

# Memorandum



**Date:** July 10, 2018

Agenda Item No. 5(J)

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

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

**Subject:** Class I Permit Application by the City of Miami to Install a Kayak Ramp and a New Seawall along the Miami River and the Seybold Canal at the Spring Garden Point Park in the City of Miami, Florida

## **Recommendation**

I have reviewed the attached application for a Class I permit by the City of Miami 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 site is located at 601 Northwest 7 Street Road, Miami, Florida in Commission District 5, which is represented by Commissioner Eileen Higgins.

## **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 a kayak ramp through non-maintenance dredging and filling of tidal waters and excavation of a portion of the upland property. The proposed scope of work also includes shoreline stabilization through the installation of riprap and a new seawall. The proposed project is required to be reviewed and approved by the Board at a public hearing because a portion of 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 property is a public park located at the confluence of the Seybold Canal and the Miami River and is stabilized by a riprap revetment on the Miami River and a seawall along the Seybold Canal. The proposed kayak ramp will provide for the launching and retrieval of kayaks and other non-motorized vessels to the Miami River through construction of an 8 foot wide by 60 foot long ramp. The construction of the kayak ramp will involve non-maintenance dredging of 257 square feet of tidal waters and excavation of 351 square feet of uplands. The existing riprap will be reworked to improve shoreline stabilization along the Miami River and 297 linear feet of new sheet-pile seawall will be installed along the shoreline adjacent to the Seybold Canal.

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 riprap and unvegetated substrate within the project area do not support seagrasses or other significant benthic resources. The Class I permit will require that turbidity controls be utilized during all phases of construction to ensure compliance with State of Florida and Miami-Dade County (County) water quality standards. Mitigation for minor temporary impacts to water quality associated with the non-maintenance dredging and filling of tidal waters will be satisfied through a contribution to the Biscayne Bay Environmental Enhancement Trust Fund.

The proposed project is located within an area designated as essential manatee habitat for the West Indian Manatee by the Miami-Dade County Manatee Protection Plan (MPP) and is consistent with the facility siting recommendations in the MPP. In addition, the Class I permit will require that all standard construction permit conditions regarding manatees be followed during all in-water operations.

The proposed project complies with Section 24-48.3(2) of the Code as related to the criteria for the minimum dredging and filling for the creation and maintenance of marinas, piers, docks and attendant navigational channels. The project has been designed in accordance with all relevant County coastal and wetland construction criteria and is consistent with all other 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 attached Project Report 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

| RECEIVED FOR DEPARTMENTAL USE ONLY  |   |
|---|---|
| Date Received:<br><br>JUL 06 2017<br><br>Department of Regulatory<br>and Economic Resources<br>Natural Resources Division | Application Number:<br><br><br><br>Application Fee: |

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

## 1. Applicant Information:

Name: Daniel Alfonso, City Manager, City of Miami  
Address: 444 SW 2nd Ave, 10th Floor  
Miami, FL Zip Code: 33130  
Phone #: 305-416-1025 Fax #: 305-979-4232  
Email: CityManager@miamigov.com

\* 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: Christy Brush, Moffatt & Nichol, Inc.  
Address: 2937 SW 27th Ave, Suite 101A  
Miami, FL Zip Code: 33133  
Phone #: 305-979-4232 Fax #:   
Email: cbrush@moffattnichol.com

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

Folio #(s): 01-3135-027-1330 Latitude: Longitude:  
Street Address: 601 NW 7th Street Road Section: 37 Township: 54S Range: 41E  
In City or Town: Miami Near City or Town:  
Name of waterway at location of the activity: Miami River and Seybold Canal

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

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

☒ Other: Kayak Ramp

Estimated project cost = \$ 765,331

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): Nonmotorized Recreational Vessels (e.g. kayaks)  
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 |
|----------------|------------------|-----------------------|------------------|---------------|
|----------------|------------------|-----------------------|------------------|---------------|

# RECEIVED

JUL 06 2017

**8. Contractor Information (If known):**

Name: TBD

Address: \_\_\_\_\_

Phone #: \_\_\_\_\_

Fax #: \_\_\_\_\_

E-mail: \_\_\_\_\_

Department of Regulatory and Economic Resources  
Natural Resources Division

License # (County/State): \_\_\_\_\_  
Zip Code: \_\_\_\_\_

**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

Municipality

Florida

Print Name of Applicant (Enter the complete name as registered)  
Registration/Incorporation

Type (Corp, LLC, LLP, etc.)

State of

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 \_\_\_\_\_

Daniel Alfonso

Print Authorized Representative's Name

City Manager

Title

6-6-17

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)  
Registration/Incorporation

Type (Corp, LLC, LLP, etc.)

State of

Print Name of Applicant (Enter the complete name as registered)  
Registration/Incorporation

Type (Corp, LLC, LLP, etc.)

State of

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 601 NW 7th Street Rd Miami-Dade  
County, Florida, otherwise identified in the public records of Miami-Dade County as Folio No. 01-3135-027-1330

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 \_\_\_\_\_ Municipality \_\_\_\_\_ Florida \_\_\_\_\_  
Print Name of Owner (Enter the complete name as registered) \_\_\_\_\_ Type (Corp, LLC, LLP, etc.) \_\_\_\_\_ State of Registration/Incorporation \_\_\_\_\_  
444 SW 2nd Ave, Miami, Florida 33130  
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.\*\*\*

 \_\_\_\_\_ Daniel Alfonso \_\_\_\_\_ City Manager \_\_\_\_\_ 6.6.17 \_\_\_\_\_  
Signature of Authorized Representative \_\_\_\_\_ Print Authorized Representative's Name \_\_\_\_\_ Title \_\_\_\_\_ Date \_\_\_\_\_

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

**Please Review Above**

Appropriate signature(s) must be included in:

Box 9: either A, B or C

**AND**

Box 10: either A or B

**RECEIVED****JUL 06 2017**

Department of Regulatory  
and Economic Resources  
Natural Resources Division

## **Attachment B**

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

# City of Miami, Florida

DANIEL J. ALFONSO  
CITY MANAGER



P.O. BOX 330708  
MIAMI, FLORIDA 33233-0708  
(305) 250-5400  
FAX (305) 250-5410

## PERMIT APPLICANT / AUTHORIZED AGENT STATEMENT

October 13, 2017

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

**RE: Class I Standard Form Permit Application Number CLI-2017-0262**  
**City of Miami Project B-40456A Spring Garden Point Park**

By the attached Class I Standard Form permit application with supporting documents, I, Daniel J. Alfonso, City Manager for the City of Miami, am the permit applicant and hereby request permission to perform the work associated with Class I Permit Application CLI-2017-0262. 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,

A handwritten signature in cursive script, appearing to read "Daniel J. Alfonso".

Daniel J. Alfonso,  
City Manager

cc: Alberto Parjus, Assistant City Manager, City of Miami  
Jeovanny Rodriguez, PE, Director, Capital Improvements

OCL 17-0069



ENGINEER LETTER OF CERTIFICATION



Date: 11/7/17

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-2017-0262

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,

A handwritten signature in black ink, appearing to read "J. K. Blum".

MOFFATT NICHOL  
FL 4877 EB  
P.E. # 55710

# SPRING GARDEN POINT PARK BULKHEAD IMPROVEMENTS

**CITY OF MIAMI  
SECTION 37, TOWNSHIP 54S, RANGE 41E**

| INDEX # | SHEET REF # | SHEET TITLE   | SHEET INDEX |
|---------|-------------|---|-------------|
| 1       | C-001       | COVER SHEET, LOCATION & VICINITY MAPS AND SHEET INDEX |             |
| 2       | C-002       | LEGEND AND ABBREVIATIONS                              |             |
| 3       | C-003       | GENERAL NOTES (1 OF 2)                                |             |
| 4       | C-004       | GENERAL NOTES (2 OF 2)                                |             |
| 5       | C-101       | EXISTING CONDITIONS & SURVEY CONTROL - PLAN           |             |
| 6       | S0-101      | DEDUCTION PLAN  |             |
| 7       | S-001       | STRUCTURAL NOTES                                      |             |
| 8       | S-101       | GENERAL ARRANGEMENT - PLAN                            |             |
| 9       | S-102       | KAYAK LAUNCH - ENLARGED PLAN                          |             |
| 10      | S-301       | KAYAK LAUNCH - SECTIONS & DETAILS                     |             |
| 11      | S-310       | BULKHEAD WALL - SECTIONS & DETAILS                    |             |
| 12      | S-500       | GAP & FASCIA DETAILS                                  |             |



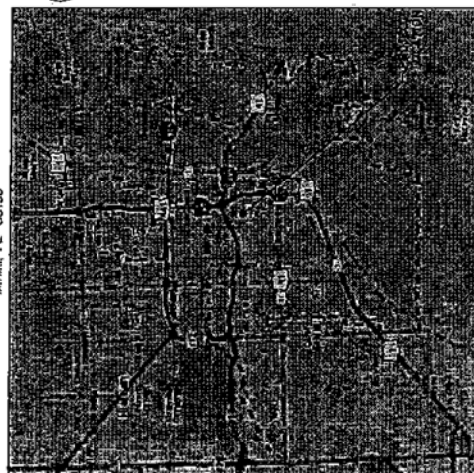
CITY COMMISSION

KEON HARDEMON, CHAIR  
KEN RUSSELL, VICE CHAIR  
WALFREDO (MILLY) GORT, COMMISSIONER, DISTRICT ONE  
FRANK CAROLLO, COMMISSIONER, DISTRICT THREE  
FRANCIS SWAREZ, COMMISSIONER, DISTRICT FOUR  
TOMAS REGALADO, MAYOR  
DANIEL J. ALFONSO, CITY MANAGER  
VICTORIA MENDEZ, CITY ATTORNEY  
TODD B. HANNON, CITY CLERK

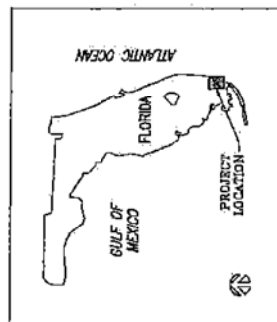
PERMIT SET  
5 OCTOBER 2017  
NOT TO BE USED FOR CONSTRUCTION

TRAINING SCALES SHOWING BASED ON 27-34" DRAWING

**PROJECT ADDRESS:**  
601 NW 7TH STREET ROAD  
MIAMI, FL 33136



LOCATION MAP  
SCALE: NTS



VICINITY MAP  
SCALE: NTS

15787: 62.14 [19230-01] [code], Adobe [152301-0-01], Prolong 10/5/2017 12:08 PM by BETH ANN DONT M.; Source: 10/5/2017 11:53 AM by ARESHIN.



| Day | Time  | Activity   | Notes |
|-----|-------|------------|-------|
| 1   | 8:00  | Arrival    |       |
| 1   | 8:30  | Breakfast  |       |
| 1   | 9:00  | Lesson 1   |       |
| 1   | 9:30  | Lesson 2   |       |
| 1   | 10:00 | Lesson 3   |       |
| 1   | 10:30 | Lesson 4   |       |
| 1   | 11:00 | Lesson 5   |       |
| 1   | 11:30 | Lesson 6   |       |
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| 1   | 10:00 | Lesson 98  |       |
| 1   | 10:30 | Lesson 99  |       |
| 1   | 11:00 | Lesson 100 |       |

SPRING GARDEN POINT PARK  
BULKHEAD IMPROVEMENT  
COVER SHEET, LOCATION  
& VICINITY MAPS AND  
SHEET INDEX

[illegible]

2827 SW 27th Ave, Ste 1014  
CORONA DRIVE, FL 33133  
305-430-1976  
(FL 45 4577)

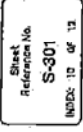
|     | TOTAL |
|-----|-------|
| ... | ...   |

Sheet  
Reference No.  
G-001  
INDEX 1 OF 12

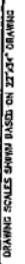


PERMIT SET  
5 OCTOBER 2017  
NOT TO BE USED FOR CONSTRUCTION

**DRAWING SCALES SHOWN BASED ON 22"x34" DRAWING**



PERMIT SET  
5 OCTOBER 2017  
NOT TO BE USED FOR CONSTRUCTION



## **Attachment C**

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

Seybold Canal LLC  
4000 Malaga Ave  
Coral Gables, FL 33130

GLF Construction Corporation  
80 SW 8th St, #2201  
Miami, FL 33130

Miami Ricer Property Dev LLC  
1111 Kane Concourse Bay 217  
Bay Harbor Islands, FL 33154

Daeja O'Donoghue  
691 NW 7th Street Rd  
Miami, FL 33136

Frank Escobedo  
PO Box 560989  
Miami, FL 33256

Echo Romeo LLC  
3515 Anderson Rd  
Coral Gables, FL 33134

Cesar Falcon  
617 NW 7<sup>th</sup> Street Rd  
Miami, FL 33136

Arnold M Greenfield  
901 NW North River Dr  
Miami, FL 33136-3023

Finlay B & John H Matheson & Michael M Matheson  
3898 Shipping Ave  
Miami, FL 33146-1517

Michael Lingswiler  
614 NW North River Dr  
Miami, FL 33136-3014

5<sup>th</sup> St Marina LLC  
PO Box 611808  
North Miami, FL 33261-1808

Norseman Shipbuilding Corp  
437 NW S River Dr  
Miami, FL 33128-1420

Rebecca G Long & Isaac M Perry III  
600 NW N River Dr  
Miami, FL 33136-3014

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5<sup>th</sup> St Marina LLC  
PO Box 611808  
North Miami, FL 33261-1808





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

**CLASS I PERMIT APPLICATION NO. CLI-2017-0262**

Class I Permit Application by the City of Miami for Non-Maintenance Dredging and Filling of Tidal Waters of the Miami River in Association with the Installation of a Kayak Ramp, Shoreline Stabilization, and the Installation of a New Seawall in the Seybold Canal at the Spring Garden Point Park in the City of Miami, Miami-Dade County, Florida

**DATE: December 18, 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 proposed project is not reasonably expected to result in adverse environmental impacts. The portion of the project area within tidal waters generally consists of concrete slabs and rubble that do not provide significant habitat. The Class I permit will require that turbidity controls be utilized during all phases of construction to ensure compliance with State and County water quality standards. In addition, the Class I permit will include conditions to ensure that the modified shoreline is stable, and is maintained in a manner that prevents erosion into tidal waters. Mitigation for minor temporary impacts to water quality associated with the project will be satisfied through a contribution to the Biscayne Bay Environmental Enhancement Trust Fund.

The proposed project is located within an area designated as essential manatee habitat for the *Trichechus manatus* (West Indian Manatee) by the Miami-Dade County Manatee Protection Plan (MPP) and is consistent with the facility siting recommendations in the MPP. Therefore, the Class I permit will require that all standard construction permit conditions regarding manatees be followed during all in-water operations.

2. **Potential Cumulative Adverse Environmental Impact** – The proposed project is not reasonably expected to result in cumulative adverse environmental impacts.
3. **Hydrology** – The proposed project is not reasonably expected to adversely affect surface water drainage or retention of stormwater.
4. **Water Quality** – The proposed project may affect surface water quality on a temporary basis during construction operations; however, potential impacts have been minimized and will be mitigated as set forth in Number 1 above.
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 adversely affect aesthetics.
9. **Navigation** – The proposed project is not reasonably expected to adversely affect navigation.
10. **Public Health** – The proposed project is not reasonably expected to adversely affect public health.
11. **Historic Values** – The proposed project is not reasonably expected to adversely affect historic values.
12. **Archaeological Values** – The proposed project is not reasonably expected to adversely affect archaeological values.
13. **Air Quality** – The proposed project is not reasonably expected to adversely affect air quality.

14. **Marine and Wildlife Habitats** – The proposed project is not reasonably expected to adversely affect marine and wildlife habitats as set forth in Number 1 above.
15. **Wetland Soils Suitable for Habitat** – The proposed project is not reasonably expected to adversely affect wetland soils suitable for habitat.
16. **Floral Values** – The proposed project is not reasonably expected to adversely affect floral values as set forth in Number 1 above.
17. **Fauna Values** – The proposed project is not reasonably expected to adversely affect fauna values as set forth in Number 1 above.
18. **Rare, Threatened and Endangered Species** – The proposed project is not reasonably expected to adversely affect rare, threatened and endangered species as set forth in Number 1 above.
19. **Natural Flood Damage Protection** – The proposed project is not reasonably expected to adversely affect surface water drainage or retention of stormwater.
20. **Wetland Values** – The proposed project is not located within 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 proposed project will occur on lands owned by the applicant.
24. **Conformance with Standard Construction Procedures and Practices and Design and Performance Standards** – The proposed project complies with the standard construction procedures and practices and design and performance standards of the applicable portions of 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 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) Florida Department of Environmental Protection (FDEP regulatory authorization or exemption is required)
  - c) United States Clean Water Act (US Army Corps of Engineers 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 reasonably expected to result in impacts to estuarine water quality and marine resources as set forth in Number 1 above.

**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 is not located within a wetland.

**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 Federal or State-designated threatened or endangered species as set forth in Number 1 above.

**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 is not located within 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 is not reasonably expected to adversely affect mangrove forests and 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 site is not located within 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 will not result in the 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 Class I permit will include conditions to ensure that the modified shoreline is stable, and is maintained in a manner that prevents erosion to tidal waters.

**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 will provide access for water-dependent use.

**Objective 5/Policy 5D** - Consistency with Chapter 33D, Miami-Dade County Code. (shoreline access, environmental compatibility of shoreline development) – The proposed project is not located within the boundaries subject to shoreline development review.

**Objective 5/Policy 5F** - The siting of water dependent facilities. - The proposed project is consistent with the criteria used to determine appropriateness of the project site.

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 is consistent with the Miami-Dade County Manatee Protection Plan.
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 site is not located within wetlands.
35. **Class I Permit Applications Proposing to Exceed the Boundaries Described in Section D-5.03(2)(a) of the Miami-Dade County Public Works Manual** - Not applicable.

The proposed project was also evaluated for compliance with the standards contained in Sections 24-48.3(2),(3), and (4) of the Code of Miami-Dade County, Florida. The following is a summary of how the standards relate to the proposed project:

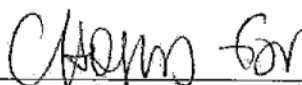
**24-48.3 (2) Dredging and Filling for Class I Permit** - The proposed project complies with the following criteria:

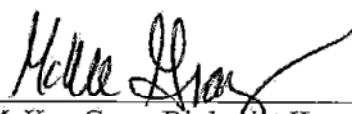
- (c) Minimum dredging and filling for the creation and maintenance of marinas, piers, docks and attendant navigational channels.

**24-48.3 (3) Minimum Water Depth Required for Boat Slips Created by the Construction or Placement of Fixed or Floating Docks and Piers, Piles and Other Structures Requiring a Permit Under Article IV, Division 1 of Chapter 24 of the Code of Miami-Dade County** - The proposed project complies with the Code-required water depth criteria.

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

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

  
\_\_\_\_\_  
Pamela Sweeney, Manager  
Coastal and Wetlands Resources Section

  
\_\_\_\_\_  
McKee Gray, Biologist II  
Coastal and Wetlands Resources Section

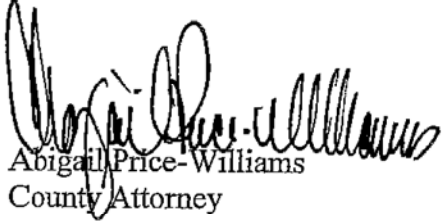


# MEMORANDUM

(Revised)

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

**DATE:** July 10, 2018

**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)

7-10-18

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

RESOLUTION TAKING ACTION ON A CLASS I PERMIT APPLICATION BY THE CITY OF MIAMI FOR THE INSTALLATION OF A KAYAK RAMP, INCLUDING NON-MAINTENANCE DREDGING AND FILLING OF TIDAL WATERS, EXCAVATION OF UPLANDS, SHORELINE STABILIZATION, AND INSTALLATION OF A NEW SEAWALL, ON THE MIAMI RIVER AND THE SEYBOLD CANAL AT THE SPRING GARDEN POINT PARK IN THE CITY OF MIAMI, MIAMI-DADE COUNTY, FLORIDA

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

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA**, that this Board having considered all the applicable factors contained within Section 24-48.3 of the Code of Miami-Dade County, hereby approves the application by the City of Miami for a Class I permit to install a kayak ramp, including non-maintenance dredging and filling of tidal waters, excavation of uplands, shoreline stabilization, and installation of a new seawall, on the Miami River and the Seybold Canal at the Spring Garden Point Park in the City of Miami, Miami-Dade County, Florida, subject to the conditions set forth in the memorandum from the Miami-Dade County Department of Regulatory and Economic Resources, a copy of which is attached hereto and made a part hereof. The issuance of this approval does not relieve the applicant from obtaining all applicable Federal, State, and local permits.

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

|                                     |                      |
|-------------------------------------|----------------------|
| Esteban L. Bovo, Jr., Chairman      |                      |
| Audrey M. Edmonson, Vice Chairwoman |                      |
| Daniella Levine Cava                | Jose "Pepe" Diaz     |
| Sally A. Heyman                     | Eileen Higgins       |
| Barbara J. Jordan                   | Joe A. Martinez      |
| Jean Monestime                      | Dennis C. Moss       |
| Rebeca Sosa                         | Sen. Javier D. Souto |
| Xavier L. Suarez                    |                      |

The Chairperson thereupon declared this resolution duly passed and adopted this 10<sup>th</sup> day of July, 2018. 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