

# Memorandum



Agenda Item No. 5(M)

**Date:** October 6, 2015

**To:** Honorable Chairman Jean Monestime  
and Members, Board of County Commissioners

**From:** Carlos A. Gimenez  
Mayor

A handwritten signature in black ink, appearing to read "Carlos A. Gimenez". The signature is written in a cursive style with a large, looping initial "C".

**Subject:** Class I Permit Application by the Miami-Dade Parks, Recreation and Open Spaces Department to Conduct Marina Improvements, Including the Filling of Tidal Waters, at Matheson Hammock Boat Ramp, Coral Gables, Miami-Dade County

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Attached, please find for your consideration an application by the Miami-Dade County Parks, Recreation and Open Spaces Department 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.

A handwritten signature in black ink, appearing to read "Jack Osterholt". The signature is written in a cursive style with a large, looping initial "J".  
\_\_\_\_\_  
Jack Osterholt, Deputy Mayor

# Memorandum



**Date:** August 31, 2015  
**To:** Carlos A. Gimenez  
Mayor  
**From:** Jack Osterholt, Deputy Mayor/Director  
Department of Regulatory and Economic Resources  
**Subject:** Class I Permit Application by Miami-Dade Parks, Recreation and Open Spaces  
Department to Conduct Marina Improvements, Including the Filling of Tidal Waters, at  
Matheson Hammock Boat Ramp, Coral Gables, Miami-Dade County

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## **Recommendation**

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

## **Scope**

Matheson Hammock Park is located at 9610 Old Cutler Road, Coral Gables, in Commission District 7, which is represented by Commissioner Xavier L. Suarez.

## **Fiscal Impact/Funding Source**

This resolution is a regulatory approval and does not have a fiscal impact as contemplated by R-530-10.

## **Track Record/Monitor**

The Natural Resources Division Chief within the Department of Regulatory and Economic Resources, Division of Environmental Resources Management (RER-DERM), Lisa Spadafina, will be responsible for monitoring the proposed permit.

## **Background**

This Class I permit application requests authorization to conduct marina improvements, including the filling of tidal waters, at Matheson Hammock boat ramp in the City of Coral Gables. 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.

Launching and retrieval of vessels from trailers at the public boat ramp has created scours and voided areas at the Matheson Hammock boat ramp near the south side of the marina basin. The Miami-Dade County Parks, Recreation and Open Spaces Department, as applicant, proposes to make repairs to the existing concrete boat ramp by filling in scoured and void areas with erosion control blocks and flowable fill to restore the submerged bottom and ramp to the previous grade, which will result in the filling of 1,373 square feet of tidal waters. The applicant also proposes to replace the seawall along the west side of the boat ramp and conduct repairs to the piers located within the boat ramp area.

Section 24-48.3 of the Code requires that RER-DERM evaluate environmental and related impacts including but not limited to aesthetics, navigation, marine resources and other environmental values affecting the public interest when deciding to recommend approval or denial of a proposed project. Furthermore, Section 24-48.3(2) of the Code requires that dredging or filling work proposed in Class I permit applications shall comply with at least one of six listed dredge and fill criteria. Minimum filling of tidal waters for the purposes of maintenance of the boat ramp is consistent with the above referenced dredge and fill criteria.

Pursuant to Section 24-48.4 of the Code, potential adverse environmental impacts and cumulative adverse environmental impacts for a proposed project must be avoided and minimized. The boat ramp area does not support significant resources, and no aquatic vegetation was documented in the footprint of the proposed work. The Class I permit will require that turbidity controls be utilized during all phases of construction to ensure compliance with State and County water quality standards. To mitigate for minor temporary water quality impacts associated with the installation of the seawall, the applicant has agreed to place limerock riprap boulders at the base of the new seawall to provide habitat for marine life.

The proposed project is not located within an area designated as essential manatee habitat for the West Indian Manatee by the Miami-Dade County Manatee Protection Plan. However, the Class I permit shall 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 construction criteria and is consistent with all other Miami-Dade County coastal protection provisions. Please find attached a RER-DERM 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 and 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

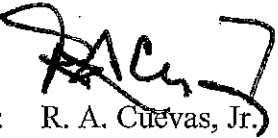


# MEMORANDUM

(Revised)

**TO:** Honorable Chairman Jean Monestime  
and Members, Board of County Commissioners

**DATE:** October 6, 2015

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

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

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(M)  
10-6-15

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

RESOLUTION APPROVING A CLASS I PERMIT APPLICATION BY THE MIAMI-DADE COUNTY DEPARTMENT OF PARKS, RECREATION AND OPEN SPACES TO CONDUCT MARINA IMPROVEMENTS, INCLUDING THE FILLING OF TIDAL WATERS, AT MATHESON HAMMOCK BOAT RAMP, CORAL GABLES, 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 the Miami-Dade County Department of Parks, Recreation and Open Spaces for a Class I permit to conduct marina improvements, including the filling of tidal waters, at Matheson Hammock Park boat ramp, Coral Gables, 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:

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

The Chairperson thereupon declared the resolution duly passed and adopted this 6<sup>th</sup> day of October, 2015. This resolution shall become effective upon the earlier of (1) 10 days after the date of its adoption unless vetoed by the County Mayor, and if vetoed, shall become effective only upon an override by this Board, or (2) approval by the County Mayor of this Resolution and the filing of this approval with the Clerk of the Board.

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

HARVEY RUVIN, CLERK

By: \_\_\_\_\_  
Deputy Clerk

Approved by County Attorney as  
to form and legal sufficiency.



Abbie Schwaderer-Raurell

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



# Class I Permit Application

FOR DEPARTMENTAL USE ONLY	
Date Received:	Application Number: <u>CL1-2014-0362</u>
	Application Fee: <u>\$10,220.00</u>

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

<b>1. Applicant Information:</b> Name: <u>Miami Dade County Parks Recreation and Open Spaces</u> Address: <u>9601 Old Cutler Road</u> <u>Coral Gables, Florida</u> Zip Code: <u>33156</u> Phone #: <u>(305) 755-7903</u> Fax#: _____ Email: _____ <small>*This should be the applicant's information for contact purposes.</small>	<b>2. Applicant's Authorized Permit Agent:</b> <small>Agent is allowed to process the application, furnish supplemental information relating to the application and bind the applicant to all requirements of the application.</small> Name: <u>Michael Penn, Engineer, Stanley Consultants, Inc.</u> Address: <u>1641 Worthington Road Suite 400</u> <u>West Palm Beach, FL</u> Zip Code: <u>33409</u> Phone #: <u>561-689-7444</u> Fax #: _____ Email: <u>penmichael@stanleygroup.com</u>
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**3. Location where proposed activity exists or will occur (latitude and longitude are only necessary for properties without address or folio #):**

Folio #(s): 03-5105-000-0010 Latitude: \_\_\_\_\_ Longitude: \_\_\_\_\_  
 Street Address: 9610 Old Cutler Road Section: 22 Township: 54N Range: 41E  
 In City or Town: Coral Gables Near City or Town: \_\_\_\_\_  
 Name of waterway at location of the activity: Matheson Hammock Marina Basin

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

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

Estimated project cost = \$400,000.00

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

<b>5. Proposed Use (check all that apply):</b> <input type="checkbox"/> Single Family <input type="checkbox"/> Multi-Family <input type="checkbox"/> Private <input checked="" type="checkbox"/> Public <input type="checkbox"/> Commercial <input type="checkbox"/> Industrial <input type="checkbox"/> Utility	<b>6. If the proposed work relates to the mooring of vessels provide the following information (please also indicate if the applicant does not have a vessel):</b> Proposed Vessel Type (s): <u>N/A</u> Vessel Make/Model (If known): _____ Draft (s)(range in inches.): _____ Length (s)(range in feet.): _____ Total Number of Slips: _____
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**7. List all permits or certifications that have been applied for or obtained for the above referenced work:**

Issuing Agency	Type of Approval	Identification Number	Application Date	Approval Date



**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 Parks Recreation and Open Spaces 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] Michael Spring Senior Advisor to 8/26/15  
Signature of Authorized Representative Print Authorized Representative's Name Title Date  
the Mayor

**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 9610 Old Cutler Road, Coral Gables, Miami-Dade County, Florida, otherwise identified in the public records of Miami-Dade County as Folio No. 03-5105-000-0010. I am aware and familiar with the contents of this application for a Miami-Dade County Class I Permit to perform the work on or adjacent to the subject property, as described in Section 4 of this application. I possess the riparian rights to the area of the proposed work (if applicable) and hereby consent to the work identified in this Class I Permit application.

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

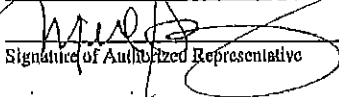
Signature of Owner	Print Owner's Name	Date
Signature of Owner	Print Owner's Name	Date

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

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

275 NW 2 Street, Miami, Florida 33128  
 Address of Owner

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

	<u>Michael Spring</u>	<u>Senior Advisor to</u>	<u>8.26.15</u>
Signature of Authorized Representative	Print Authorized Representative's Name	Title	Date
		<u>the Mayor</u>	
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

**Attachment B**

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

**PERMIT APPLICANT / AUTHORIZED AGENT STATEMENT**

**AUG 13 2015**

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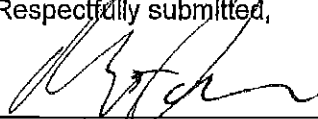
Miami Dade County Department of Regulatory and Economic Resources  
Class I Permitting Program  
701 NW 1<sup>st</sup> Court  
Miami, FL 33136

Re: Class I Standard Form Permit Application Number CLI-2014-0362

By the attached Class I Standard Form permit application with supporting documents, I, Michael A. Penn, Stanley Consultants, Inc., am the permit agent and hereby request permission to perform the work associated with Class I Permit Application CLI-2014-0362. I understand that a Miami-Dade County Class I Standard Form Permit is required to perform this work.

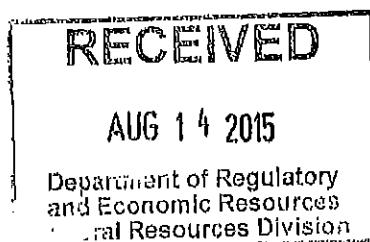
If approval is granted for the proposed work by the Board of County Commissioners, complete and detailed plans and calculations of the proposed work shall be prepared by an engineer licensed in the State of Florida in accordance with the minimum requirements of Chapter 24 of the Code of Miami-Dade County,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



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Michael A. Penn,  
Stanley Consultants, Inc.  
Permit Agent



**ENGINEER LETTER OF CERTIFICATION**

**AUG 13 2015**

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

RE: Class I Permit Application Number CLI-2014-0362

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)

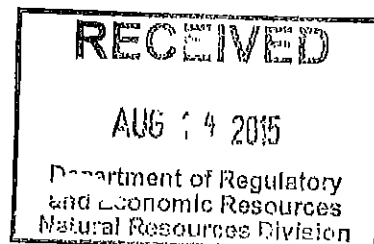
Further, I have been retained by the applicant to provide inspections throughout the construction period and to prepare a set of reproducible record prints of drawings showing changes made during the construction process based upon the marked-up prints, certified surveys, drawings, and other data furnished by the contractor to me.

Sincerely,



Michael A. Penn  
Stanley Consultants, Inc.

P.E. #71160



# MATHESON HAMMOCK MARINA

## BOAT RAMP REPAIRS

9610 OLD CUTLER ROAD  
 MIAMI - DADE COUNTY, FLORIDA  
 PROS PROJECT NUMBER 510601-13-003

APRIL 2015



Honorable Carlos A. Gimenez  
 Mayor

### BOARD OF COUNTY COMMISSIONERS

Honorable Rebecca Sosa, Chairwoman

Honorable Lynda Bell, Vice-Chairwoman

Honorable Dennis C. Moss, District 6

Honorable Senator Javier D. Soto, District 10

Honorable Juan C. Zapata, District 11

Honorable José "Pepe" Diaz, District 12

Honorable Esteban Bovo, Jr., District 13

Honorable Barbara J. Jordan, District 1

Honorable Jean Monesime, District 2

Honorable Audrey Edmonson, District 3

Honorable Sally A. Heyman, District 4

Honorable Bruno A. Barreto, District 5

Honorable Xavier L. Suarez, District 7

Honorev Rubin  
 Clerk of Courts  
 Lazara Sallis  
 Property Appraiser  
 R. A. Cuevas, Jr.  
 County Attorney

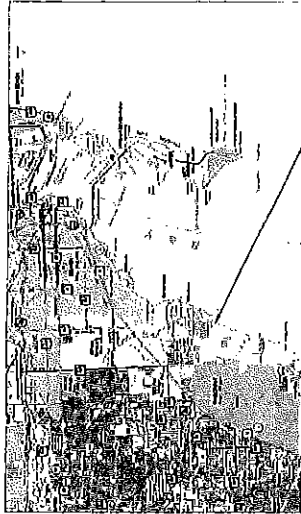
MIAMI-DADE COUNTY provides equal access and equal opportunity in employment and services and does not discriminate on the basis of disability.

### PARKS, RECREATION AND OPEN SPACES

Jack Kardys, Director  
 George Navarrete, Deputy Director

INDEX OF DRAWINGS

1011-0-01	CONTRACT
1011-0-02	PROPOSAL AND BIDDING
1011-0-03	CONTRACT ADMINISTRATION
1011-0-04	CONTRACT ADMINISTRATION
1011-0-05	CONTRACT ADMINISTRATION
1011-0-06	CONTRACT ADMINISTRATION
1011-0-07	CONTRACT ADMINISTRATION
1011-0-08	CONTRACT ADMINISTRATION
1011-0-09	CONTRACT ADMINISTRATION
1011-0-10	CONTRACT ADMINISTRATION
1011-0-11	CONTRACT ADMINISTRATION
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1011-0-100	CONTRACT ADMINISTRATION



VICINITY MAP — PROJECT LOCATION

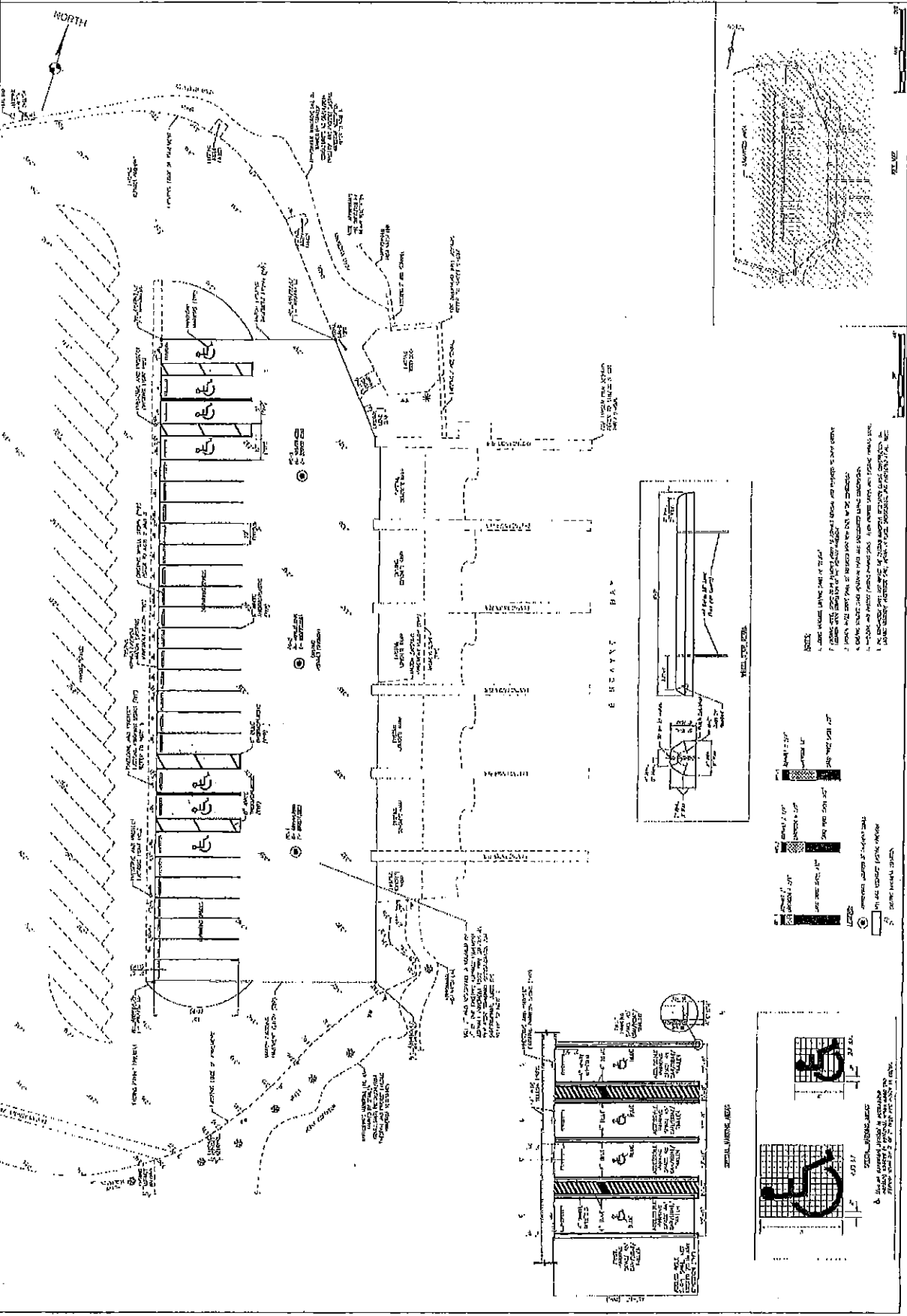


## FINAL SUBMITTAL

PARKS, RECREATION AND OPEN SPACES

Department Director  
 Deputy Director  
 Assistant Director, Operations Management Division  
 Chief - Design, Construction and Maintenance














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

# Memorandum



**Date:** August 15, 2015

**To:** Lisa Spadafina, Chief   
Natural Resources Division  
Department of Regulatory and Economic Resources

**From:** Alain Alonso, Biologist II   
Coastal and Wetlands Resources Section  
Department of Regulatory and Economic Resources

**Subject:** Class I Permit Application by the Miami-Dade County Department of Parks Recreation and Open Spaces to Conduct Marina Improvements, Including the Filling of Tidal Waters, at Matheson Hammock Boat Ramp, Coral Gables, Florida

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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**  
**RER-DERM Project Report**

**PROJECT REPORT**  
**CLASS I PERMIT APPLICATION NO. CLI-2014-0362**

Class I Permit Application by the Miami-Dade County Department of Parks, Recreation and Open Spaces to Conduct Marina Improvements, Including the Filling of Tidal Waters, at Matheson Hammock Boat Ramp, Coral Gables, Florida

**Date: August 1, 2015**

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 work is not reasonably expected to result in adverse environmental impacts. The project proposes to fill void and scoured spaces on the ramp and submerged bottom at the base of the ramp with erosion control blocks and flowable fill in order to restore the ramp and submerged bottom to the previous grade, which will result in the filling of 1,373 square feet of tidal waters; however, the boat ramp area where filling will occur does not support significant resources, and no submerged aquatic vegetation was documented in the footprint of the proposed work. The Class I permit will require that turbidity control be utilized during all phases of construction to ensure compliance with State and County water quality standards. Therefore, the proposed project is not reasonably expected to result in significant adverse environmental impacts.

To mitigate for minor temporary water quality impacts associated with the installation of the seawall, the applicant has agreed to place limerock riprap boulders at the base of the new seawall to provide habitat for marine life.

The proposed project is 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. 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 may affect surface water quality on a temporary basis during construction activities; however, the Class I permit will require that turbidity control devices such as, but not limited to turbidity curtains, be utilized during all phases of construction to ensure compliance with State and County water quality standards.
5. **Wellfields** – The proposed project is not reasonably expected to adversely affect wellfields.
6. **Water Supply** – The proposed project is not reasonably expected to adversely affect water supply.
7. **Aquifer Recharge** – The proposed project is not reasonably expected to adversely affect aquifer recharge.
8. **Aesthetics** – The proposed project is not reasonably expected to have negative aesthetic impacts. The proposed work is designed to be aesthetically compatible with the surrounding area. However, during the construction process there may be temporary aesthetic impacts related to the presence of machinery and equipment associated with the construction activities.
9. **Navigation** – The proposed project is not reasonably expected to adversely affect navigation.
10. **Public Health** - The proposed project is not reasonably expected to adversely affect public health.
11. **Historic Values** - The proposed project is not reasonably expected to adversely affect historic values.
12. **Archaeological Values** - The proposed project is not reasonably expected to adversely affect archaeological values.
13. **Air Quality** – The proposed project is not reasonably expected to adversely affect air quality.



14. **Marine and Wildlife Habitats** – The proposed project is not reasonably expected to adversely affect marine and wildlife habitats, as set forth in Number 1 above.
15. **Wetland Soils Suitable for Habitat** – The proposed project does not involve any work in wetland soils.
16. **Floral Values** – The proposed project is not reasonably expected to adversely affect marine flora as set forth in Number 1 above.
17. **Fauna Values** - The proposed project is not reasonably expected to adversely affect marine fauna as set forth in Number 1 above.
18. **Rare, Threatened and Endangered Species** – The proposed project is not reasonably expected to adversely affect rare, threatened, and endangered species as set forth in Number 1 above.
19. **Natural Flood Damage Protection** - The proposed project is not reasonably expected to adversely affect surface water drainage or retention of stormwater.
20. **Wetland Values** –The proposed project does not involve work in wetlands.
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 by Miami Dade County.
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:
  - a) Chapter 24 of the Code of Miami-Dade County
  - b) United States Clean Water Act (US Army Corps of Engineers permit is required)
  - c) Florida Department of Environmental Protection (FDEP regulatory authorization or exemption 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 proposed 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 5** - 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 7/Policy 7A, 7C, 7D, 7J** - Wetland protection and restoration. – The proposed project is not reasonably expected to compromise wetland protection or restoration, 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 reasonably expected to adversely impact rare, threatened, and endangered species as set forth in Number 1 above.

**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”; however, the proposed project does not involve work in mangrove areas.

**Objective 1/ Policy 1B** - Natural surface flow into and through coastal wetlands. – The proposed project is not located within coastal wetlands.

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

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

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

**Objective 1/Policy 1G** - Prohibition on dredging or filling of grass/algal flats, hard bottom or other viable benthic communities, except as provided for in Chapter 24 of the Code of Miami-Dade County, Florida. - The proposed 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 set forth in Number 1 above.

**Objective 5/Policy 5B** - Existing and new areas for water-dependent uses. - The proposed project is not reasonably expected to adversely affect existing water-dependent use.

**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 consistent with the Biscayne Bay Management Plan.
30. **Conformance with the Miami-Dade County Manatee Protection Plan** - The proposed project is not located within an area designated as essential manatee habitat for the West Indian Manatee by the MPP. However, the Class I permit shall require that all standard construction permit conditions regarding manatees be followed during all in-water 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 is not located within wetlands.
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:

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

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

24-48.3 (4) Clean Fill in Wetlands - Not Applicable.

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

  
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Lisa Spadafina, Chief  
Natural Resources Division

  
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Alain Alonso, Biologist II  
Coastal and Wetlands Resources Section