

Memorandum



Date: December 15, 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".

Substitute
Agenda Item No. 5(D)

Subject: Class I Permit Application and Request for a Variance by National Marine Manufacturer's Association, Inc. for an Annual Boat Show within the Marine Stadium Basin at 3515 Rickenbacker Causeway, Miami, Florida, for a Period of 10 Years

This substitute item differs from the original in that it includes additional language in the title and body of the resolution pertaining to the Board's consent to this application with respect to any and all ownership interests of Miami-Dade County for any of the property that is the subject of this application.

Attached please find for your consideration an application by National Marine Manufacturer's Association, Inc. for a Class I permit and a variance from Section 24-48.23 of the Code of Miami-Dade County. Also attached is the recommendation of the Department of Regulatory and Economic Resources, Division of Environmental Resources Management and a proposed resolution approving the variance and the issuance of the Class I permit subject to conditions, including conditions relating to the use of the FEC slip as a water taxi stop.

Attachment

A handwritten signature in black ink, appearing to read "Jack Osterholt".

Jack Osterholt
Deputy Mayor

Memorandum



Date: November 6, 2015

To: Carlos A. Gimenez
Mayor

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

Subject: Class I Permit Application and Request for a Variance by National Marine Manufacturer's Association, Inc. for an Annual Boat Show within the Marine Stadium Basin at 3515 Rickenbacker Causeway, Miami, Florida, for a Period of 10 Years

Recommendation

I have reviewed the attached application for a Class I permit and a variance by National Marine Manufacturer's Association, Inc. Based on the applicable evaluation factors set forth in Sections 24-48.3 and 24-48.25 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 to authorize the time for completion of work under the permit for a period of three (3) years subject to conditions, including conditions relating to the use of the FEC slip as a water taxi stop, and approve the variance request for the reasons further explained below.

Scope

The project site is at Marine Stadium, 3515 Rickenbacker Causeway, Miami, Florida 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 Resolution No. R-530-10.

Track Record/Monitor

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

Background

This Class I permit application requests authorization for the following at 3515 Rickenbacker Causeway in the City of Miami: (a) installation of a temporary 830-slip docking facility for the National Marine Manufacturers Association Annual Boat Show and (b) a variance for the use of non-water dependent floating structures over tidal waters. To provide transportation to and from the event, the applicant is proposing a water taxi service that will shuttle attendees between the Marine Stadium Basin and seven (7) water taxi stops. 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. In addition, Section 24-48.23 of the Code prohibits non-water-dependent floating structures; therefore, a variance from the Code, including a Standard Form application and a public hearing, is required.

Pursuant to Section 24-48.19 of the Code, Standard Form Class I permits shall be valid for a period of three (3) years from the date of permit issuance unless another time period is permitted as set forth in the resolution by the Board. The applicant has requested that the permit be authorized for a 10-year period. However, staff notes that this project involves the initial establishment of a large boat show in an area of the bay that has not previously been used for that purpose. Therefore it is recommended that the permit only be authorized for a three (3) year period consistent with the above referenced Section of the Code. In addition, if approved, the permit will require that the applicant obtain administrative modifications to the permit for

reinstallation of the docking facility each year during the three year performance period of the permit, and that such modifications shall be subject to DERM's determination that the project has been operated in substantial compliance with conditions of the Class I permit.

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 proposed temporary docking facility will involve the installation of floating docks and ramps to provide for the mooring of 830 vessels and will also include floating structures for non-water dependent use, such as tents for the exhibitors and attendees. Non-water-dependent floating structures are prohibited under Chapter 24 of the Code, so a variance is requested for this temporary installation. The proposed structures will be installed and removed within a 90-day period associated with the five (5) day boat show that is proposed to take place on an annual basis each February. To avoid impacts to dense benthic resources located near the shoreline, the docking facility and all associated non-water dependent structures have been configured to be in deeper water areas, in locations where only sparse seagrasses were documented. Due to the limited duration of the event and the measures taken to reduce impacts, the variance for the use of non-water-dependent floating structures is recommended for approval.

Access to the docking facility from the uplands will occur over pile-supported walkways to provide pedestrian access beyond the shallow nearshore area. The Class I permit will include conditions that require shallow areas and dense seagrass beds to be visibly delineated throughout all construction activities. In addition, certain shallow seagrass areas and an entry channel into Marine Stadium Basin will remain marked throughout the duration of the boat show activities. Due to the temporary nature of the project, long-term shading impacts to seagrasses are not anticipated, and pre- and post-event benthic surveys will be conducted to verify whether any unanticipated impacts occur. In locations where the walkways extend over and adjacent to wetlands and wetland vegetation, the applicant will provide fencing and signage to direct pedestrian traffic to the designated access paths and away from sensitive areas. In addition, the Class I permit will include a condition that the walkway locations be placed to avoid and minimize impacts to wetlands and wetland vegetation and be approved by DERM staff prior to installation. Furthermore, the subject Class I permit will include specific conditions to assure that any unanticipated environmental impacts be restored and/or mitigated in accordance with DERM requirements and that a mitigation bond be posted prior to permit issuance.

In order to ensure that the use of the docking facility and all associated activities will not result in the discharge of pollutants or solid wastes to tidal waters, the Class I permit will require the submittal of an operating plan that adequately addresses how the facility and activities will be managed to prevent pollutants from entering tidal waters. The facility will also be required to maintain a valid Marine Facilities Operating Permit prior to the use of the facility and throughout the duration of the permitted events. In addition, the conditions of the Class I permit will require that best management practices be implemented during any construction work or activities associated with the event. In order to mitigate for temporary water-quality impacts associated with the construction, deconstruction and use of the facility, the applicant has agreed to provide annual contributions to the Biscayne Bay Environmental Enhancement Trust Fund based on the total number of slips each year.

The proposed project has also been evaluated for consistency with the Miami-Dade County Manatee Protection Plan. The Marine Stadium Basin is not located within an area designated as essential habitat for the West Indian Manatee and the Manatee Protection Plan does not include specific limitations for new or expanded marine facilities at this site, other than compliance with existing zoning or environmental regulations.

The area immediately outside of the Marine Stadium Basin is designated as essential manatee habitat and is also dominated by shallow water areas containing dense seagrass beds. However, the Intracoastal Waterway provides marked deep water access to the Marine Stadium Basin from both the northern and the southern directions. The applicant has developed a map that identifies channels and appropriate routes of access to the Marine Stadium Basin that will be provided to all exhibitors and water taxi operators prior to arrival at the boat show as part of an "orientation package" (see Attachment B). The map also indicates the locations of environmentally sensitive areas that are required to be avoided. The applicant is proposing a water taxi service to provide transportation between the Marine Stadium Basin marina and seven (7) other locations. Staff have determined that six (6) of the sites proposed for water taxi service are consistent with the recommendations of the Manatee Protection Plan. The applicant is also proposing to utilize the FEC slip located north of the American Airlines Arena which is not recommended for transitory use such as water taxi service. The FEC slip is located in an area recommended for "Freight Terminals and Large Vessels (greater than 100 feet)". The higher frequency of boat trips associated with a water taxi service could increase overlap between vessels and manatee travel patterns at this location. Staff discussed eliminating water taxi service to the FEC slip with the applicant but the applicant indicated that use of this site is an important component of the boat show's overall transportation plan due to the vehicle parking available at the American Airlines Arena. Although the Manatee Protection Plan does not recommend the siting of such a high intensity marine related use at the FEC slip, the boat show lasts only five (5) days each year. In addition, the area of Biscayne Bay adjacent to the FEC slip is designated as vessel "Slow Speed All Year" by the Florida Fish and Wildlife Conservation Commission. To minimize potential impacts to manatees associated with this project, staff recommend approval of the Class I permit subject to the following conditions: a) that the use of the FEC slip for a water taxi stop shall be limited to not more than five (5) days each year and shall be associated exclusively with the boat show transportation plan; b) that a manatee observer shall be required onboard all water taxi vessels that access the FEC slip; and c) if any impacts to manatees as a result of using the FEC slip as a water taxi stop are documented, water taxi service to and from the FEC slip shall cease for the remainder of the event and will not be authorized for subsequent events. Furthermore, the Class I permit shall also require that all standard manatee construction conditions be followed during all in-water operations, and that a DERM-approved manatee observer plan be implemented during all phases of construction, operation, and removal of the boat show.

The proposed project has been designed in accordance with all other relevant Miami-Dade County coastal construction criteria and is consistent with all other Miami-Dade County coastal protection provisions. The attached Project Report sets forth the reasons the proposed project is recommended for approval subject to the conditions listed above and additional conditions of the Class I permit, pursuant to the applicable evaluation factors set forth in Sections 24-48.3 and 24-48.25 of the Code. The conditions, limitations, and restrictions set forth in the Project Report attached hereto are incorporated herein by references hereto.

Attachments

- Attachment A: Class I Permit Application
- Attachment B: Owner/Agent Letter, Engineer Certification Letter, and Project Sketches
- Attachment C: Zoning Memorandum
- Attachment D: DERM Project Report



MEMORANDUM

(Revised)

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

DATE: December 15, 2015

FROM: Abigail Price-Williams
County Attorney

SUBJECT: Substitute
Agenda Item No. 5(D)

Please note any items checked.

- "3-Day Rule" for committees applicable if raised
- 6 weeks required between first reading and public hearing
- 4 weeks notification to municipal officials required prior to public hearing
- Decreases revenues or increases expenditures without balancing budget
- Budget required
- Statement of fiscal impact required
- Statement of social equity 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 _____

Substitute
Agenda Item No. 5(D)
12-15-15

RESOLUTION NO. _____

RESOLUTION TAKING ACTION ON A CLASS I PERMIT APPLICATION AND A REQUEST FOR A VARIANCE FROM SECTION 24-48.23 OF THE CODE OF MIAMI-DADE COUNTY BY NATIONAL MARINE MANUFACTURER'S ASSOCIATION, INC. FOR THE INSTALLATION OF A TEMPORARY 830 SLIP DOCKING FACILITY FOR AN ANNUAL BOAT SHOW INCLUDING WATER TAXI SERVICES AND FLOATING STRUCTURES FOR NON-WATER DEPENDENT USE OVER TIDAL WATERS WITHIN THE MARINE STADIUM BASIN AT 3515 RICKENBACKER CAUSEWAY, MIAMI, FLORIDA, INCLUDING A REQUEST TO AUTHORIZE THE TIME OF COMPLETION OF WORK OF THE SUBJECT PERMIT FOR A PERIOD OF TEN (10) YEARS, AND CONSENTING TO APPLICATION AS TO ANY AND ALL OWNERSHIP INTERESTS OF MIAMI-DADE COUNTY

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 Sections 24-48.3 and 24-48.25 of the Code of Miami-Dade County, hereby approves the application by National Marine Manufacturer's Association, Inc. for a Class I permit subject to conditions, including conditions relating to the use of the FEC Slip as a water taxi stop and for a variance from Section 24-48.23 of the Code of Miami-Dade County, for the installation of a temporary 830 slip docking facility for an annual boat show including water taxi services and floating structures for non-water dependent use over tidal waters within the Marine Stadium Basin, at 3515 Rickenbacker Causeway, Miami, Florida, and to authorize the time of completion of work of the subject permit for a maximum period of

three (3) years, 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. >>In addition, this Board hereby consents to this application with respect to any and all ownership interests of Miami-Dade County for any of the property that is the subject of this application.<<¹

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	Rebecca Sosa
Sen. Javier D. Souto	Xavier L. Suarez
Juan C. Zapata	

¹ The differences between the substitute and original item are indicated as follows: words stricken through and/or [[double bracketed]] shall be deleted, words underscored and/or >>double arrowed<< constitute the amendment proposed.

The Chairperson thereupon declared the resolution duly passed and adopted this 15th day of December, 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. ASP

Abbie Schwaderer-Raurell

Attachment A
Class I Permit Application

Class I Permit Application

FOR DEPARTMENTAL USE ONLY

Date Received:

RECEIVED
SEP 29 2015

Application Number: CLI-2014-0124

Application Fee: \$1,470.00

DERM

Application must be filed out by Regulation 126.000 Indicate N/A for non-applicable fields.

1. Applicant Information:

Name: National Marine Manufacturers Association, Inc.
 Address: 231 South Lavalle Street, Suite 2050
Chicago, Illinois Zip Code: 60604
 Phone #: 971-441-3231 Fax #: 816-542-8673
 Email: etjole@nmma.org

* 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: Glen Larson/Dock and Marine Construction, Inc.
 Address: 752 NE 79th Street
Miami, Florida Zip Code: 33138
 Phone #: 305-751-9911 Fax #: _____
 Email: glarson@dockandmarine.net

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

Folio #(s): 01-4217-000-0010, 01-4217-000-0110 Latitude: _____ Longitude: _____
 Street Address: 3501 Rickenbacker Causeway Section: 01 Township: 54N Range: 42E
 In City or Town: Miami 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"/> Benthic | <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 | | | | |

X Other: Install temporary floating docks, ramps, pilings, and tents that will include non-water dependent uses for a boat show

Estimated project cost = \$50,000.00

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

5. Proposed Use (check all that apply):

- Single Family
 Multi-Family
 Private
 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): Various
 Vessel Make/Model (if known): _____
 Draft (s) (range in inches.): Maximum of 5'-11" Length (s) (range in feet.): Maximum of 90'
 Total Number of Slips: 830

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
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8. Contractor Information (If known):

Name: Dook and Marine Construction, Inc. License # (County/State): E-410
Address: 752 NB 79th Street Miami, Florida Zip Code: 33138
Phone #: 305-751-9911 Fax #: 305-751-9911 E-mail: glarson@dookandmarine.net

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.)

National Marine Manufactures Association, Inc. Corporation Illinois
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 Nelson W. D. EVP 9/28/15
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 Date

Signature of Authorized Representative Print Authorized Representative's Name Date



DERM Environmental Resources Regulation Division

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

I/We are the fee simple owner(s) of the real property located at 3501 Rickenbacker Causeway Miami-Dade County, Florida, otherwise identified in the public records of Miami-Dade County as Folio Nos. 01-4217-000-0010, 01-4217-000-0110. 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.)

City of Miami Government Florida
 Print Name of Owner (Enter the complete name as registered) Type (Corp, LLC, LLP, etc.) State of Registration/Incorporation
3500 Pan American Drive Miami, Florida
 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>[Signature]</u> Signature of Authorized Representative	<u>Daniel J. Adams</u> Print Authorized Representative's Name	<u>City Manager</u> Title	<u>9-18-15</u> 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
SEP 29 2015

DERM
Environmental Resources Regulation Division

12

Attachment B

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

PERMIT APPLICANT / AUTHORIZED AGENT STATEMENT

Date: 9/28/2015

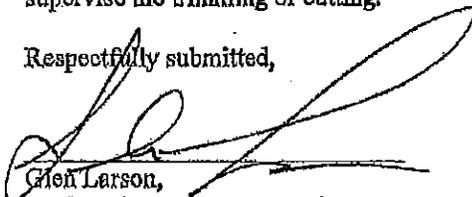
Miami Dade County Department of Regulatory and Economic Resources
Class I Permitting Program
701 NW 1st Court
Miami, FL 33136

Re: Class I Standard Form Permit Application Number CLI-2014-0124

By the attached Class I Standard Form permit application with supporting documents, I, Glen Larson, Dock and Marine Construction, Inc., am the permit agent and hereby request permission to perform the work associated with Class I Permit Application CLI-2014-0124. 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,


Glen Larson,
Dock and Marine Construction, Inc.
Permit Agent

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SEP 29 2015

DERM
Environmental Resources Regulation Division

ENGINEER LETTER OF CERTIFICATION

Date: 9/18/15

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-2014-0124

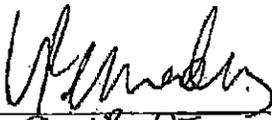
Ladies and Gentlemen:

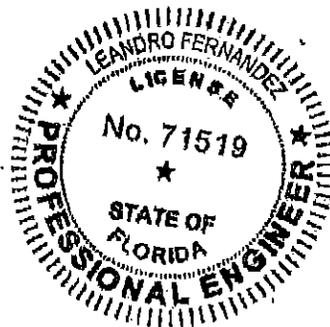
This letter will certify that I am an engineer licensed in the State of Florida, qualified by education and experience in the area of engineering design and inspection, and that to the best of my knowledge and belief, the proposed work does not violate any laws, rules, or regulations of the State of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


9-18-15
P.E. # 71519



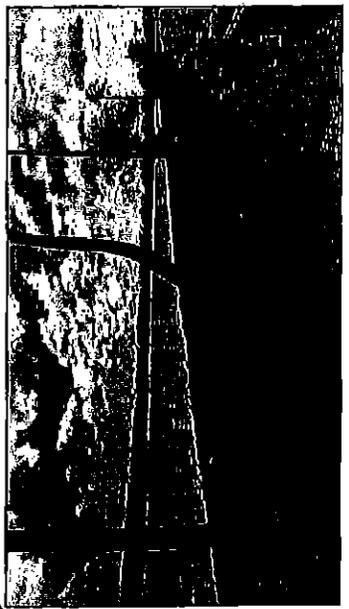
RECEIVED
SEP 29 2015

DERM
Environmental Resources Regulation Division

 <p>DOCK AND MARINE CONSTRUCTION, CORP. 752 NE 79TH STREET MIAMI, FL 33188 305-781-9911 F. 305-781-4929</p>	<p>MIAMI BOATSHOW 2016</p>	<p>SENIOR ENGINEER</p>	<p>LEAF ENGINEERING 65 N.W. 66TH STREET MIAMI, FL 33142 TEL: 786-992-7483 LEAFLEAF@GMAIL.COM SEAL OF FLORIDA CA #22777 LEAF ENGINEERING</p>
<p>EXISTING CONDITIONS 2 OF 8</p>	<p>TEMPORARY WATER EXHIBITION</p>	<p>DATE: 9-17-2016</p>	<p>LEAF ENGINEERING JOB NO. 2016001</p>

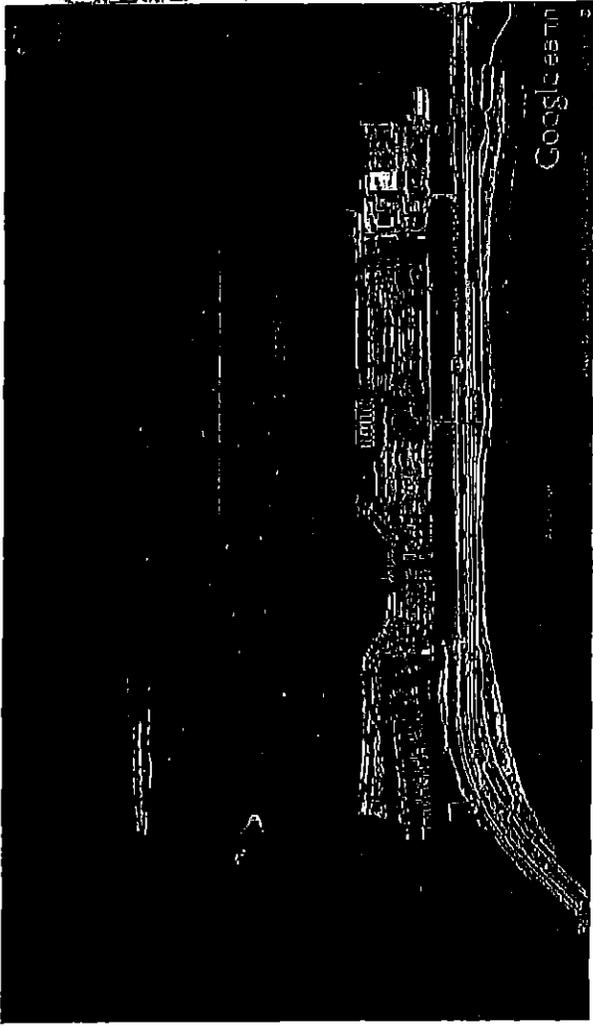


VIEW OF EVENT AREA LOOKING WEST



VIEW OF EVENT AREA LOOKING EAST

RECEIVED
SEP 29 2016
DERM
Environmental Resources Regulation Division



DOCK AND MARINE CONSTRUCTION CORP.
 752 NE 28TH STREET
 MIAMI, FL 33136
 808-251-8911
 FL 805-251-4826

MIAMI BOATSHOW
 2016

AMENDMENT #10101001

69 N.W. 68TH STREET
 MIAMI, FL 33150
 LEAF ENGINEERING
 STATE OF FLORIDA
 LEAF ENGINEERING

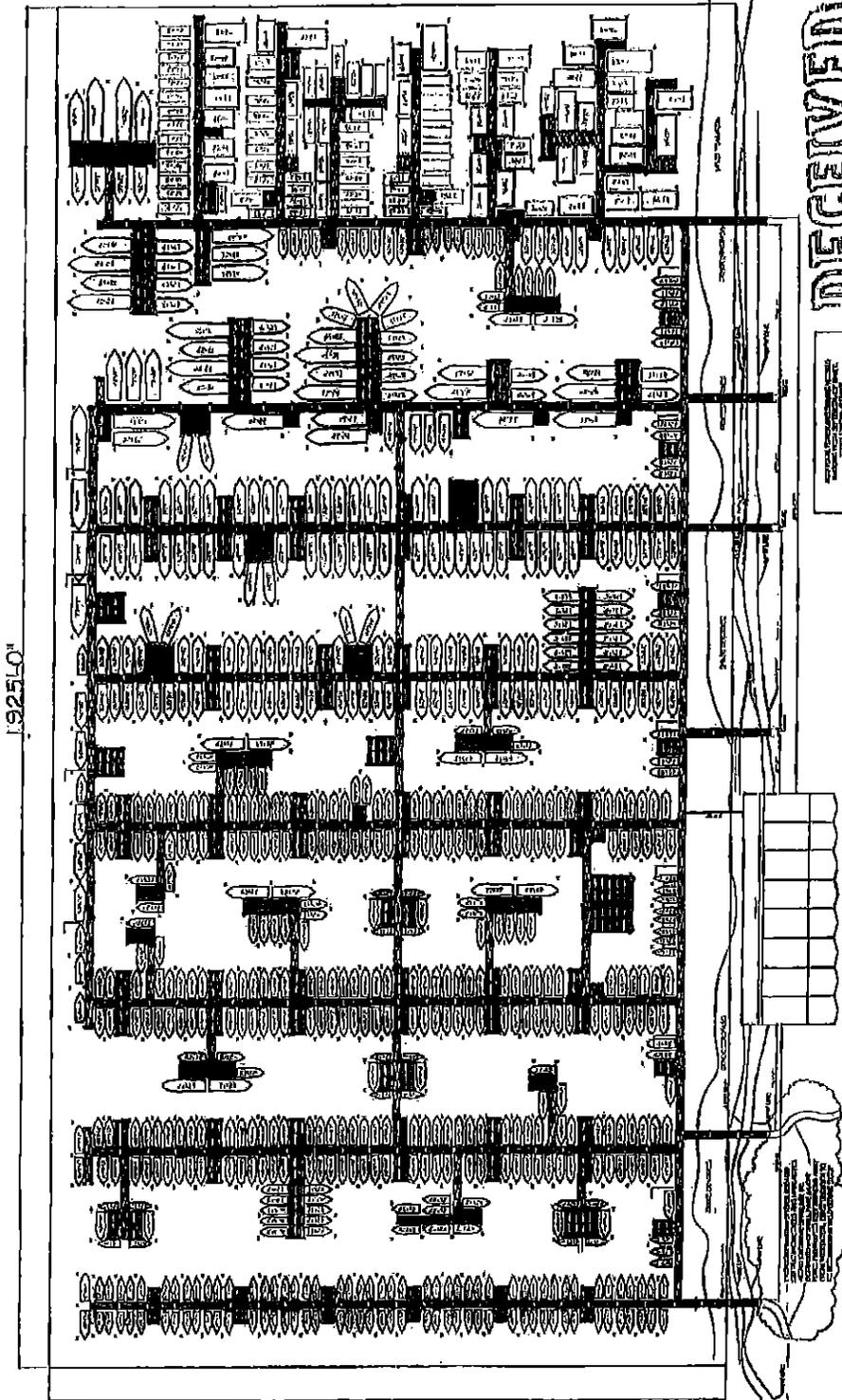


PAGE 3 OF 8
 DOCK LAYOUT

TEMPORARY IN WATER EXHIBITION

DATE: 8-17-2015

JOB NO. 20130101
 LEAF ENGINEERING



RECEIVED
 SEP 29 2015

DIERKE
 Environmental Resources Regulation Division

DOCK AND MARINE
CONSTRUCTION CORP.
752 NE 79TH STREET
MIAMI, FL 33138
F. 305-751-4828
305-751-8911

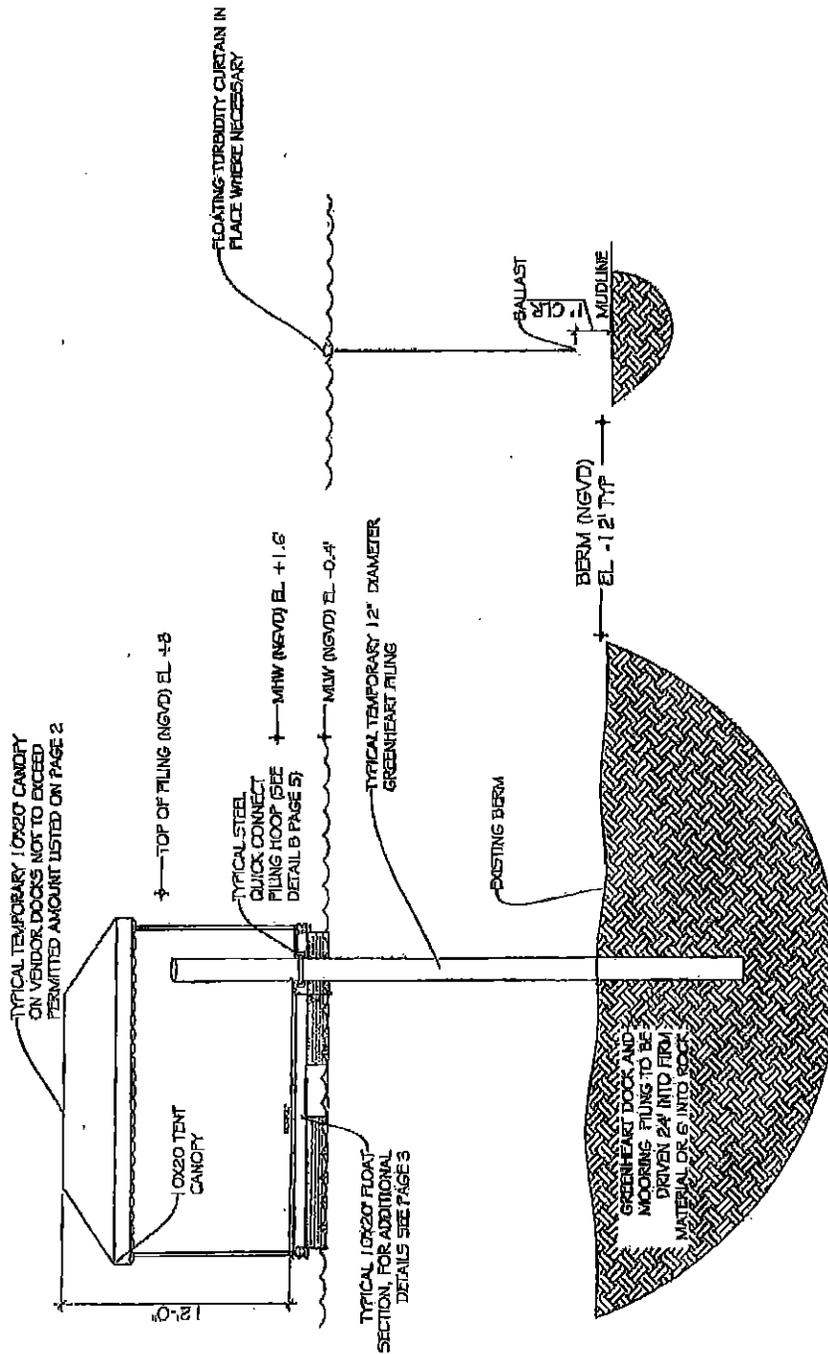
MIAMI BOATSHOW
2016

INTERGRAL PROJECTS

LEAF ENGINEERING
STATE OF FLORIDA LICENSE
NO. 25,000,243
LEAF ENGINEERING
1500 NW 10TH STREET
MIAMI, FL 33136
305-581-5910



LEAF ENGINEERING, INC. (305) 581-5910
JOB NO. 2015-001
DATE: 8-17-2015
TEMPORARY IN WATER EXHIBITION
SECTIONS
PAGE 8 OF 8



RECEIVED
SEP 29 2015

FLOATING DOCK SECTION WITH CANDY

DEPRM
Environmental Resources Regulation Division

WATER TAXI LOCATIONS:

- DIAMER STEY MASINA
- SEA ISLE MARINA
- ETIC / MIAMI RIVER
- BAYFRONT PARK INTERCONTINENTAL HOTEL - NORTH COMMERCIAL DOCK
- MIAMI BEACH MARINA
- VICEROY HOTEL
- AAA ARENA BASIN (PBC SLIP)

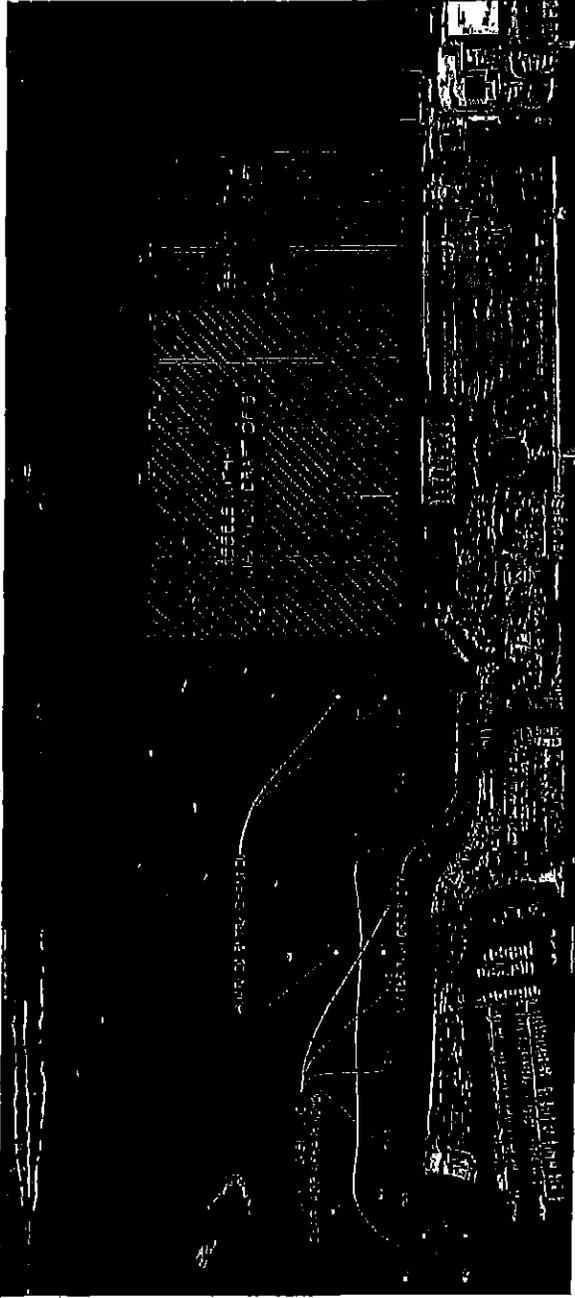
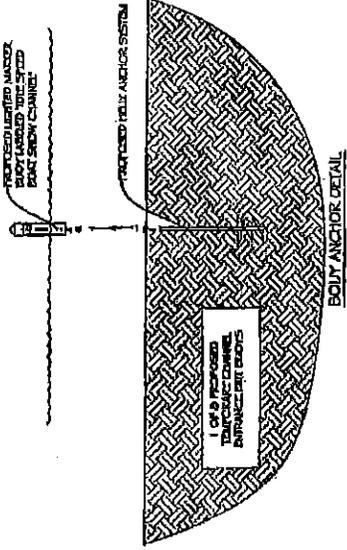
WATER TAXIS TO RANGE FROM 45-75' AND HAVE A DRAFT RANGE OF 2'-4.5'

SHOW MOVE IN SET UP:

- PRE SHOW ENVIRONMENTAL SURVEY SECOND WEEK OF DEC.
- STAGING AND LAYOUT DEC-21ST TO JAN 5TH
- DRIVE PERIMETER PILING DEC 22ND-30TH
- SPLASH FLOODS AND BERTH POSITIONING AND PILE DRIVING JAN 2ND
- REMOVAL OF DOCKS COMPLETE 18 DAYS FROM SHOWS END
- PILING REMOVAL COMPLETE MARCH 20TH

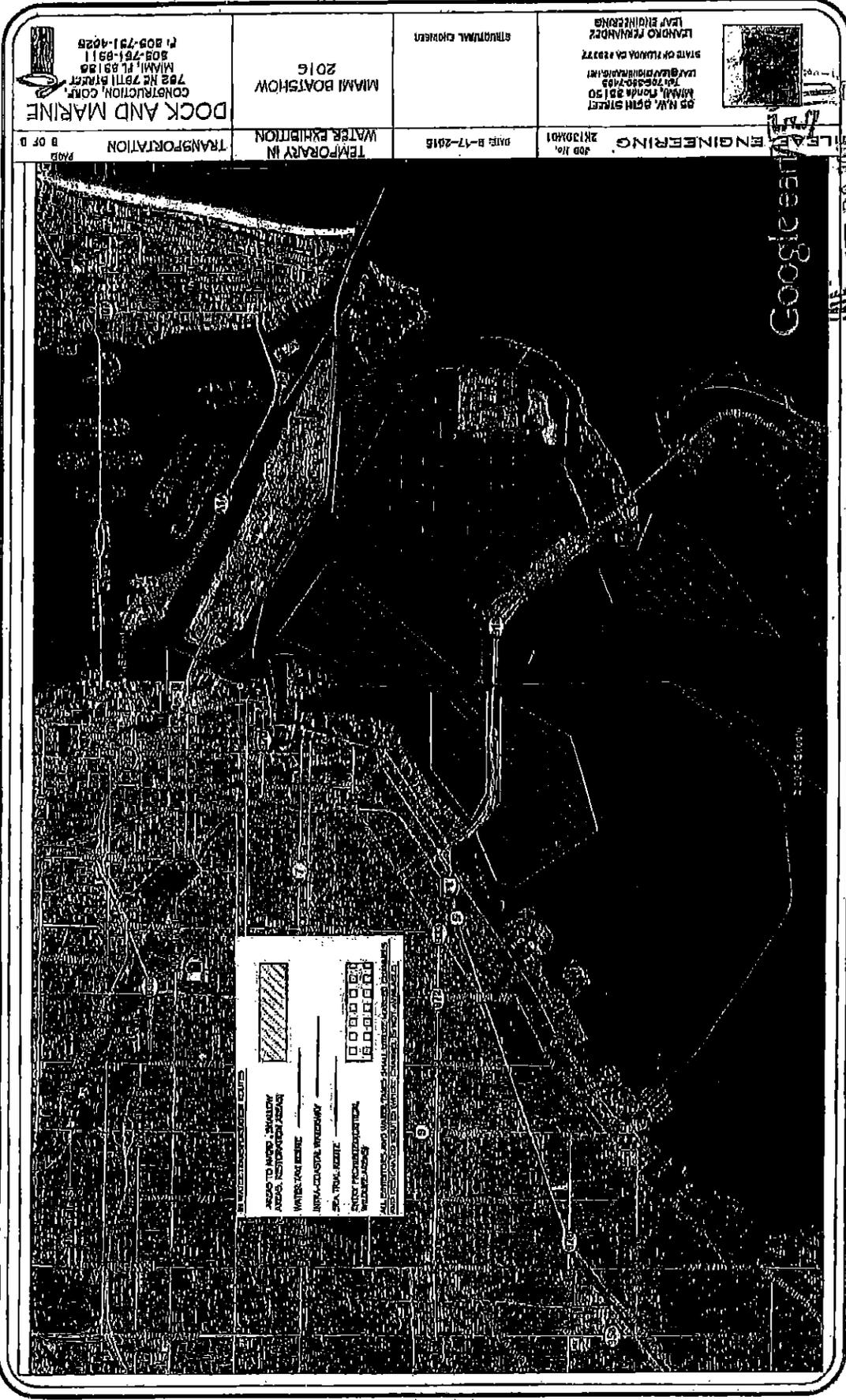
BUOY LOCATIONS:

1:	25°44'55.72"N	80°10'24.87"W
2:	25°44'54.18"N	80°10'26.35"W
3:	25°44'54.92"N	80°10'23.77"W
4:	25°44'56.54"N	80°10'24.70"W
5:	25°44'56.40"N	80°10'20.28"W
6:	25°44'54.66"N	80°10'21.20"W
7:	25°44'49.76"N	80°10'22.57"W
8:	25°44'48.34"N	80°10'24.34"W
9:	25°44'42.99"N	80°10'15.35"W
10:	25°44'41.67"N	80°10'16.25"W
11:	25°44'54.02"N	80°10'23.90"W
12:	25°44'54.33"N	80°10'22.44"W
13:	25°44'53.07"N	80°10'20.05"W
14:	25°44'51.12"N	80°10'27.55"W
15:	25°44'49.30"N	80°10'25.64"W
16:	25°44'47.14"N	80°10'23.64"W
17:	25°44'45.53"N	80°10'22.95"W
18:	25°44'43.80"N	80°10'20.03"W
19:	25°44'42.15"N	80°10'18.27"W



<p>DOCK AND MARINE CONSTRUCTION, CORP. 762 NE 79TH STREET MIAMI, FL 33138 PH: 305-751-1426</p>	<p>MIAMI BOATSHOW 2016</p>	<p>STRUCTURAL ENGINEER</p>	<p>LEAF ENGINEERING STATE OF FLORIDA CA#29777 LEAF ENGINEERING 10475 SW 15TH AVENUE MIAMI, FL 33185 TEL: 781-240-2443 WWW.LEAFENGINEERING.COM</p>
<p>7 OF 8</p>	<p>TEMPORARY IN WATER EXHIBITION</p>	<p>DATE: 8-17-2016</p>	<p>JOB NO. JOB NO. 16120101</p>

LEAF ENGINEERING
SEP 22 2016
DRAFT
Environmental Resources Regulation Division



WATERWAY
 WATERWAY WITH BRIDGE
 WATERWAY WITH TOWER
 WATERWAY WITH LIGHT
 WATERWAY WITH BUOY
 WATERWAY WITH MARKER
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DOCK AND MARINE CONSTRUCTION, CORP.
 782 NE 78TH STREET
 MIAMI, FL 33138
 305-751-8911
 F. 800-791-4028

MIAMI BOATSHOW
 2016

STRUCTURAL WORKS

LEANDRO PEREZ
 STATE OF FLORIDA CA #23277
 LEA@LEAENGINEERING.COM
 782-255-7483
 85 N.W. 8TH STREET
 MIAMI, FL 33130



TRANSPORTATION
 B OF D

TEMPORARY IN WATER EXHIBITION

DATE: 8-17-2015

JOB No. 2K130401
 LEA ENGINEERING

Google Earth

DATE SET 20 2015

DEPRM
 Environmental Resources Registration District

Attachment C
Zoning Memorandum

Memorandum



Date: November 4, 2015

To: Lisa Spadafina, Chief 
Natural Resources Division
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 and Request for a Variance from Section 24-48.23 of the Code of Miami-Dade County by National Marine Manufacturer's Association, Inc. for the Installation of a Temporary 830 Slip Docking Facility for an Annual Boat Show including Water Taxi Services and Floating Structures for Non-Water Dependent Use over Tidal Waters within the Marine Stadium Basin at 3515 Rickenbacker Causeway, Miami, Florida, and to Authorize the Time of Completion of Work of the Subject Permit for a Period of Ten (10) Years

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
DERM Project Report

PROJECT REPORT
CLASS I PERMIT APPLICATION NO. CLI-2014-0124

Class I Permit Application and Request for a Variance from Section 24-48.23 of the Code of Miami-Dade County by National Marine Manufacturer's Association, Inc. for the Installation of a Temporary 830 Slip Docking Facility for an Annual Boat Show including Water Taxi Services and Floating Structures for Non-Water Dependent Use over Tidal Waters within the Marine Stadium Basin at 3515 Rickenbacker Causeway, Miami, Florida, and to Authorize the Time of Completion of Work of the Subject Permit for a Period of Ten (10) Years

Date: October 8, 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** – 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 proposed temporary docking facility will involve the installation of floating docks and ramps to provide for the mooring of 830 vessels and will also include floating structures for non-water dependent use, such as tents for the exhibitors and attendees. The proposed structures will be installed and removed within a 90 day period associated with the 5 day boat show that is proposed to take place on an annual basis each February. In order to avoid impacts to dense benthic resources located near the shoreline, the footprint of the docking facility and all associated non-water dependent structures have been configured to be in deeper water areas, in locations where only sparse seagrasses were documented. Access to the docking facility from the uplands will occur over pile-supported walkways to provide pedestrian access beyond the shallow nearshore area. The Class I permit will include conditions that require shallow areas and dense seagrass beds to be visibly delineated throughout all construction activities. In addition, certain shallow seagrass areas and an entry channel into Marine Stadium Basin will remain marked throughout the duration of the boat show activities. Due to the temporary nature of the project, long-term shading impacts to seagrasses are not anticipated, and pre- and post-event benthic surveys will be conducted to verify whether any unanticipated impacts occur. In locations where the walkways extend over and adjacent to wetlands and wetland vegetation, the applicant will provide fencing and signage to direct pedestrian traffic to the designated access paths and away from sensitive areas. In addition, the Class I permit will include a condition that the walkway locations shall be placed so as to avoid and minimize impacts to wetlands and wetland vegetation, and shall be approved by DERM staff prior to installation. Furthermore, the subject Class I permit will include specific conditions to provide assurance that any unanticipated environmental impacts shall be restored and/or mitigated in accordance with DERM requirements, and that a mitigation bond shall be posted prior to permit issuance.

In order to ensure that the use of the docking facility and all associated activities will not result in the discharge of pollutants or solid wastes to tidal waters, the Class I permit will require the submittal of an operating plan that adequately addresses how the facility and activities will be managed to prevent pollutants from entering tidal waters. The facility will also be required to maintain a valid Marine Facilities Operating Permit prior to the use of the facility and throughout the duration of the permitted events. In addition, the conditions of the Class I permit will require that best management practices be implemented during any construction work or activities associated with the event. In order to mitigate for temporary water-quality impacts associated with the construction, deconstruction and use of the facility, the applicant has agreed to provide annual contributions to the Biscayne Bay Environmental Enhancement Trust Fund based on the total number of slips each year.

The proposed project has also been evaluated for consistency with the Miami-Dade County Manatee Protection Plan (MPP). The Marine Stadium Basin is not located within an area designated as essential habitat for the *Trichechus manatus* (West Indian Manatee) and the MPP does not include specific limitations for new or expanded marine facilities at this site, other than compliance with existing zoning or environmental regulations. The area immediately outside of the Marine Stadium Basin is designated as essential habitat for the West Indian Manatee, and is also dominated by shallow water areas containing dense seagrass beds. However, the Intracoastal Waterway provides marked deep water access to the Marine Stadium Basin from both the northern and the southern directions. The applicant has developed a map that identifies channels and appropriate routes of access to the Marine Stadium Basin that will be provided to all exhibitors and water taxi operators prior to arrival at the boat show as part of an "orientation package" (see Attachment B). The map also indicates the locations of environmentally sensitive areas that are required to be avoided. The applicant is proposing a water taxi service to provide transportation between the Marine Stadium Basin marina and 7 other pre-determined locations. Staff has determined that 6 of the sites proposed for water taxi service are consistent with the recommendations of the MPP. However, the applicant is also proposing to utilize the FEC Slip located north of the American Airlines Arena which is not recommended for transitory use such as water taxi service. The FEC slip is located in an area recommended for "Freight Terminals and Large Vessels (greater than 100 feet)". The higher frequency of boat trips associated with a water taxi service could increase overlap between vessels and manatee travel patterns at this location. Staff discussed eliminating water taxi service to the FEC slip with the applicant; however, the applicant indicated that use of this site is an important component of the boat show's overall transportation plan due to the

vehicle parking available at the American Airlines Arena. Although the MPP does not recommend the siting of such a high frequency high intensity marine related use at the FEC slip, staff note that the boat show is not a permanent facility but is instead a temporary event lasting only five days each year. In addition, the area of Biscayne Bay adjacent to the FEC Slip is designated as vessel "Slow Speed All Year" by the Florida Fish and Wildlife Conservation Commission, which limits the speed of vessels traveling throughout this area. Therefore, to minimize potential impacts to manatees associated with this project staff recommends approval of the Class I permit subject to the following conditions regarding use of the FEC Slip as a water taxi stop: a) that the use of the FEC slip for a water taxi stop shall be limited to not more than five days each year and shall be associated exclusively with the boat show transportation plan, b) that a manatee observer shall be required onboard all water taxi vessels that access the FEC slip, c) if any impacts to manatees as a result of using the FEC Slip as a water taxi stop are documented, water taxi service to and from the FEC slip shall cease for the remainder of the event and will not be authorized for subsequent events. Furthermore, the Class I permit shall also require that all standard manatee construction conditions be followed during all in-water operations, and that a DERM approved manatee observer plan be implemented during all phases of construction, operation, and removal of the boat show.

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 is not reasonably expected to adversely affect water quality. The proposed project may result in temporary minor water quality impacts typically associated with the construction, operation, and demolition of a temporary docking facility. These impacts include increased turbidity from standard construction and demolition activities, and the use of the facility. To mitigate for these impacts during the life of the permit, the applicant has agreed to provide annual contributions to the Biscayne Bay Environmental Enhancement Trust Fund that will be used for the creation or enhancement of marine habitat within Biscayne Bay. In addition, the applicant will be required to distribute information on "Best Management Practices" to each exhibitor and sales representative to increase awareness of potential environmental impacts, and will be required to submit an operating plan that adequately addresses how the facility and activities will be managed to prevent pollutants from entering tidal waters.

The Class I permit will require that a water quality monitoring plan and proper turbidity controls be implemented during construction and demolition periods to ensure turbidity levels within the surrounding waters do not exceed State and County water quality standards. Turbidity curtains will be used to enclose work areas during pile installation and removal. If turbidity levels within the surrounding waters exceed water quality standards, construction will be required to cease until remedial measures have been implemented and DERM authorizes re-commencement of the work.

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 boat show will be located within the Marine Stadium Basin and is temporary in nature. The temporary vessels, structures and equipment associated with the boat show will be installed and removed within a 90 day period.
9. **Navigation** – The proposed project will temporarily affect navigation within the Marine Stadium Basin during the 90 day period of between the start of construction of the facility and the completion of removal of all structures and associated equipment. However, the proposed project is subject to Coast Guard review and approval, and the applicant will be required to comply with all State and Federal navigational lighting requirements. Impacts to navigation outside of the Marine Stadium Basin are not reasonably expected to occur, provided that all vessels associated with the project follow safe boating practices as required by all applicable laws.

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, provided that the use of the FEC Slip as a water taxi stop is subject to conditions as set forth in Number 1 above.
15. **Wetland Soils Suitable for Habitat** – The proposed project is not reasonably expected to result in adverse impacts to wetland soils as set forth in Number 1 above.
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, provided that the use of the FEC Slip as a water taxi stop is subject to conditions 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 subject to conditions relating to the use of the FEC Slip as a water taxi stop, 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 is not reasonably expected to result in adverse impacts to wetland values 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 by the City of Miami.
24. **Conformance with Standard Construction Procedures and Practices and Design and Performance Standards** – The proposed project includes the installation of non-water-dependent floating structures. However, the applicant is requesting a variance to the water dependency requirement of the Code, and the proposed temporary structures are not reasonably expected to result in adverse environmental impacts.
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, provided that the use of the FEC Slip as a water taxi stop is subject to conditions, as set forth in Number 1 above. Therefore, a CEIS was not required by DERM to evaluate the project.

26. **Conformance with All Applicable Federal, State and Local Laws and Regulations** - The proposed project is in conformance with applicable State, Federal and local laws and regulations:
- a) Chapter 24 of the Code of Miami-Dade County (variance is required)
 - b) United States Clean Water Act (US Army Corps of Engineers permit is required)
 - c) Florida Department of Environmental Protection (FDEP regulatory authorization is required)
27. **Conformance with the Miami-Dade County Comprehensive Development Master Plan (CDMP)** - In the opinion of the Director, the proposed project is not in full conformance with the CDMP. However, the applicant is requesting a variance from the Section of Code relating to the non-water-dependent structures as they pertain to the proposed project, and DERM is recommending approval subject to conditions relating to the use of the FEC Slip as a water taxi stop in order to address the relevant Objectives of 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, and will be compatible with surrounding land uses in Biscayne Bay, provided that the use of the FEC Slip as a water taxi stop is subject to conditions, as set forth in Number 1 above. The proposed project 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 reasonably expected to result in adverse impacts to estuarine water quality and marine resources 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 result in adverse impacts to wetlands 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 affect habitat critical to rare, threatened, and endangered species provided that the use of the FEC Slip as a water taxi stop is subject to conditions, 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 not located within a designated “Mangrove Protection Area”, and the proposed project is not reasonably expected to result in adverse impacts to mangroves as set forth in Number 1 above.

Objective 1/Policy 1B - Natural surface flow into and through coastal wetlands. – The proposed project is not reasonably expected to result in adverse impacts to coastal wetlands as set forth in Number 1 above.

Objective 1/Policy 1C - Elevated boardwalk access through mangroves. – Shoreline access through mangroves will be designed to avoid and minimize impacts to mangroves as set forth in Number 1 above.

Objective 1/Policy 1D - Protection and maintenance of mangrove forests and related natural vegetational communities. - The proposed project is not reasonably expected to adversely affect mangrove forests or related natural vegetational communities 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. – The proposed project is not reasonably expected to result in adverse impacts to mangroves as set forth in Number 1 above.

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, provided that the use of the FEC Slip as a water taxi stop is subject to conditions, as set forth in Number 1 above.

Objective 5/Policy 5B - Existing and new areas for water-dependent uses. - The proposed project is consistent with the general criteria used to determine appropriateness of the project site provided that the use of the FEC Slip as a water taxi stop is subject to conditions as set forth in Number 1 above.

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 includes the non-water dependent use of floating structures that are not in full conformance with the Biscayne Bay Management Plan. However, the applicant is requesting a variance to the water dependency requirement of the Code, and the use is not reasonably expected to result in adverse environmental impacts for the reasons set forth in Number 1 above.
30. **Conformance with the Miami-Dade County Manatee Protection Plan** – Although the proposed project is not in full conformance with the MPP, the proposed project is temporary in nature and the conditions relating to the use of the FEC Slip as a water taxi stop are reasonably expected to minimize potential adverse impacts to manatees as set forth in Number 1 above.
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)(ten)(b) of the Code of Miami-Dade County.
34. **Maximum Protection of a Wetland's Hydrological and Biological Functions** – The proposed project is not reasonably expected to result in adverse impacts to wetlands 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 – Not Applicable

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 complies with the water depth criteria,

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

The project was also evaluated based upon the applicable factors set forth in Section 24-48.25 of the Code.

36. **Visual or physical access by the general public to Biscayne Bay and its adjacent tidal waters** – The proposed project will temporarily affect physical access within the Marine Stadium Basin during the 90 day period of between the start of installation of the facility and the completion of removal of all structures and associated equipment. However, the proposed project is subject to Coast Guard review and approval, and the applicant will be required to comply with all State and Federal navigational lighting requirements. Impacts to physical access outside of the Marine Stadium Basin are not reasonably expected to occur, provided that all vessels associated with the project follow safe boating practices as required by all applicable laws.
37. **Historical significance** – The proposed project is not historically significant.
38. **Need for covered vessel repair facilities** - Not applicable.
39. **Environmental impact or cumulative environmental impact** – The proposed project is not reasonably expected to result in adverse environmental impacts as set forth in Number 1 above.

40. **Navigation** – The proposed project will temporarily affect navigation within the Marine Stadium Basin during the 90 day period of between the start of installation of the facility and the completion of removal of all structures and associated equipment. However, the proposed project is subject to Coast Guard review and approval, and the applicant will be required to comply with all State and Federal navigational lighting requirements. Impacts to navigation outside of the Marine Stadium Basin are not reasonably expected to occur, provided that all vessels associated with the project follow safe boating practices as required by all applicable laws.
41. **Public safety** – The proposed project is not reasonably expected to adversely affect public safety.
42. **Aesthetics**- The proposed project is not reasonably expected to have negative aesthetic impacts. The boat show will be located within the Marine Stadium Basin and is temporary in nature. The temporary vessels, structures and equipment associated with the boat show will be installed and removed within a 90 day period.
43. **Biscayne Bay Management Plan** – The project includes a non-water-dependent use that is not in full conformance with the Biscayne Bay Management Plan. However, the applicant is requesting a variance to the water dependency requirement of the Code. In addition, the proposed project is not reasonably expected to result in adverse environmental impacts as set forth in Number 1 above.
44. **Biscayne Bay Aquatic Preserve Act** - The project is not in full conformance with the Biscayne Bay Aquatic Preserve Act. However, the applicant is requesting a variance as set forth in Number 43 above.
45. **Rules of the Biscayne Bay Aquatic Preserve** - The project is not in full conformance with the rules of the Biscayne Bay Aquatic Preserve. However, the applicant is requesting a variance as set forth in Number 43 above.

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

Lisa Spadafina, Chief
Natural Resources Division

Lourdes Barrelli, Biologist II
Coastal and Wetlands Resources Section