

# Memorandum



**Date:** April 18, 2017

**To:** Honorable Chairman Esteban L. Bovo, Jr.  
and Members, Board of County Commissioners

Agenda Item No. 5(J)

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

**Subject:** Class I Permit Application by the City of Miami Beach

## **Recommendation**

I have reviewed the attached application for a Class I permit by the City of Miami Beach and 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.

Pursuant to Ordinance No. 16-73, this quasi-judicial matter may be submitted directly for placement on the Board's meeting agenda by the Director of the Department of Regulatory and Economic Resources.

## **Scope**

The project sites are located over Collins Canal at West Avenue and Lincoln Court, in the City of Miami Beach. The sites are in Commission District 4 and Commission District 5, which are represented by Commissioner Sally A. Heyman and Commissioner Bruno A. Barreiro, respectively.

## **Fiscal Impact/Funding Source**

This resolution is a regulatory approval and does not have a fiscal impact.

## **Track Record/Monitor**

The Coastal and Wetlands Resources Section Manager, Pamela Sweeney, in the Department of Regulatory and Economic Resources, Division of Environmental Resources Management (DERM), will be responsible for monitoring the proposed permit.

## **Background**

The subject Class I permit application requests authorization to install two (2) new bridges over tidal waters of Collins Canal at West Avenue and Lincoln Court in the City of Miami Beach, Florida. The 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 with a standard form application, including a public hearing.

The subject sites where the work will occur are located on the south side of Collins Canal and along Dade Boulevard on the north side of Collins Canal. The Lincoln Court pedestrian bridge is part of a city-wide Baywalk project to provide pedestrian and bicycle access throughout the City, and will connect the cul-de-sac at the northern terminus of Lincoln Court with Dade Boulevard. It will measure approximately nine (9) feet wide by 49 feet long. The West Avenue vehicular bridge will provide an additional vehicular crossing location over Collins Canal at West Avenue and will also include pedestrian and bicycle lanes. It will measure approximately 66 feet wide by 47 feet long.

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 Lincoln Court bridge and West Avenue bridge will measure approximately 443 square feet and 3,035 square

feet over water, respectively. Benthic surveys of the submerged bottom were conducted in the footprint of the proposed bridges. Limited benthic resources were documented at the Lincoln Court site, and approximately 0.065 acres of patchy seagrasses were documented within the footprint of the West Avenue bridge. Both bridges have been designed to minimize the over-water area while still meeting safety requirements, and are clear-span bridges that do not require any in-water pilings or other in-water support systems. Mitigation for shading impacts to seagrasses will be satisfied through a contribution to the Biscayne Bay Environmental Enhancement Trust Fund.

The project has been designed in accordance with all relevant Miami-Dade County coastal and wetland construction criteria and is consistent with all other Miami-Dade County coastal and wetland protection provisions. Please find attached a DERM Project Report, which sets forth the reasons the proposed project is recommended for approval by DERM pursuant to the applicable evaluation factors set forth in Section 24-48.3 of the Code. The conditions, limitations, and restrictions set forth in the Project Report attached are incorporated by reference.

**Attachments**

- Attachment A: Class I Permit Application
- Attachment B: Owner/Agent Letter, Engineer Letter and Project Sketches
- Attachment C: Names and Addresses of Owners of All Riparian or Wetland Property within Three Hundred (300) Feet of the Proposed Work
- Attachment D: DERM Project Report

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



# Class I Permit Application

## FOR DEPARTMENTAL USE ONLY

Date Received: November 3, 2016

Application Number: CLI-2016-0357

Application Fee: \$28,750.00

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

### 1. Applicant Information:

Name: City of Miami Beach

Address: 1700 Convention Center Drive

Miami Beach, Florida Zip Code: 33139

Phone #: (305) 673-7080 Fax #: \_\_\_\_\_

Email: bruceinowry@miamibeachfl.gov

\* 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: Jeff Marcus, Principal, Stantec Consulting Services, Inc.

Address: 901 Ponce de Leon Blvd., Suite 900

Coral Gables, Florida Zip Code: 33134

Phone #: (305) 445-2900 Fax #: \_\_\_\_\_

Email: jeff.marcus@stantec.com

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

Folio #(s): 02-3233-014-0020, 02-3233-017-0010, 02-3233-017-0020 Latitude: 25° 47' 33.19" N Longitude: 80° 08' 32.69" W

Street Address: across Collins Canal at West Avenue and Lincoln Court Section: 34 Township: 53 Range: 42

In City or Town: Miami Beach, FL Near City or Town: Miami Beach

Name of waterway at location of the activity: Collins Canal

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

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

X Other: Construct two clear span bridges across Collins Canal to connect West Avenue and Lincoln Court to Dade Boulevard

Estimated project cost = \$ 9,900,000.00

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): N/A

Vessel Make/Model (if known): \_\_\_\_\_

Draft (s)(range in inches): \_\_\_\_\_ Length (s)(range in feet): \_\_\_\_\_

Total Number of Slips: \_\_\_\_\_

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

Issuing Agency	Type of Approval	Identification Number	Application Date	Approval Date
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**8. Contractor Information (If known):**

Name: Bergeron Land Development, Inc. License # (County/State): 060936  
 Address: 19612 SW 69<sup>th</sup> Place, Fort Lauderdale, FL Zip Code: 33332  
 Phone #: (954) 680-6800 Fax #: \_\_\_\_\_ E-mail: blandis@bergeronline.com

**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.)

City of Miami Beach Local Government Florida  
 Print Name of Applicant (Enter the complete name as registered) Type (Corp, LLC, LLP, etc.) State of  
 Registration/Incorporation

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

Eric Carpenter Eric Carpenter ACM 4/3/17  
 Signature of Authorized Representative Print Authorized Representative's Name Title Date

**C. IF APPLICANT IS A JOINT VENTURE** Each party must sign below (If more than two members, list on attached page)

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

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

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

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

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

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

I/We are the fee simple owner(s) of the real property located at Lincoln Court Street End & Dade Boulevard Right-of-Way  
Miami-Dade County, Florida, otherwise identified in the public records of Miami-Dade County as Folio No. 02-3233-014-0020. 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 Beach Local Government Florida  
Print Name of Owner (Enter the complete name as registered) Type (Corp, LLC, LLP, etc.) State of Registration/Incorporation

1700 Convention Center Drive, Miami Beach, 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.\*\*\*

Eric Carpenter Eric Carpenter ACM 4/3/12  
Signature of Authorized Representative Print Authorized Representative's Name Title Date

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

**Please Review Above**

Appropriate signature(s) must be included in:

Box 9: either A, B or C

AND

Box 10: either A or B

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**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 1231 and 1251 17<sup>th</sup> Street, Miami Beach, Miami-Dade County, Florida, otherwise identified in the public records of Miami-Dade County as Folio Nos. 02-3233-017-0010 & 02-3233-017-0020. 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.

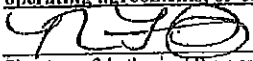
**C. IF THE OWNER(S) IS AN INDIVIDUAL**

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

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

<u>Sobe 17 Owner, LLC</u> Print Name of Owner (Enter the complete name as registered)	<u>LLC</u> Type (Corp, LLC, LLP, etc.)	<u>Florida</u> State of Registration/Incorporation
<u>9425 Harding Drive, Surfside, Florida</u> 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>Ronald Finvarb</u> Print Authorized Representative's Name	<u>Managing Mbr. of SOBE 17 Manager, LLC</u> Title	<u>4/4/17</u> Date
Signature of Authorized Representative	Print Authorized Representative's Name	Title	Date
	<u>Managing Mbr of SOBE 17, LLC</u>		
	<u>Sole Mbr. of SOBE 17 Owner, LLC</u>		

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## **Attachment B**

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



**PERMIT APPLICANT / AUTHORIZED AGENT STATEMENT**

Date: March 31, 2017

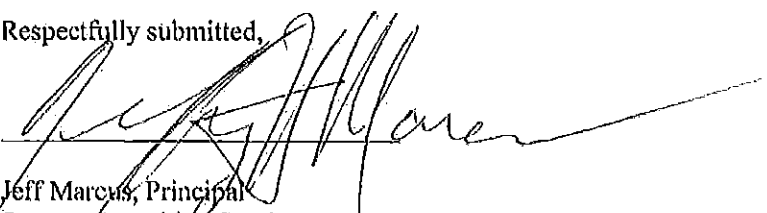
Miami Dade County Department of Regulatory and Economic Resources  
Class I Permitting Program  
701 NW 1<sup>st</sup> Court  
Miami, FL 33136

Re: Class I Standard Form Permit Application Number CLI-2016-0357

By the attached Class I Standard Form permit application with supporting documents, I, Jeff Marcus, Principal, Stantec Consulting Services, Inc., am the authorized permit agent and hereby request permission to perform the work associated with Class I Permit Application CLI-2016-0357. 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,

  
Jeff Marcus, Principal  
Stantec Consulting Services, Inc.

ENGINEER LETTER OF CERTIFICATION

Date: 3-31-17

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-2016-0357

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:

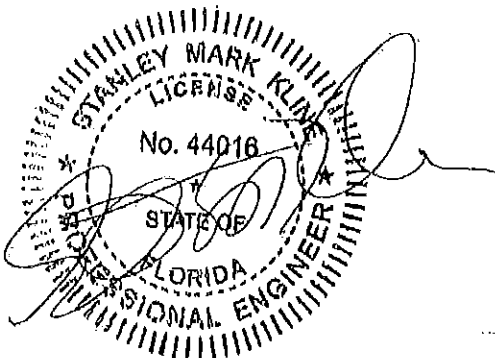
- a. Harmful obstruction or undesirable alteration of the natural flow of the water within the area of the proposed work.
- b. Harmful or increased erosion, shoaling of channels or stagnant areas of water. (Not applicable to class IV permits)
- c. Material injury to adjacent property.
- d. Adverse environmental 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.

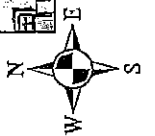
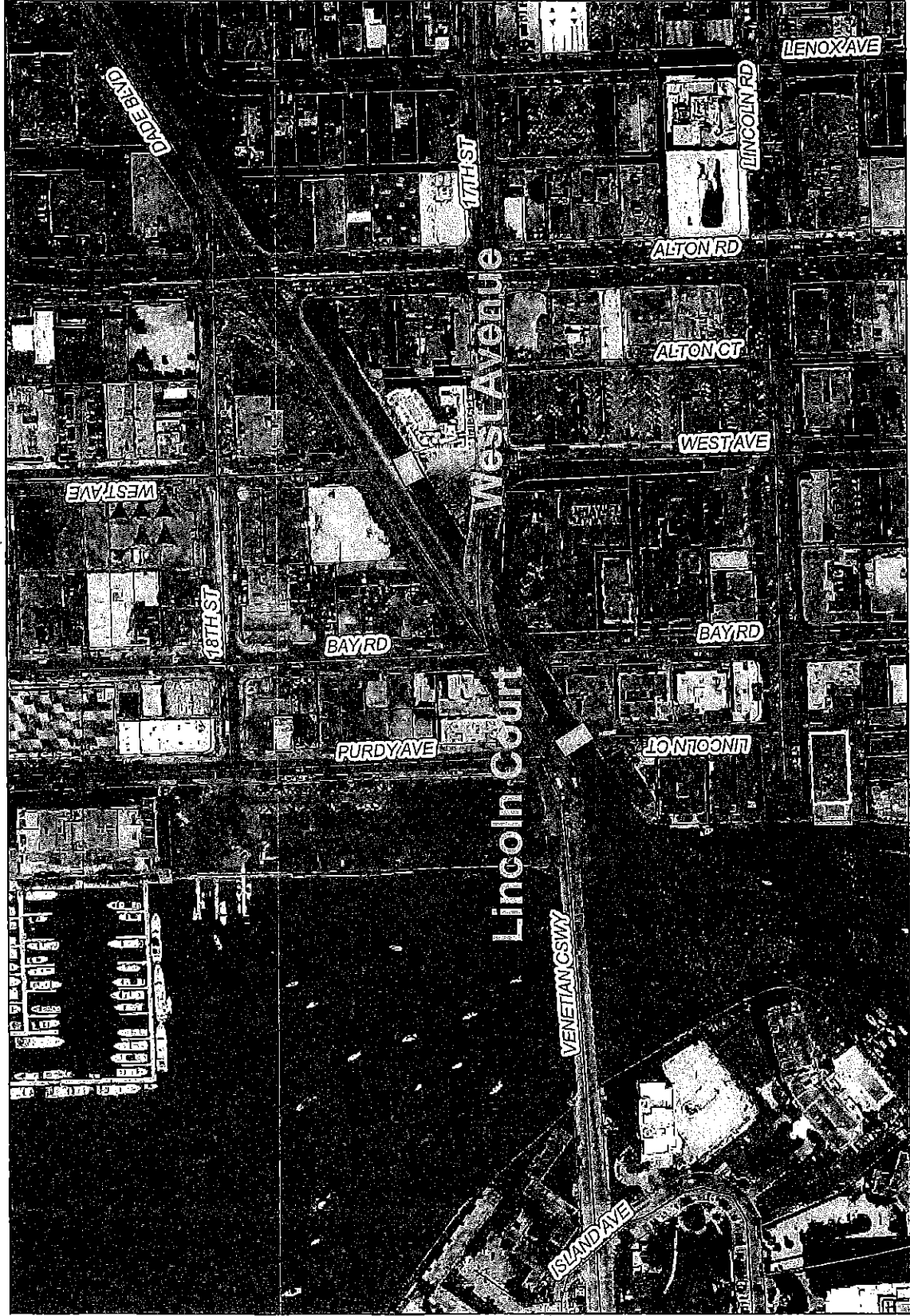
Sincerely,

Stanley M. Kline

P.E. # 44016



CLI-2016-0357 - City of Miami Beach Bridges - West Avenue & Lincoln Court



SCALE: 1 inch = 318 feet

# INDEX OF STRUCTURE PLANS

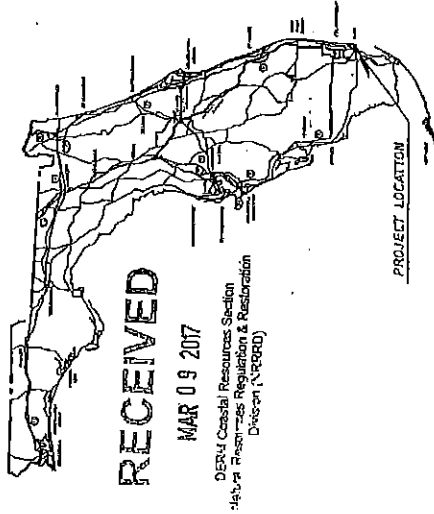
SHEET NO.	SHEET DESCRIPTION
B2-1	KEY SHEET
B2-2	GENERAL NOTES
B2-3	PLAN AND ELEVATION
B2-4	FOUNDATION LAYOUT
B2-5	AUGER CAST PILE DATA
B2-6	END BENT DETAILS (1 OF 2)
B2-7	END BENT DETAILS (2 OF 2)
B2-8	PEDESTRIAN BRIDGE DATA

## CITY OF MIAMI BEACH

## CONTRACT PLANS

## LINCOLN COURT PEDESTRIAN BRIDGE

## STRUCTURE PLANS



PROJECT LOCATION

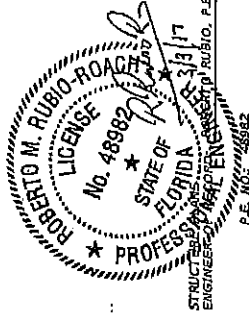
STRUCTURE SHOP DRAWINGS  
TO BE SUBMITTED TO:

KEITH & SCHNARS, P.A.  
5500 NORTH ANDREWS AVENUE  
FORT LAUDERDALE, FL 33309-2392

PLANS PREPARED BY:

KEITH & SCHNARS, P.A.  
ENGINEERS, PLANNERS, SURVEYORS  
5500 NORTH ANDREWS AVENUE  
FORT LAUDERDALE, FL 33309-2392  
CERTIFICATE OF AUTHORIZATION NO. 1207

NOTE: THE SCALE OF THESE PLANS MAY  
HAVE CHANGED DUE TO REPRODUCTION.

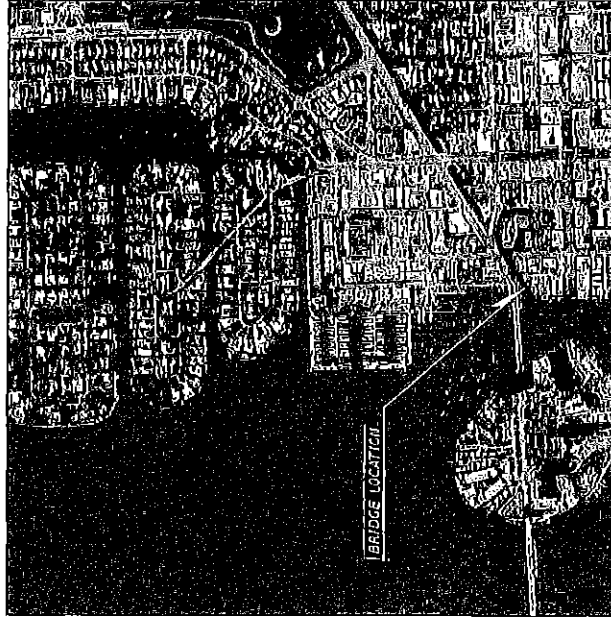


STRUCTURE SHOP DRAWINGS  
ENGINEERED BY: ROBERTO M. RUBIO, P.E.  
P.E. NO. 48982

KEY SHEET REVISIONS	
DATE	DESCRIPTION

SHEET  
NO.

B2-1



GOVERNING STANDARDS AND SPECIFICATIONS:  
Florida Department of Transportation, 2015 Design Standards and  
revised Index Drawings as appended hereto, and 2015 Standard  
Specifications for Road and Bridge Construction, as amended by  
Contract Documents.  
For Design Standards click on the "Design Standards" link at the  
following web site:  
<http://www.dot.state.fl.us/rd/design/DesignStandards>  
For the Standard Specifications for Road and Bridge Construction  
click on the "Specifications" link at the following web site:  
<http://www.dot.state.fl.us/specifications/StandardSpecifications>



# INDEX OF STRUCTURE PLANS

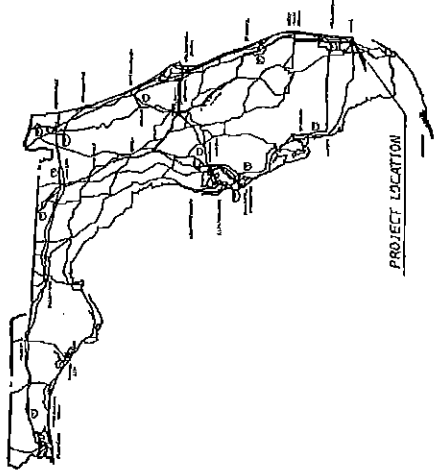
SHEET NO.	SHEET DESCRIPTION
B1-1	KEY SHEET
B1-2	GENERAL NOTES
B1-3	PLAN AND ELEVATION
B1-4	FOUNDATION LAYOUT
B1-5	AUGER CAST PILE DATA
B1-6	END BENT 1
B1-7	END BENT 2
B1-8	END BENT DETAILS (SHEET 1 OF 2)
B1-9	END BENT DETAILS (SHEET 2 OF 2)
B1-10	FINISHED GRADE ELEVATIONS (SHEET 1 OF 3)
B1-11	FINISHED GRADE ELEVATIONS (SHEET 2 OF 3)
B1-12	FINISHED GRADE ELEVATIONS (SHEET 3 OF 3)
B1-13	FRAMING PLAN
B1-14	SUPERSTRUCTURE PLAN
B1-15	SUPERSTRUCTURE SECTION
B1-16	SUPERSTRUCTURE DETAILS (SHEET 1 OF 3)
B1-17	SUPERSTRUCTURE DETAILS (SHEET 2 OF 3)
B1-18	SUPERSTRUCTURE DETAILS (SHEET 3 OF 3)
B1-19	TABLE OF BEAM VARIABLES
B1-20	APPROACH SLABS
B1-21	REINFORCING BAR LIST (1 OF 2)
B1-22	REINFORCING BAR LIST (2 OF 2)
B1-23	LOAD RATING TABLE

## CITY OF MIAMI BEACH

## CONTRACT PLANS

## WEST AVENUE BRIDGE OVER COLLINS CANAL

## STRUCTURE PLANS



STRUCTURE SHOP DRAWINGS  
TO BE SUBMITTED TO:  
KEITH & SCHNARS, P.A.  
6500 NORTH ANDREWS AVENUE  
FORT LAUDERDALE, FL 33309-3332

PLANS PREPARED BY:  
KEITH and SCHNARS, P.A.  
ENGINEERS, PLANNERS, SURVEYORS  
6500 NORTH ANDREWS AVENUE  
FORT LAUDERDALE, FL 33309-3332  
CERTIFICATE OF AUTHORIZATION NO. 1337

NOTE: THE SCALE OF THESE PLANS MAY  
HAVE CHANGED DUE TO REPRODUCTION.

DATE	DESCRIPTION

STRUCTURE PLANS  
ENGINEER OF RECORD: ROBERTO RUBIO, P.E.

P.E. NO.: 48982

SHEET NO.	B1-1
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GOVERNING STANDARDS AND SPECIFICATIONS:  
Florida Department of Transportation, 2018 Design Standards and  
revised Index Drawings as appended herein, and 2016 Standard  
Specifications for Road and Bridge Construction, as amended by  
Contract Documents.  
For Design Standards click on the "Design Standards" link at the  
following web site:  
<http://www.dot.state.fl.us/design/DesignStandards>  
For the Standard Specifications for Road and Bridge Construction  
click on the "Specifications" link at the following web site:  
<http://www.dot.state.fl.us/specifications/StandardSpecifications>

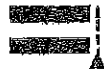






## **Attachment C**

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



CITY OF MIAMI BEACH  
1700 Convention Center Dr.  
Miami Beach, FL 33139

Bonne Vie Condominium  
1670 Lincoln Ct  
Miami Beach, FL 33139

Bay House Condominium  
1662 Lincoln Ct  
Miami Beach, FL 33139

Sunshine Bay Condominium  
1441 Lincoln Ct  
Miami Beach, FL 33139

Arcadia Condominium  
1674 Bay Road  
Miami Beach, FL 33139

West Bay Plaza Condominium  
1688 West Avenue  
Miami Beach, FL 33139

SOBE 17 OWNER LLC  
9425 HARDING AVE  
SURFSIDE, FL 33154

SOBE 17 OWNER LLC  
9425 HARDING AVE  
SURFSIDE, FL 33154

SOBE ALTON LLC  
9425 HARDING AVE  
SURFSIDE, FL 33154

WEST BAY PLAZA Condominiums  
1688 WEST AVE  
Miami Beach, FL 33139

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# West Ave Bridge

SOUTH BEACH ASSOCIATES  
DEPT PT FL 28351  
PO BOX 25025  
GLENDALE, CA 91201-5025

JOSE LUIS RODRIGUEZ  
1333 DADE BLVD  
MIAMI BEACH, FL 33139

SOBE 17 OWNER LLC  
9425 HARDING AVE  
SURFSIDE, FL 33154

THE GEORGE JAY II LTD PRTRNSHP  
6507 GRANADA BLVD  
CORAL GABLES, FL 33146-3428

1790 ALTON HOLDINGS LLC  
2800 BISCAYNE BLVD, PH FLOOR  
MIAMI, FL 33137

Fla. Dept. of Transportation  
1000 NW 111th Avenue  
Miami, FL 33172



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

**CLASS I PERMIT APPLICATION NO. CLI-2016-0357**

Class I Permit Application by the City of Miami Beach to Install Two (2) Bridges over Tidal Waters of Collins Canal at West Avenue and Lincoln Court in the City of Miami-Beach, Miami-Dade County, Florida.

**DATE: March 31, 2017**

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 (Code). The following is a summary of the proposed project with respect to each applicable evaluation factor:

1. **Potential Adverse Environmental Impact** – The Lincoln Court bridge and West Avenue bridge will measure approximately 443 square feet and 3,035 square feet over water, respectively. Benthic surveys of the submerged bottom in the proposed bridge locations documented limited benthic resources at the Lincoln Court site, and approximately 0.065 acres of patchy seagrasses within the footprint of the West Avenue bridge. The project site is not located within an area designated as critical habitat for *Halophila johnsonii* (Johnson's Seagrass), a Federally Listed Threatened species, and Johnson's Seagrass was not documented within the project footprint. Both bridges have been designed to minimize the over-water area while still meeting safety requirements, and are clear-span bridges that do not require any in-water pilings or other in-water support systems. Mitigation for shading impacts to seagrasses will be satisfied through a contribution to the Biscayne Bay Environmental Enhancement Trust Fund.

The proposed project sites are not located within an area designated as essential habitat for the *Trichechus manatus* (West Indian Manatee) by the Miami-Dade County Manatee Protection Plan, and no in-water construction activities are proposed in association with the proposed project. However, the area is accessible by the manatees, and therefore, the Class I permit will include standard construction permit conditions regarding manatees to be adhered to, in the event any vessels or in-water equipment are utilized in association with the project.

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 reasonable expected to adversely affect water quality.
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 bridges are 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. The proposed bridges will be constructed at elevations that provide navigational clearance consistent with the adjacent 17<sup>th</sup> Street bridge and Alton Road bridge, in accordance with the approval from the United States Coast Guard.

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. The installation of the West Avenue bridge will result in shading impacts to 0.65 acres of seagrasses which have been minimized and will be mitigated 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** - Impacts to floral values have been minimized and will be mitigated as set forth in Number 1 above.
17. **Fauna Values** - The proposed project is not reasonably expected to adversely affect fauna values.
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 any work in wetlands.
21. **Land Use Classification** - Pursuant to Section 24-48.2(II)(B)(7) of the Code of Miami-Dade County, Florida, applications for Class I permits by a municipality within its own jurisdiction shall not be required to submit a substantiating letter or plan approval from the local zoning authority.
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 submerged lands within Collins Canal and at the Lincoln Court project site are owned by the applicant, and the property owner at the proposed West Avenue bridge site has authorized the work.
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 Chapter 33B of the Code of Miami-Dade County and the 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 DERM to evaluate the proposed 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) South Florida Water Management District (permit is required)
27. **Conformance with the Miami-Dade County Comprehensive Development Master Plan (CDMP)** - In the opinion of the Director, the proposed project is in conformance with the CDMP. The following is a summary of the proposed project as it relates to the CDMP:

**LAND USE ELEMENT I:**

**Objective 3/Policies 3A, 3B, 3C** - Protection of natural resources and systems. -- The proposed project is consistent with all applicable environmental regulations, 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 AV-5A** - Aviation System Expansion - There is no aviation element to the proposed project.

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

**CONSERVATION, AQUIFER RECHARGES AND DRAINAGE ELEMENT IV:**

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

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

**Objective 4/Policies 4A, 4B, 4C** - Water storage, aquifer recharge potential and maintenance of natural surface water drainage. - The proposed project is not reasonably expected to adversely affect water storage, aquifer recharge potential or natural surface water drainage.

**Objective 5/Policies 5A, 5B, 5F** - Flood protection and cut and fill criteria -- The proposed project will not compromise flood protection.

**Objective 6/Policy 6A** - Areas of highest suitability for mineral extraction. - The proposed project is not located in an area proposed or suitable for mineral extraction.

**Objective 6/Policy 6B** - Guidelines for rock quarries for the re-establishment of native flora and fauna. - The proposed project is not located in a rock quarry.

**Objective 7/Policy 7A, 7C, 7D, 7J** - Wetland protection and restoration. -- The proposed project does not involve any work in wetlands

**Objective 9/Policies 9A, 9B, 9C** - Protection of habitat critical to Federal or State-designated threatened or endangered species. -- The project is not reasonably expected to adversely affect habitat critical to Federal or State-designated threatened or endangered species.



**COASTAL MANAGEMENT ELEMENT VII:**

**Objective 1/Policy 1A** – Mangrove wetlands within Mangrove Protection Areas – The proposed project is not located within a designated “Mangrove Protection Area.”

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

**Objective 1/ Policy 1C** - Elevated boardwalk access through mangroves. -- The proposed project does not involve the construction of an elevated walkway through mangroves.

**Objective 1/Policy 1D** - Protection and maintenance of mangrove forests and related natural vegetational communities. - The proposed project does not involve work within 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 does not involve work in 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 result in impacts to endangered or threatened 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 reasonable expected to 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 West Avenue bridge does not meet the thresholds for review by the Shoreline Development Review Committee under the Shoreline Ordinance and is not subject to shoreline development review. The Lincoln Court bridge has been reviewed by the Shoreline Development Review Committee under the Shoreline Ordinance and has received a determination of “no need to comply”.

**Objective 5/Policy 5F** - The siting of water dependent facilities. - The proposed project does not involve the creation of 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 in conformance with the Biscayne Bay Management Plan.
30. Conformance with the Miami-Dade County Manatee Protection Plan - The proposed project sites are not located within an area designated as essential habitat for the *Trichechus manatus* (West Indian Manatee) by the Miami-Dade County Manatee Protection Plan, and no in-water construction activities are proposed in association with the proposed project. However, the area is accessible by the manatees, and therefore, the Class I permit will include standard construction permit conditions regarding manatees to be adhered to, in the event any vessels or in-water equipment are utilized in association with the project.
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) of the Code of Miami-Dade County, Florida, applications for Class I permits by a municipality within its own jurisdiction shall not be required to submit a substantiating letter or plan approval from the local zoning authority.
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 does not involve any work in 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 - 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 does not involve the creation of a boat slip.

24-48.3 (4) Clean Fill in Wetlands - The proposed project does not involve filling of wetlands.

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

  
Pamela Sweeney, Manager  
Coastal and Wetlands Resources Section  
  
Emily Goodwin, Biologist II  
Coastal and Wetlands Resources Section



# MEMORANDUM

(Revised)

**TO:** Honorable Chairman Esteban L. Bovo, Jr.  
and Members, Board of County Commissioners

**DATE:** April 18, 2017

**FROM:** Abigail Price-Williams  
County Attorney

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

Please note any items checked.

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

Agenda Item No. 5(J)  
4-18-17

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

RESOLUTION TAKING ACTION ON A CLASS I PERMIT APPLICATION BY THE CITY OF MIAMI BEACH FOR AUTHORIZATION TO INSTALL TWO (2) NEW BRIDGES OVER TIDAL WATERS OF COLLINS CANAL AT WEST AVENUE AND LINCOLN COURT IN THE CITY OF MIAMI BEACH, MIAMI-DADE COUNTY, FLORIDA

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

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA**, that this Board having considered all the applicable factors contained within Section 24-48.3 of the Code of Miami-Dade County, hereby approves the application by the City of Miami Beach to install two (2) bridges over tidal waters of Collins Canal at West Avenue and Lincoln Court in the City of Miami Beach, Miami-Dade County, Florida, subject to the conditions set forth in the memorandum from the Miami-Dade County Department of Regulatory and Economic Resources, a copy of which is attached hereto and made a part hereof. The issuance of this approval does not relieve the applicant from obtaining all applicable Federal, State, and local permits.

The foregoing resolution was offered by Commissioner \_\_\_\_\_, who moved its adoption. The motion was seconded by Commissioner \_\_\_\_\_ and upon being put to a vote, the vote was as follows:

Esteban L. Bovo, Jr., Chairman

Audrey M. Edmonson, Vice Chairwoman

Bruno A. Barreiro

Daniella Levine Cava

Jose "Pepe" Diaz

Sally A. Heyman

Barbara J. Jordan

Joe A. Martinez

Jean Monestime

Dennis C. Moss

Rebeca Sosa

Sen. Javier D. Souto

Xavier L. Suarez

The Chairperson thereupon declared the resolution duly passed and adopted this 18<sup>th</sup> day of April, 2017. 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