numbers 30-7028-000-0010 and 30-7008-000-0060, Miami-Dade County, Florida

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

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

Culvert 1

Culvert 2

FLA POWER & LIGHT CO
PO BOX 14000
JUNO BEACH FL 33408

FLA POWER & LIGHT CO
PO BOX 14000
JUNO BEACH FL 33408

SOUTH FLA WATER MANAGEMENT
PO BOX 24680
WEST PALM BEACH FL 33416

Attachment E
Location Sketch

Attachment F
RER-DERM Project Report

PROJECT REPORT
CLASS I PERMIT APPLICATION NO. CLI-2012-0356

Class I Permit Application by Florida Power and Light to Dredge and Fill Halophytic Wetlands
for the Replacement of Culverts at the Properties Identified by Folio Numbers 30-7028-000-0010
and 30-7008-000-0060, Miami-Dade County, Florida

DATE: March 7, 2014

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

1. **Potential Adverse Environmental Impact** – The proposed project will result in the removal of 0.03 acres of halophytic (salt tolerant) wetlands. The wetland areas are primarily vegetated with *Rhizophora mangle* (red mangrove), *Laguncularia racemosa* (white mangrove), and *Conocarpus erectus* (green buttonwood). Benthic resources were not documented within the canals in the areas of the proposed work. Although the construction will result in to the removal of 0.03 acres of wetlands, the impacts associated with the culvert replacement are the minimum necessary and the surrounding wetland areas are available as alternate habitat. Additionally, the proposed work will improve the hydrologic connections to the wetland areas located west of the culverts, and is expected to result in increased productivity. Mitigation for adverse impacts to halophytic wetlands will be satisfied through the purchase of mitigation credits from the Everglades Mitigation Bank (EMB). The wetland restoration and enhancement projects conducted within the EMB have enhanced the properties in the South Dade Wetland Basin by removing exotic vegetation, replanting with native species, restoring filled areas to natural wetland grade and implementing a fire management program. Federal, state, and local regulatory permits issued for the EMB require monitoring and maintenance of the EMB in perpetuity.

The proposed project sites are not located within an area designated as essential manatee habitat for the *Trichechus manatus* (West Indian Manatee) by the Miami-Dade County Manatee Protection Plan (MPP); however, the project sites are located within areas that have the potential to be utilized by the West Indian Manatee. Therefore, the Class I permit will require that all standard manatee construction permit conditions be followed during all in-water construction operations.

2. **Potential Cumulative Adverse Environmental Impact** – The proposed project is not reasonably expected to result in cumulative adverse environmental impact.
3. **Hydrology** - The proposed project is expected to improve the hydrologic connection to the wetland areas located west of the culverts, and is not reasonably expected to adversely affect surface water drainage or retention of stormwater.
4. **Water Quality** – The proposed project may affect water quality on a temporary basis during construction operations. In order to minimize impacts, the Class I permit shall require that a water quality monitoring plan and proper turbidity controls and standard erosion control devices be implemented during the proposed work. Unavoidable impacts to water quality halophytic wetlands and surface waters have been minimized and will be mitigated as set forth in Number 1 above.
5. **Wellfields** – Not applicable.
6. **Water Supply** – Not applicable.
7. **Aquifer Recharge** – Not applicable.
8. **Aesthetics** – The project is designed to be aesthetically compatible with the surrounding areas. However, during the construction process, there may be temporary aesthetic impacts related to the presence of machinery associated with construction activities.
9. **Navigation** – The proposed project areas are not located within navigable waters.
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 permanent impacts to 0.03 acres of wetlands, and wetland habitat for small mammals and wading birds may be temporarily impacted as a result of the removal of vegetation and excavation of wetlands. However, the project sites are surrounded by a high quality wetland system that can be used as alternate habitat. In addition, unavoidable impacts to wildlife habitats have been minimized and will be mitigated as set forth in Number 1 above.
15. **Wetland Soils Suitable for Habitat** – The proposed project will result in permanent impacts to 0.03 acres of wetland soils suitable for habitat. However, the project sites are directly adjacent to a high quality wetland system that can be used as alternate habitat. In addition, unavoidable impacts to wetland soils suitable for habitat have been minimized and will be mitigated as set forth in Number 1 above.
16. **Floral Values** – The proposed project will result in permanent impacts to 0.03 acres of flora as a result of the removal of vegetation. However, impacts to floral values have been minimized and will be mitigated as set forth in Number 1 above.
17. **Fauna Values** – The project may result in temporary impacts to fauna values due to the temporary displacement of fauna such as small mammals and wading birds. However, the project sites are surrounded by a high quality wetland system that can be used as alternate habitat, and unavoidable impacts to fauna have been minimized and will be mitigated as set forth in Number 1 above.
18. **Rare, Threatened and Endangered Species** – The project sites have the potential to be utilized by the *Crocodylus acutus* (American Crocodile) and *Mycteria americana* (Wood Stork). However, they are surrounded by a high quality wetland system that can be used as alternate habitat, and unavoidable impacts have been minimized and will be mitigated as set forth in Number 1 above.

The proposed project sites are not located within an area designated as essential manatee habitat for the West Indian Manatee by the MPP; however, the project sites are located within areas that have the potential to be utilized by the West Indian Manatee. Therefore, the Class I permit will require that all standard manatee construction permit 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 will result in impacts to 0.03 acres of wetland values. However, impacts to wetlands have been minimized and will 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 proposed project will occur on lands owned entirely by the applicant.
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-DERM 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:
- Chapter 24 of the Code of Miami-Dade County
 - United States Clean Water Act (US Army Corps of Engineers permit is required)
 - 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 is not reasonably expected to 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 excavated wetland sediments are not intended to be used for the support of development.

Objective 7/Policy 7A - No net loss of high quality, relatively unstressed wetlands. - Although the proposed project will impact 0.03 acres of wetlands, the project is not reasonably expected to impact high quality, relatively unstressed wetlands, and impacts to wetlands have been minimized and will 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 areas have the potential to be utilized by the American Crocodile and Wood Stork. However, the project sites are surrounded by a high quality wetland system that can be used as alternate habitat, and potential unavoidable impacts have been minimized and will be mitigated as set forth in Number 1 above.

The proposed project sites are not located within an area designated as essential manatee habitat for the West Indian Manatee by the MPP; however, the project sites are located within areas that have the potential to be utilized by the West Indian Manatee. Therefore, the Class I permit will require that all standard manatee construction permit 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 proposed project is located within a designated “Mangrove Protection Area,” and is consistent with the criteria for work within a “Mangrove Protection Area.”

Objective 1/ Policy 1B - Natural surface flow into and through coastal wetlands. – The proposed project will improve the hydrologic connections to the wetland areas located west of the culverts, and is expected to result in increased productivity of these areas.

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 will result in permanent impacts to 0.03 acres of wetlands. However, impacts to wetlands have been minimized will 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. – Mitigation for adverse impacts to halophytic wetlands will be satisfied through the purchase of mitigation credits from the Everglades Mitigation Bank (EMB). The wetland restoration and enhancement projects conducted within the EMB have enhanced the properties in the South Dade Wetland Basin by removing exotic vegetation, replanting with native species, restoring filled areas to natural wetland grade and implementing a fire management program. Federal, state, and local regulatory permits issued for the EMB require monitoring and maintenance of the EMB 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. – The proposed project does not involve 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.

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 in Number 18 above.

Objective 5/Policy 5B - Existing and new areas for water-dependent uses. - The proposed project does not involve a new water-dependent use.

Objective 5/Policy 5D - Consistency with Chapter 33D, Miami-Dade County Code (shoreline access, environmental compatibility of shoreline development) – The proposed project sites are not located within the Shoreline Development Review Boundaries; therefore, 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 in Biscayne Bay.

30. **Conformance with the Miami-Dade County Manatee Protection Plan** - The proposed project was evaluated for consistency with the MPP. The proposed project is not located within an area designated as essential manatee habitat for the West Indian Manatee by the MPP; however, the project sites are located within areas that have the potential to be utilized by the West Indian Manatee. Therefore, the Class I permit will require that all standard manatee construction permit conditions 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** – The proposed project will result in permanent impacts to 0.03 acres of wetlands; however, the impacts have been minimized and will 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** – 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:

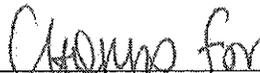
24-48.3 (2) Dredging and Filling for Class I Permit – The proposed project complies with the following criteria:

- An alteration of physical conditions as may be necessary to enhance the quality or utility of adjacent waters.
- 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 - Not Applicable.

24-48.3 (4) Clean Fill in Wetlands – Any fill used for the proposed project will consist only of clean fill.

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



Lisa Spadafina, Manager
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Nicole Fresard, Biologist II
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