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CLERK OF THE BOARD
OF COUNTY COMMISSIONERS
MIAMI-DADE COUNTY, FLORIDA

Memorandum

MIAMI-DADE COUNTY

Date: January 10, 2008

Agenda Item No. 5(M)

To: Honorable Chairman Bruno A. Barreiro and Members, Board of County Commissioners

From: George M. Burgess, County Manager

R-12-08

Subject: Class 1 Permit Application by Miami-Dade County Water and Sewer Department and The City of Coral Gables to Install Thirty-Six (36) Linear Feet of New Steel Sheet Pile Seawall and to Backfill Three Hundred (300) Square Feet of Tidal Waters Within the Coral Gables Waterway to Protect an Existing, Recently Repaired Forty-Eight (48) Inch Water Main.

Attached, please find for your consideration an application by Miami-Dade County Water and Sewer Department and The City of Coral Gables for a Class 1 Permit. Also, attached is the recommendation of the Director of the Department of Environmental Resources Management and a Resolution seeking the Board's approval of the aforesaid Class 1 Permit.

Assistant County Manager

/

Memorandum

MIAMI-DADE COUNTY

Date: January 10, 2008

To: George M. Burgess
County Manager

From: Carlos Espinosa, P.E., Director
Environmental Resources Management

Subject: Class 1 Permit Application by Miami-Dade County Water and Sewer Department and The City of Coral Gables to Install Thirty-Six (36) Linear Feet of New Steel Sheet Pile Seawall and to Backfill Three Hundred (300) Square Feet of Tidal Waters Within the Coral Gables Waterway to Protect an Existing, Recently Repaired Forty-Eight (48) Inch Water Main

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Recommendation
I have reviewed the Class 1 Permit application by Miami-Dade County Water and Sewer Department and The City of Coral Gables. Based upon the applicable evaluation factors set forth in Section 24-48.3 of the Code of Miami-Dade County, Florida, I recommend that the Board of County Commissioners approve the issuance of a Class 1 Permit for the reasons set forth below.

Scope
The project site is located along the Coral Gables Waterway at Blue Road, Coral Gables Riviera Sec. Part 1, Rev. PB 28-31, Lots 1 & 2 Blk. 26, Miami-Dade County, Florida, in Commission District 7.

Fiscal Impact/Funding Source
Not applicable.

Track Record/Monitor
Not applicable.

Background
Section 24-48 of the Code of Miami-Dade County requires a Class 1 permit for any work to take place in, on, over or upon any tidal waters or bay bottom lands In Miami-Dade County unless that work is specifically described under Section 24-48.2(I). The Director of the Department of Environmental Resources Management (DERM) shall recommend to the Board of County Commissioners for approval or denial based on the applicable evaluation factors set forth in Section 24-48.3 of the Code. The Board of County Commissioners shall hold a public hearing concerning the proposed work and shall approve or deny the work pursuant to Section 24-48.3.

The subject Class 1 Permit application involves the installation of thirty-six (36) linear feet of new steel sheet pile and the associated backfilling of three hundred (300) square feet of tidal waters within the Coral Gables Waterway to protect an existing, recently repaired forty-eight (48) inch water main. Said work is proposed in association with repairs related to an unforeseen water main break. The project site is located in the City of Coral Gables along the Coral Gables Waterway at Blue Road, Coral Gables Riviera Sec. Part 1, Rev. PB 28-31, Lots 1 & 2 Blk. 26, Miami-Dade County.

The proposed project includes the installation of thirty-six (36) linear feet of new steel sheet pile a maximum of eight (8) linear feet from the existing mean high water line. The proposed project will

result in the filling of three hundred (300) square feet of tidal waters within the Coral Gables waterway between the new steel sheet pile and the existing uplands.

The proposed project also includes extending an existing ten (10) inch cast iron stormwater outfall approximately seven (7) feet waterward so that it may pass through the new steel sheet pile. In addition, the proposed project includes the stabilization of the existing canal bank located adjacent to the proposed steel sheet pile wall. The canal bank above the newly installed sheet pile wall will be filled in order to cover the repaired water main with clean fill. The canal bank will be stabilized by the installation of a filter fabric membrane followed by the placement of sand-cement riprap bags from the edge of the new steel sheet pile to the top of the bank.

The applicants will mitigate for the unavoidable adverse environmental impacts associated with the proposed project through a contribution to the Biscayne Bay Environmental Enhancement Trust Fund (BBEETF) in an amount equal to the value of fifteen (15) cubic yards of natural limerock riprap boulders. This contribution shall be specifically designated for habitat creation/restoration projects in Biscayne Bay and its foreshore.

The proposed project has been designed in accordance with all relevant Miami-Dade County coastal construction criteria and is consistent with all other Miami-Dade County coastal protection provisions. Please find attached a DERM Project Report which sets forth the reasons why the project is recommended for approval by DERM pursuant to the applicable evaluation factors set forth in Section 24-48.3 of the Code of Miami-Dade County, Florida. 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: Affidavit of Ownership
Attachment C: Owner/Agent Letter, Engineer Certification Letter and Project Sketches
Attachment D: Zoning Memorandum
Attachment E: Names and Addresses of Owners of All Riparian or Wetland Property Within Three Hundred (300) Feet of the Proposed Work
Attachment F: Sequence of Construction and Turbidity Control / Water Quality Monitoring Plan
Attachment G: DERM Project Report

NOTICE OF PUBLIC HEARING ON AN APPLICATION BY MIAMI-DADE COUNTY WATER AND SEWER DEPARTMENT AND THE CITY OF CORAL GABLES FOR A CLASS I PERMIT TO INSTALL THIRTY-SIX (36) LINEAR FEET OF NEW STEEL SHEET PILE SEAWALL AND TO BACKFILL THREE HUNDRED (300) SQUARE FEET OF TIDAL WATERS WITHIN THE CORAL GABLES WATERWAY TO PROTECT AN EXISTING, RECENTLY REPAIRED FORTY-EIGHT (48) INCH WATER MAIN AT CORAL GABLES WATERWAY AT BLUE ROAD, CORAL GABLES RIVIERA SEC. PART 1, REV. PB 28-31, LOTS 1 & 2 BLK. 26, MIAMI-DADE COUNTY, FLORIDA

BOARD OF COUNTY COMMISSIONERS
MIAMI-DADE COUNTY, FLORIDA

NOTICE IS HEREBY GIVEN pursuant to Article IV, Division 1 of Chapter 24 of the Code of Miami-Dade County that the Board of County Commissioners of Miami-Dade County will hold and conduct a Public Hearing on a request by Miami-Dade County Water and Sewer Department and The City of Coral Gables for a Class I Permit to install thirty-six (36) linear feet of new steel sheet pile seawall and to backfill three hundred (300) square feet of tidal waters within the Coral Gables Waterway to protect an existing, recently repaired forty-eight (48) inch water main at Coral Gables Waterway at Blue Road, Coral Gables Riviera Sec. Part 1, Rev. PB 28-31, Lots 1 & 2 Blk. 26, Miami-Dade County, Florida. Such Public Hearing will be held on the 10th day of January 2008 at 9:30 AM at the County Commission Chambers on the 2nd Floor of the Stephen P. Clark Center, 111 NW 1 Street, Miami, Florida.

Plans and details concerning the work requested in the application may be reviewed by interested persons at the office of the Miami-Dade County Department of Environmental Resources Management, 6th Floor, 701 N.W. 1st Court, Miami, Florida 33136.

Oral statements will be heard and appropriate records made. For accuracy of records, all important facts and arguments should be prepared in writing in triplicate, with two copies being submitted to the Deputy Clerk of the County Commission at the hearing or mailed to her beforehand (Kay Sullivan, Deputy Clerk), 111 N.W. 1st Street, Stephen P. Clark Center, Suite 17-202, Miami, Florida 33128; and with one copy being submitted beforehand to the Miami-Dade County Department of Environmental Resources Management, 701 N.W. 1st Court, Miami, Florida 33136.

A person who decides to appeal any decision made by any Board, Agency, or Commission with respect to any matter considered at its meeting or hearing will need a record of proceedings. Such person may need to ensure that a verbatim record of the proceedings is made, including the testimony and evidence upon which the appeal is to be based.

BOARD OF COUNTY COMMISSIONERS
MIAMI-DADE COUNTY, FLORIDA

HARVEY RUVIN, CLERK

BY: _____
Kay Sullivan, Deputy Clerk

MEMORANDUM

(Revised)

TO: Honorable Chairman Bruno A. Barreiro and Members, Board of County Commissioners

DATE: January 10, 2008

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

SUBJECT: Agenda Item No. 5(M)

Please note any items checked.

_____	"4-Day Rule" ("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
_____	Bid waiver requiring County Manager's written recommendation
_____	Ordinance creating a new board requires detailed County Manager's report for public hearing
_____	Housekeeping item (no policy decision required)
✓	No committee review

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 5(M)
01-10-08

RESOLUTION NO. **R-12-08**

RESOLUTION RELATING TO AN APPLICATION BY MIAMI-DADE COUNTY WATER AND SEWER DEPARTMENT AND THE CITY OF CORAL GABLES FOR A CLASS 1 PERMIT TO INSTALL THIRTY-SIX (36) LINEAR FEET OF NEW STEEL SHEET PILE SEAWALL AND TO BACKFILL THREE HUNDRED (300) SQUARE FEET OF TIDAL WATERS WITHIN THE CORAL GABLES WATERWAY TO PROTECT AN EXISTING, RECENTLY REPAIRED FORTY-EIGHT (48) INCH WATER MAIN AT CORAL GABLES WATERWAY AT BLUE ROAD, CORAL GABLES RIVIERA SEC. PART 1, REV. PB 28-31, LOTS 1 & 2 BLK. 26, 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 Miami-Dade County Water and Sewer Department and The City of Coral Gables for a Class 1 Permit to install thirty-six (36) linear feet of new steel sheet pile seawall and to backfill three hundred (300) square feet of tidal waters within the Coral Gables Waterway to protect an existing, recently repaired forty-eight (48) inch water main at Coral Gables Waterway at Blue Road, Coral Gables Riviera Sec. Part 1, Rev. pb 28-31, Lots 1 & 2 Blk. 26, Miami-Dade County, subject to the conditions set forth in the memorandum from the Director of the Miami-Dade County Department of Environmental Resources Management, a copy of which is attached hereto and made a part hereof. The issuance of this approval does not relieve the applicants from obtaining all applicable Federal, State, and local permits.

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

Bruno A. Barreiro, Chairman	aye		
Barbara J. Jordan, Vice-Chairwoman	aye		
Jose "Pepe" Diaz	aye	Audrey M. Edmonson	aye
Carlos A. Gimenez	aye	Sally A. Heyman	aye
Joe A. Martinez	aye	Dennis C. Moss	aye
Dorrin D. Rolle	aye	Natacha Seijas	aye
Katy Sorenson	aye	Rebeca Sosa	aye
Sen. Javier D. Souto	absent		

The Chairperson thereupon declared the resolution duly passed and adopted this 10th day of January, 2008. This resolution shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

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

HARVEY RUVIN, CLERK

By: Kay Sullivan
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

Peter S. Tell

Attachment A

Class I Permit Application

MIAMI-DADE COUNTY

Class I
Permit Application

RECEIVED
NOV 19 2007
DERM
Environmental Resources Regulation Division

1. Application number
2007 CLI-PER 00091

2. Date Day/Month/Year
11/16/2007

3. For official use only

4. Applicant Information:

Name: City of Coral Gables

Address: 2800 S.W. 72nd Avenue

Miami, Florida Zip Code: 33155

Phone # 305-460-5069 Fax #: _____

5. Applicant's authorized permit agent

Name: Victor Fernandez-Cuervo, P.E., Engineering Division Chief, Miami-Dade Water and Sewer Department

Address: 3071 S.W. 38th Avenue

Miami, Florida Zip Code: 33146

Phone #: 786-268-5250 Fax #: _____

6. Describe the proposed activity, its purpose and intended use, including a description of the type of structures, if any, to be erected on fills, or pipe or float-supported platforms, and the type, composition and quantity of materials to be discharged or dumped and means of conveyance.

Installation of 36 Linear Feet of new steel sheet pile seawall and backfilling of 300 square feet of tidal waters in the Coral Gables Waterway in order to protect an existing, recently repaired, WASD 48-inch water main.

	Dredged/Excavated		Filled/Deposited	
Volume of Material:	_____ CY Waterward of O.H.W. or M.H.W.	_____ CY Landward of O.H.W. or M.H.W.	_____ CY Waterward of O.H.W. or M.H.W.	_____ CY Landward of O.H.W. or M.H.W.

7. Proposed Use: (Check One)
- ☐ Private
- ☒ Public
- ☐ Commercial
- ☐ Other

8. Names and addresses of adjoining property owners whose property also adjoins the waterway.

Name: Miami Dade County Public Works Department – Road and Bridges

Address: 9301 N.W. 58th Street

Miami, Florida Zip Code 33178

Name: City of Coral Gables

Address: 2800 S.W. 72nd Avenue

Miami, Florida Zip Code 33155

9. Location where proposed activity exists or will occur.

Street Address: Coral Gables Canal along Blue Rd. & Biltmore Dr. Latitude _____ Longitude _____

Section 20 Township 54 Range 41

State Florida County Miami-Dade County In City or Town City of Coral Gables Near City Or Town _____

10. Name of waterway at location of the activity.

Coral Gables Waterway (C-3 Canal)

11. Date activity is proposed to:

Commence May/2008 Be completed June/2008

10

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Environmental Resources Regulation Division

12. Is any portion of this activity for which authorization is sought now complete?
☐ Yes
☒ No
If answer is "yes", give reasons in the remarks section. Indicate the existing work on the drawings.
Month and Year the activity was completed _____

13. List all approvals or certifications required by other Federal, state or local agencies for any structures, construction, discharges, deposits or other activities described in this application, including whether the project is a Development of Regional Impacts.

Issuing Agency	Type of Approval	Identification Number	Date of Application	Date of Approval
FDEP	Noticed General Permit	13-0272875-001	1/9/2007	3/30/2007
City of Coral Gables	Building Permit		12/29/2006	
US Army Corps of Engineers	General Permit	SAJ-2007-1053	2/22/2007	6/8/2007

14. Has any other agency denied approval for any activity directly related to the activity described herein?
☐ Yes
☒ No

15. Remarks

16. Estimated project cost = $146,387.00

17. Contractor's name and address

Name: _____ License #: _____

Address: _____

_____ Zip Code: _____

Phone #: _____ Fax #: _____

19. To obtain proprietary authorization for work on state-owned submerged lands, please include an additional copy of the following:
☒ 8½ x 11 Location Map
☒ 8½ x 11 Project Drawing
☒ Copy of Application

18. Application is hereby made for a permit or permit(s) to authorize the activities described herein. I agree to provide any additional information/data that may be necessary to provide reasonable assurance or evidence to show that the proposed project will comply with the applicable State Water Quality Standards or other environmental protection standards both during construction and after the project is completed. I also agree to provide entry to the project site for inspectors from the environmental protection agencies for the purpose of making the preliminary analyses of the site and monitoring permitted works, if permit is granted. I certify that I am familiar with the information contained in this application and that to the best of my knowledge and belief, such information is true, complete and accurate. I further certify that I possess the authority to undertake the proposed activities.

Signature of owner Delgado
R. Alberto Delgado, P.E., Director, Public Works Department, City of Coral Gables
Date November 16, 2007

SUBSCRIBED AND SWORN TO ME THIS 16th DAY OF Nov., 2007, BY R. Alberto Delgado
☒ PERSONALLY KNOWN ☐ PRODUCED IDENTIFICATION (PLEASE CHECK ONE)
TYPE OF ID PRODUCED _____
NOTARY PUBLIC

MIRIAM C. FRANCOMANO
MY COMMISSION EXPIRES
August 9, 2009
#DD 424257
Bonded thru Notary Public Underwriters
NOTARY PUBLIC, STATE OF FLORIDA

MIAMI-DADE COUNTY

Class I
Permit Application

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NOV 19 2007
DERM
Environmental Resources Regulation Division

1. Application number
2007 CLI-PER 00091

2. Date Day/Month/Year
11/16/2007

3. For official use only

4. Applicant Information:

Name: Miami-Dade Water and Sewer Department

Address: 3071 S.W. 38th Avenue

Miami, Florida Zip Code: 33146

Phone # 786-268-5250 Fax #:

5. Applicant's authorized permit agent

Name: Victor Fernandez-Cuervo, P.E., Engineering Division Chief, Miami-Dade Water and Sewer Department

Address: 3071 S.W. 38th Avenue

Miami, Florida Zip Code: 33146

Phone #: 786-268-5250 Fax #:

6. Describe the proposed activity, its purpose and intended use, including a description of the type of structures, if any, to be erected on fills, or pipe or float-supported platforms, and the type, composition and quantity of materials to be discharged or dumped and means of conveyance.

Installation of 36 Linear Feet of new steel sheet pile seawall and backfilling of 300 square feet of tidal waters in the Coral Gables Waterway in order to protect an existing, recently repaired, WASD 48-inch water main.

	Dredged/Excavated		Filled/Deposited	
Volume of Material:	CY (Waterward of O.H.W. or M.H.W.)	CY (Landward of O.H.W. or M.H.W.)	CY (Waterward of O.H.W. or M.H.W.)	CY (Landward of O.H.W. or M.H.W.)

7. Proposed Use: (Check One)

- ☐ Private
- ☒ Public
- ☐ Commercial
- ☐ Other

8. Names and addresses of adjoining property owners whose property also adjoins the waterway.

Name: Miami Dade County Public Works Department – Road and Bridges

Address: 9301 N.W. 58th Street

Miami, Florida Zip Code 33178

Name: City of Coral Gables

Address: 2800 S.W. 72nd Avenue

Miami, Florida Zip Code 33155

9. Location where proposed activity exists or will occur.

Street Address: Coral Gables Canal along Blue Rd. & Biltmore Dr. Latitude Longitude

Section 20 Township 54 Range 41

State Florida County Miami-Dade County In City or Town City of Coral Gables Near City Or Town

10. Name of waterway at location of the activity.

Coral Gables Waterway (C-3 Canal)

11. Date activity is proposed to:

Commence May/2008 Be completed June/2008

12

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DERM
Environmental Resources Regulation Division

12. Is any portion of this activity for which authorization is sought now complete?
☐ Yes
☒ No
If answer is "yes", give reasons in the remarks section. Indicate the existing work on the drawings.
Month and Year the activity was completed _____

13. List all approvals or certifications required by other Federal, state or local agencies for any structures, construction, discharges, deposits or other activities described in this application, including whether the project is a Development of Regional Impacts.

Issuing Agency	Type of Approval	Identification Number	Date of Application	Date of Approval
FDEP	Noticed General Permit	13-0272875-001	1/9/2007	3/30/2007
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US Army Corps of Engineers	General Permit	SAJ-2007-1053	2/22/2007	6/8/2007

14. Has any other agency denied approval for any activity directly related to the activity described herein?
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☒ No

15. Remarks

16. Estimated project cost = $146,387.00

17. Contractor's name and address

Name: _____ License #: _____

Address: _____

_____ Zip Code: _____

Phone #: _____ Fax #: _____

19. To obtain proprietary authorization for work on state-owned submerged lands, please include an additional copy of the following:
☒ 8½ x 11 Location Map
☒ 8½ x 11 Project Drawing
☒ Copy of Application

18. Application is hereby made for a permit or permit(s) to authorize the activities described herein. I agree to provide any additional information/data that may be necessary to provide reasonable assurance or evidence to show that the proposed project will comply with the applicable State Water Quality Standards or other environmental protection standards both during construction and after the project is completed. I also agree to provide entry to the project site for inspectors from the environmental protection agencies for the purpose of making the preliminary analyses of the site and monitoring permitted works, if permit is granted. I certify that I am familiar with the information contained in this application and that to the best of my knowledge and belief, such information is true, complete and accurate. I further certify that I possess the authority to undertake the proposed activities.

Signature of owner _____
Eduardo A. Vega, P.E., Assistant Director,
Engineering and Capital Improvements,
Miami-Dade Water and Sewer Department

Date Nov. 16, 2007

SUBSCRIBED AND SWORN TO ME THIS 16 DAY OF November, 2007, BY Eduardo A. Vega

☒ PERSONALLY KNOWN ☐ PRODUCED IDENTIFICATION (PLEASE CHECK ONE)

TYPE OF ID PRODUCED _____

_____ NOTARY PUBLIC

GLADYS YZQUIERDO
MY COMMISSION # DD 594161
EXPIRES: November 27, 2010
Bonded Thru Notary Public Underwriters

Attachment B

Affidavit of Ownership

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DERM
Environmental Resources Regulation Division

Affidavit of Ownership and Hold Harmless Agreement

Personally Appeared Before Me, R. Alberto Delgado, P.E., Public Works Director, City of Coral Gables
(Property Owner, lessee or Corporate Officer if owner is a corporation)
that undersigned authority, and hereby swears and affirms under oath as follows:

1. That your affiant is the record owner or lessee of that certain property* more fully described as:

   Parcel I.D. 03-4120-022-2650 & Coral Gables Waterway. In addition, the canal right-of-way is under the jurisdiction of the City of Coral Gables Public Works Department.

   *may attach legal description from public records or plat book or a copy of the warranty deed

2. That your affiant is also the riparian and/or littoral owner or lessee of that certain property that is the subject matter of Application No. 2007 CLI-PER-00091 for a Class I permit under and pursuant to Section 24-48 of the Code of Miami-Dade County to construct or engage in the following activity:

   The work of this project consists of installation of 36 linear feet of new steel sheet pile seawall and backfilling of 300 square feet of tidal waters in the Coral Gables Waterway in order to protect an existing, recently repaired, WASD 48-inch water main.

3. That your affiant hereby swears and affirms its ownership or leasehold in the above noted property necessary for the work noted in Paragraph 2 above, and hereby agrees to: defend same and hold the County harmless from any and all liability, claims and damages of any nature whatsoever occurring, including or arising as a result of your affiant not having the proper title to all lands or proper leasehold to all lands that are the subject matter of this application.

STATE OF FLORIDA
COUNTY OF DADE

Delgado

Owner/Applicant R. Alberto Delgado, P.E.,
Public Works Director, City of Coral Gables

BEFORE ME, the undersigned authority, personally appeared R. Alberto Delgado, who, after being duly sworn, deposes and says that he/she has read the forgoing, and that the statements contained therein are true and correct to the best of his/her knowledge and belief.

Sworn to and subscribed before me this 16th of Nov., 2007
(day) (month) (year)

Notary Signature Martha C. Francomacaro Notary Seal

MIRTHA C. FRANCOMACARO
MY COMMISSION EXPIRES
August 9, 2009
#DD 424257
Bonded thru
Notary Public Underwriters
NOTARY PUBLIC, STATE OF FLORIDA

RECEIVED
NOV 19 2007
DERM
Environmental Resources Regulation Division

Affidavit of Ownership and Hold Harmless Agreement

Personally Appeared Before Me, Eduardo A. Vega, P.E., Assistant Director, Engineering and Capital Improvements, Miami-Dade Water and Sewer Department, that undersigned authority, and hereby swears and affirms under oath as follows:

(Property Owner, lessee or Corporate Officer if owner is a corporation)

1. That your affiant is the record owner or lessee of that certain property* more fully described as:

   The 48" water main located on parcel 03-4120-022-2650 and across the Coral Gables Waterway.

   *may attach legal description from public records or plat book or a copy of the warranty deed

2. That your affiant is also the riparian and/or littoral owner or lessee of that certain property that is the subject matter of Application No. 2007 CLI-PER-00091 for a Class I permit under and pursuant to Section 24-48 of the Code of Miami-Dade County to construct or engage in the following activity:

   The work of this project consists of installation of 36 linear feet of new steel sheet pile seawall and backfilling of 300 square feet of tidal waters in the Coral Gables Waterway in order to protect an existing, recently repaired, WASD 48-inch water main.

3. That your affiant hereby swears and affirms its ownership or leasehold in the above noted property necessary for the work noted in Paragraph 2 above, and hereby agrees to: defend same and hold the County harmless from any and all liability, claims and damages of any nature whatsoever occurring, including or arising as a result of your affiant not having the proper title to all lands or proper leasehold to all lands that are the subject matter of this application.

STATE OF FLORIDA
COUNTY OF DADE

Owner/Applicant Eduardo A. Vega, P.E.,
Assistant Director, Engineering and
Capital Improvements, Miami-Dade
Water and Sewer Department

BEFORE ME, the undersigned authority, personally appeared Eduardo A. Vega, who, after being duly sworn, deposes and says that he/she has read the forgoing, and that the statements contained therein are true and correct to the best of his/her knowledge and belief.

Sworn to and subscribed before me this 16 (day) of November (month), 2007 (year)

GLADYS YZQUIERDO
MY COMMISSION # DD 594161
EXPIRES: November 27, 2010
Bonded Thru Notary Public Underwriters

Notary Signature Gladys Yzquierdo Notary Seal

Attachment C

Owner/Agent Letter, Engineer Certification Letter and Project Sketches

MIAMI-DADE COUNTY

ADA Coordination
Agenda Coordination
Animal Services
Art in Public Places
Audit and Management Services
Aviation
Building
Building Code Compliance
Business Development
tal Improvements Construction Coordination
Citizens' Independent Transportation Trust
Commission on Ethics and Public Trust
Communications
Community Action Agency
Community & Economic Development
Community Relations
Consumer Services
Corrections & Rehabilitation
Cultural Affairs
Elections
Emergency Management
Employee Relations
Empowerment Trust
Enterprise Technology Services
Environmental Resources Management
Fair Employment Practices
Finance
Fire Rescue
General Services Administration
Historic Preservation
Homeless Trust
Housing Agency
Housing Finance Authority
Human Services
Independent Review Panel
International Trade Consortium
Juvenile Assessment Center
Medical Examiner
Metro-Miami Action Plan
Metropolitan Planning Organization
Park and Recreation
Planning and Zoning
Police
Procurement Management
Property Appraiser
Public Library System
Public Works
Safe Neighborhood Parks
Seaport
Solid Waste Management
Strategic Business Management
Team Metro
Transit
k Force on Urban Economic Revitalization
Vizcaya Museum And Gardens
Water & Sewer

RECEIVED
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DERM
Environmental Resources Regulation Division

Miami-Dade Water and Sewer Department
P. O. Box 330316 • 3575 S. LeJeune Road
Miami, Florida 33233-0316
T 305-665-7471

miamidade.gov

AUTHORIZED AGENT STATEMENT

November 16, 2007

Miami-Dade County DERM
Class I Permitting Program
33 S.W. 2nd Avenue, Suite 400
Miami, Florida 33130-1540

Re: Class I Standard Form Permit Application Number 2007 CLI-PER 00091 Installation of 36 linear feet of new steel sheet pile seawall and backfilling of 300 square feet of tidal waters in the Coral Gables Waterway in order to protect an existing, recently repaired, WASD 48-inch water main.

By the attached Class I Standard Form permit application with supporting documents, I, Victor Fernandez-Cuervo, am the permit applicants' authorized agent and hereby request permission to perform the following: The work of this project consists of installation of 36 linear feet of new steel sheet pile seawall and backfilling of 300 square feet of tidal waters in the Coral Gables Waterway in order to protect an existing, recently repaired, WASD 48-inch water main. 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 registered/licensed in the State of Florida in accordance with the minimum requirements for 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 of Environmental Resources Management. The permit applicants will secure the services of an engineer registered/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 applicants will secure the services of a licensed landscape architect to supervise the trimming or cutting.

Respectfully submitted,

Victor Fernandez-Cuervo, P.E. 661
Engineering Division Chief

MIAMI-DADE COUNTY

Miami-Dade Water and Sewer Department
P. O. Box 330316 • 3575 S. LeJeune Road
Miami, Florida 33233-0316
T 305-665-7471

ADA Coordination
Agenda Coordination
Animal Services
Art in Public Places
Audit and Management Services
Aviation
Building
Building Code Compliance
Business Development
ital Improvements Construction Coordination
Citizens' Independent Transportation Trust
Commission on Ethics and Public Trust
Communications
Community Action Agency
Community & Economic Development
Community Relations
Consumer Services
Corrections & Rehabilitation
Cultural Affairs
Elections
Emergency Management
Employee Relations
Empowerment Trust
Enterprise Technology Services
Environmental Resources Management
Fair Employment Practices
Finance
Fire Rescue
General Services Administration
Historic Preservation
Homeless Trust
Housing Agency
Housing Finance Authority
Human Services
Independent Review Panel
International Trade Consortium
Juvenile Assessment Center
Medical Examiner
Metro-Miami Action Plan
Metropolitan Planning Organization
Park and Recreation
Planning and Zoning
Police
Procurement Management
Property Appraiser
Public Library System
Public Works
Safe Neighborhood Parks
Seaport
Solid Waste Management
Strategic Business Management
Team Metro
Transit
isk Force on Urban Economic Revitalization
Vizcaya Museum And Gardens
Water & Sewer

ENGINEER LETTER OF CERTIFICATION

miamidade.gov

November 2, 2007

RECEIVED
NOV 02 2007
DERM
Environmental Resources Regulation Division

Miami-Dade County DERM
Class I Permitting Program
33 S.W. 2nd Avenue, Suite 400
Miami, Florida 33130-1540

Re: Class I Standard Form Permit Application Number 2007 CLI-PER 00091 Installation of 36 linear feet of new steel sheet pile seawall and backfilling of 300 square feet of tidal waters in the Coral Gables Waterway in order to protect an existing, recently repaired, WASD 48-inch water main.

Ladies and Gentlemen:

This letter will certify that George G. Sibilia, P.E and Eduardo A. Vega, P.E. are engineers registered/licensed in the State of Florida, qualified by education and experience in the area of construction, and that to the best of their knowledge and belief, the proposed work does not violate any laws of the State of Florida or any provision 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 process for the proposed work by the engineer responsible for the design process, George G. Sibilia, P.E

George G. Sibilia of the Miami-Dade Water & Sewer Department (MDWASD) is the engineer of record for the design process for the proposed work, and in his opinion based upon his 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)

The MDWASD'S own, Eduardo A. Vega, P.E., shall only be responsible for inspections through the construction period and shall prepare a set of reproducible record prints of drawings showing changes made during the construction process based upon the marked-up prints, drawings, and other data furnished by the contractor to him, and in his opinion, based upon his foregoing knowledge and belief, the following will not occur:

e. Harmful obstruction or undesirable alteration of the natural flow of the water within the area of the proposed work.

f. Harmful or increased erosion, shoaling of channels or stagnant areas of water. (Not applicable to class IV permits)

RECEIVED
NOV 02 2007
DERM
Environmental Resources Regulation Division

g. Material Injury to adjacent property.

h. Adverse environmental impacts from changes in water quality or quantity. (Applicable to class IV permits only)

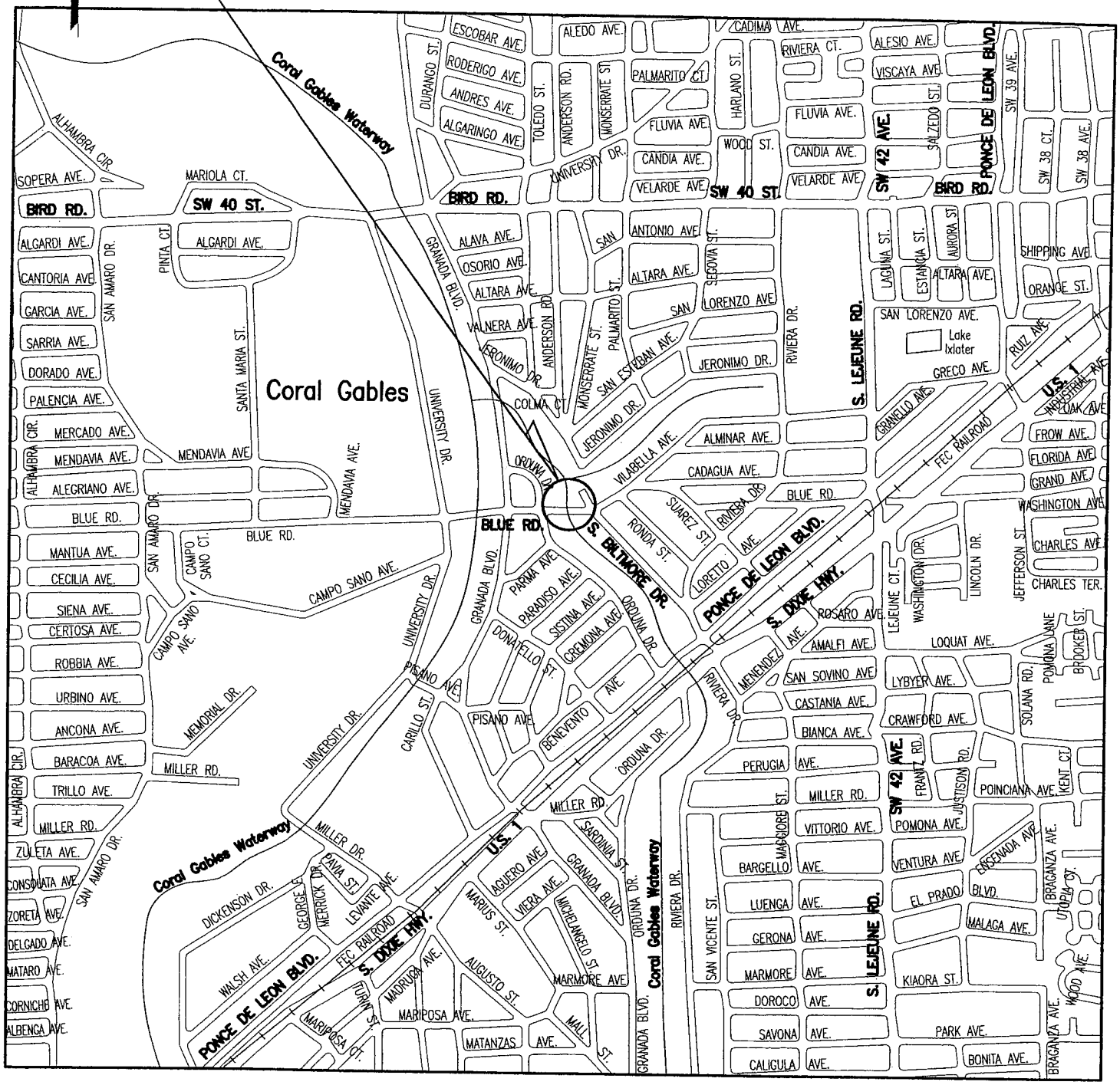
Sincerely, 11-2-2007

George G. Sibilia, P.E.
Professional Engineer
Utility Design Section
Design Engineer of Record
P.E. No. 60262

Sincerely,

Eduardo A. Vega, P.E. 11/02/07
Assistant Director of Engineering
& Capital Improvements
Construction Engineer of Record
P.E. No. 42109

PROJECT LOCATION



LOCATION MAP

Georgy Gregory Sibilia, P.E.
Civil Engineer
State of Florida – License No. 60262
Date: 6-18-2007

EMERGENCY SITE RESTORATION
REPAIR OF 48" W.M. AT CORAL GABLES CANAL
IN SW 48 ST. (BLUE RD.) & BILTMORE DR.
CORAL GABLES, FLORIDA

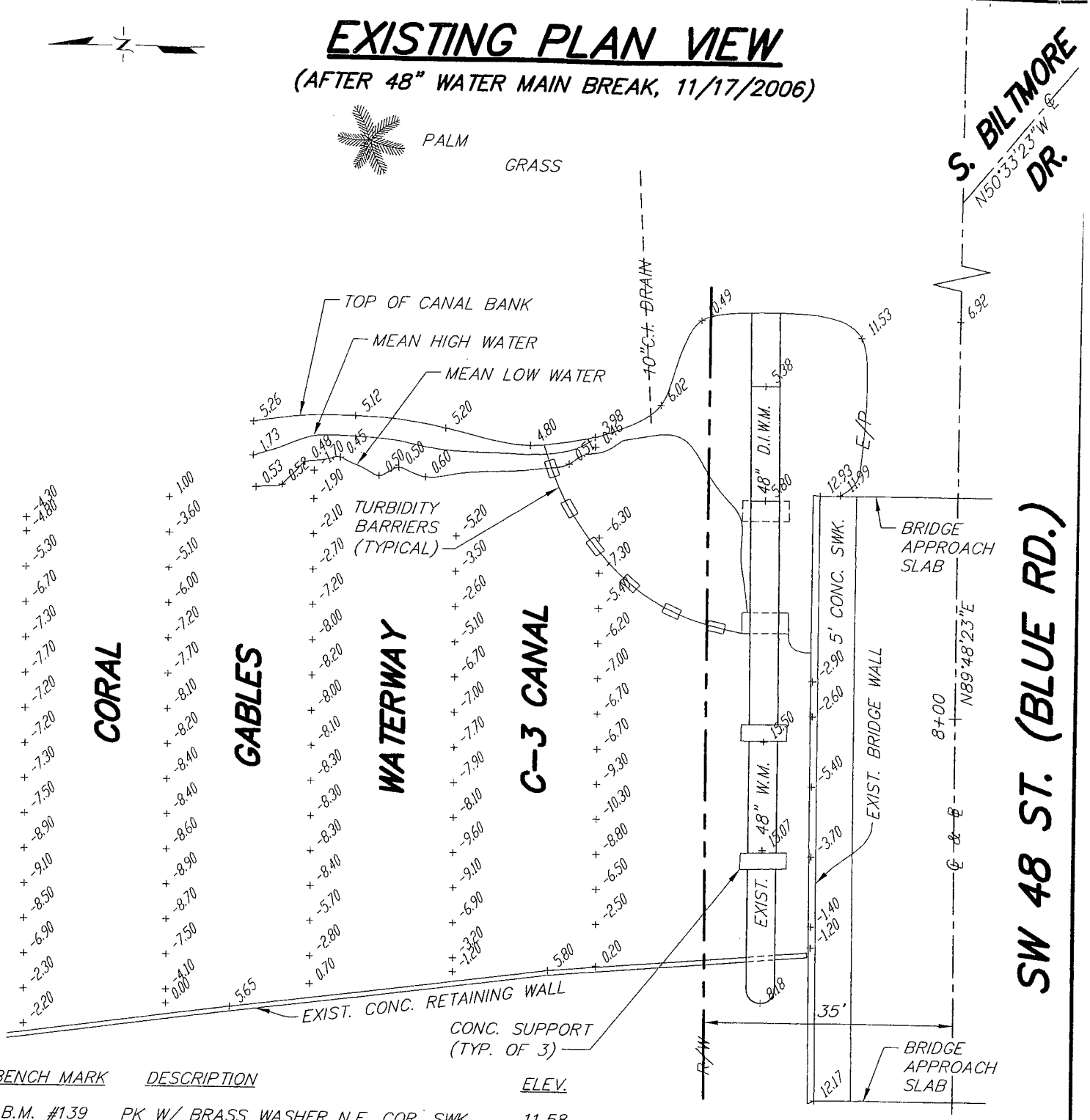
MIAMI–DADE
WATER AND SEWER DEPARTMENT

DATE: JUN. 18, 2007	SCALE: N.T.S.
SHEET: 1 OF 7	DWG. No. W-17806-C

DRAWN	C.M.
CHECKED	N.I. / E.E.A.

EXISTING PLAN VIEW

(AFTER 48" WATER MAIN BREAK, 11/17/2006)



BENCH MARK	DESCRIPTION	ELEV.
B.M. #139	PK W/ BRASS WASHER N.E. COR. SWK. BRIDGE OVER CORAL GABLES WATERWAY ON BLUE RD. JUST WEST OF GRENADA BLVD., CORAL GABLES	11.58
B.M. #177	PK W/ BRASS WASHER SET IN DRIVEWAY OF HOUSE @ 4800 ORDUNA DR. SW COR. W/ BLUE RD. BLVD., CORAL GABLES	10.39
B.M. #178	PK W/ BRASS WASHER S.W. COR. SWK. ORDUNA DR. & PARADISO, CORAL GABLES	9.26

NOTE: ALL ELEVATIONS REFER TO NATIONAL GEODETIC VERTICAL DATUM, 1929 ADJUST.

George Gregory Stella, P.E.
Civil Engineer
State of Florida - License No. 60262
Date: 6-18-2007

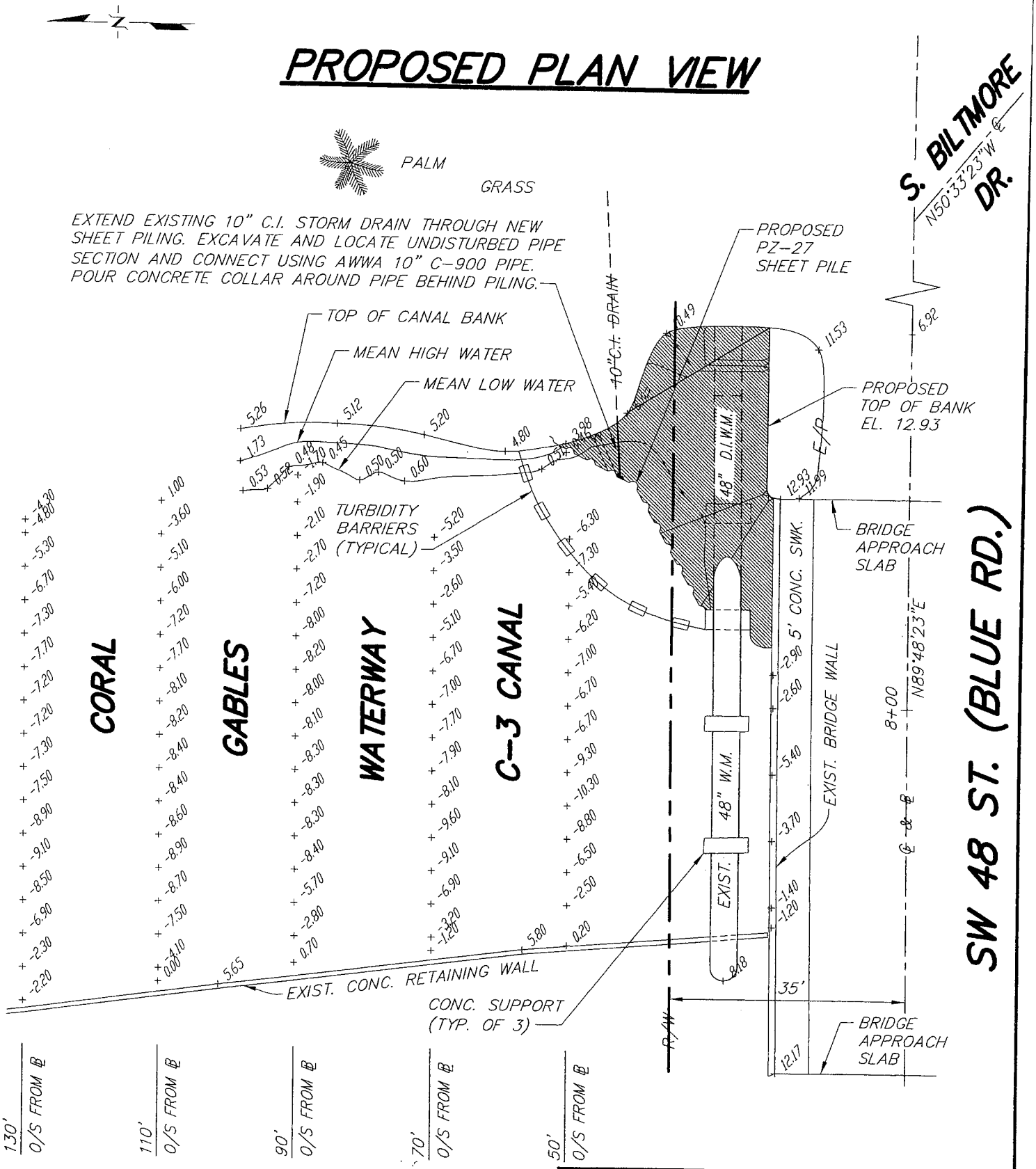
DESIGNED	N.I. / E.E.A.
CHECKED	

EMERGENCY SITE RESTORATION
REPAIR OF 48" W.M. AT CORAL GABLES CANAL
IN SW 48 ST. (BLUE RD.) & BILTMORE DR.
CORAL GABLES, FLORIDA

MIAMI-DADE
WATER AND SEWER DEPARTMENT

DATE: JUN. 18, 2007	SCALE: 1" = 20'
SHEET: 2 OF 7	DWG. No. W-17804-C

PROPOSED PLAN VIEW



LEGEND

RIP-RAP AREA

George Gregory Sibilia, P.E.
Civil Engineer
State of Florida – License No. 60262
Date: 6-18-2007

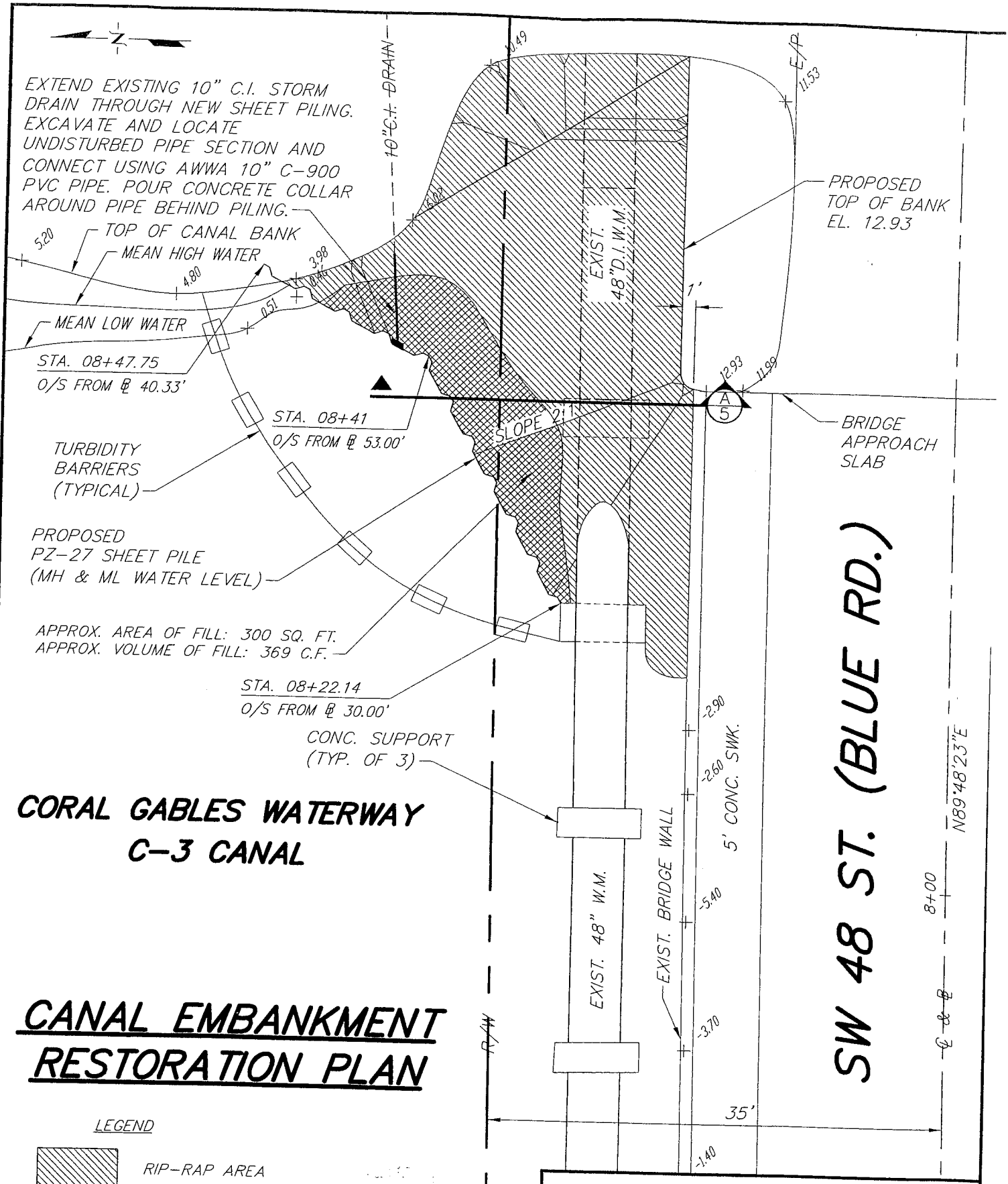
23

CHECKED	N.I. / E.E.A.

EMERGENCY SITE RESTORATION
REPAIR OF 48" W.M. AT CORAL GABLES CANAL
IN SW 48 ST. (BLUE RD.) & BILTMORE DR.
CORAL GABLES, FLORIDA

MIAMI-DADE
WATER AND SEWER DEPARTMENT

DATE: JUN. 18, 2007	SCALE: 1" = 20'
SHEET: 3 OF 7	DWG. No. W-17799-C



CORAL GABLES WATERWAY
C-3 CANAL

CANAL EMBANKMENT RESTORATION PLAN

LEGEND

RIP-RAP AREA

George Gregory Sibilia, P.E.
Civil Engineer
State of Florida - License No. 60262
Date: 6-18-2007

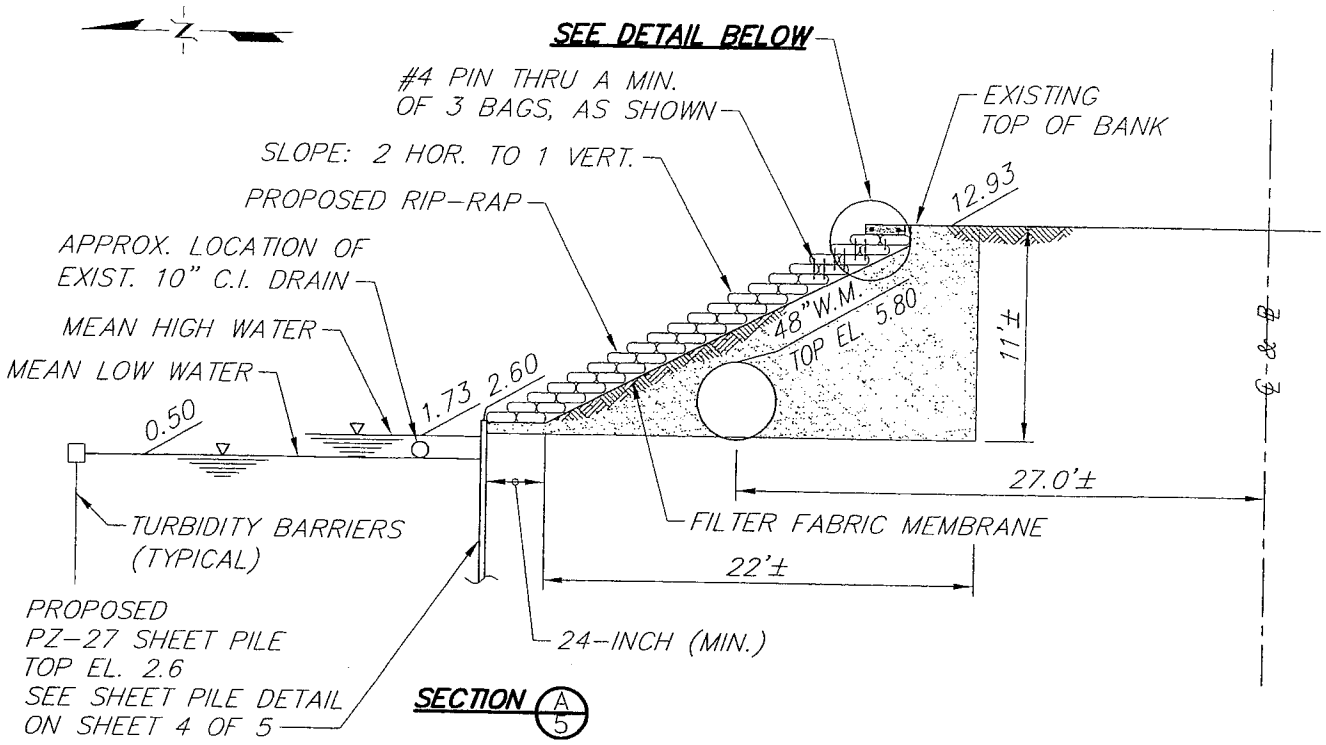
24

CHECKED | N.I. / E.E.A.

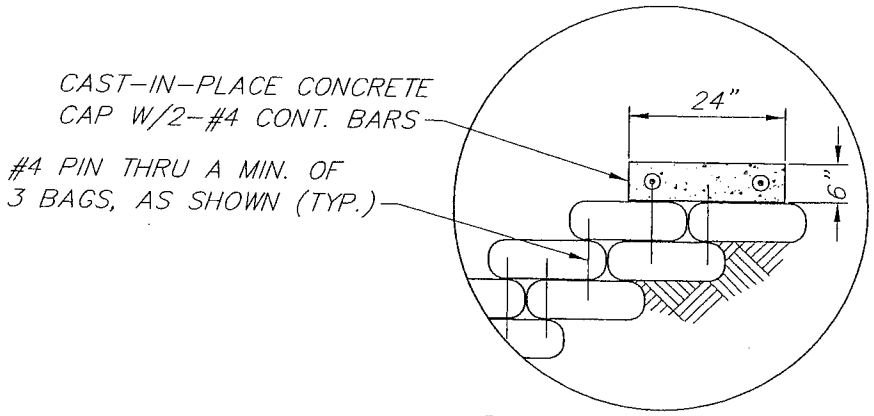
EMERGENCY SITE RESTORATION
REPAIR OF 48" W.M. AT CORAL GABLES CANAL
IN SW 48 ST. (BLUE RD.) & BILTMORE DR.
CORAL GABLES, FLORIDA

MIAMI-DADE WATER AND SEWER DEPARTMENT	
DATE: JUN. 18, 2007	SCALE: 1" = 10'
SHEET: 4 OF 7	DWG. No. W-17800-C

CANAL EMBANKMENT RESTORATION DETAILS



SW 48 ST. (BLUE RD.)



RIP-RAP SECURING DETAIL
N.T.S.

NOTES:

- Concrete shall have a minimum ultimate compressive strength of 3000 psi in 28 days.
- Canal bank slope should be stabilized with sand cement rip-rap bags, pinned in place with #4 rebars.
- Final approval relating to the rip rap erosion protection shall be from the Agency or Department having jurisdiction over the right of way of the canal & Miami-Dade Water and Sewer Department.

George Gregory Sibilla, P.E.
Civil Engineer
State of Florida – License No. 60262
Date: 6-18-2007

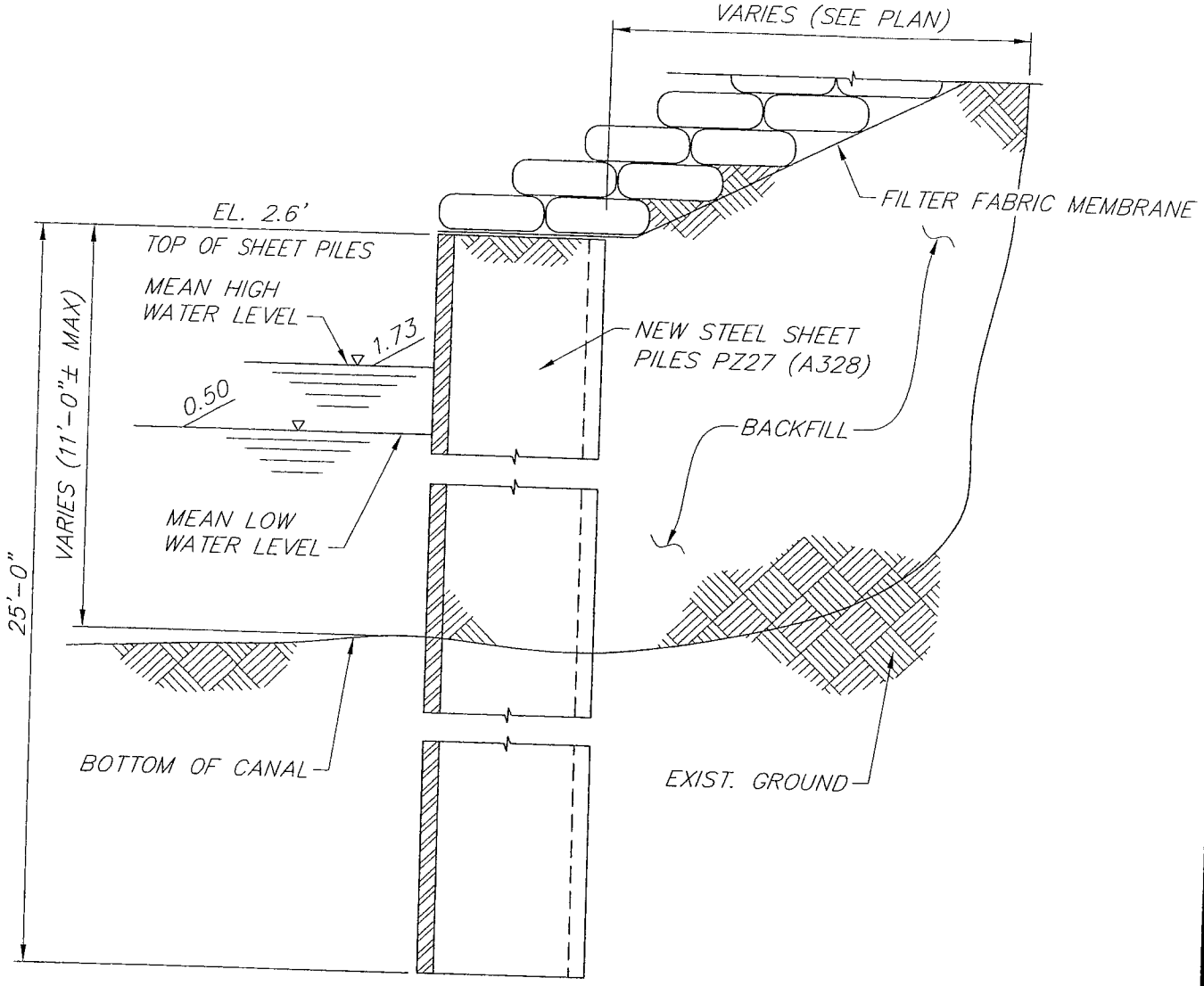
25

DRAWN	C.M.
CHECKED	N.I. / E.E.A.

EMERGENCY SITE RESTORATION
REPAIR OF 48" W.M. AT CORAL GABLES CANAL
IN SW 48 ST. (BLUE RD.) & BILTMORE DR.
CORAL GABLES, FLORIDA

MIAMI-DADE
WATER AND SEWER DEPARTMENT

DATE: JUN. 18, 2007	SCALE: N.T.S.
SHEET: 5 OF 7	DWG. No. W-17801-C



SHEET PILE DETAIL

NOTES:

1. New Z piles shall be type PZ27 meeting the requirements of the standard specification for steel sheet piling of the American Society for Testing Materials, ASTM Designation A328. The length of pile is 25'.

   a. Splicing of new piles shall not be permitted unless prior approval by the engineer.
   b. Have an adequate driving template. Set piles one at a time or in loose (not fixed) pairs. Z piling should be driven with the ball-end leading.
   c. Piles can be driven in pairs to minimize the cost of installation. Set a panel of piling and drive piles in stages. This allows the piles to be guided by those previously driven.
   d. The Required Section Modulus of the PZ27 is 30.2 in^3/ft of wall.
      Min. Yield Point 39 Ksi
      Min. Tensile Strength 70 Ksi

George Gregory Sibilia, P.E.
Civil Engineer
State of Florida – License No. 60262
Date: 6-18-2007

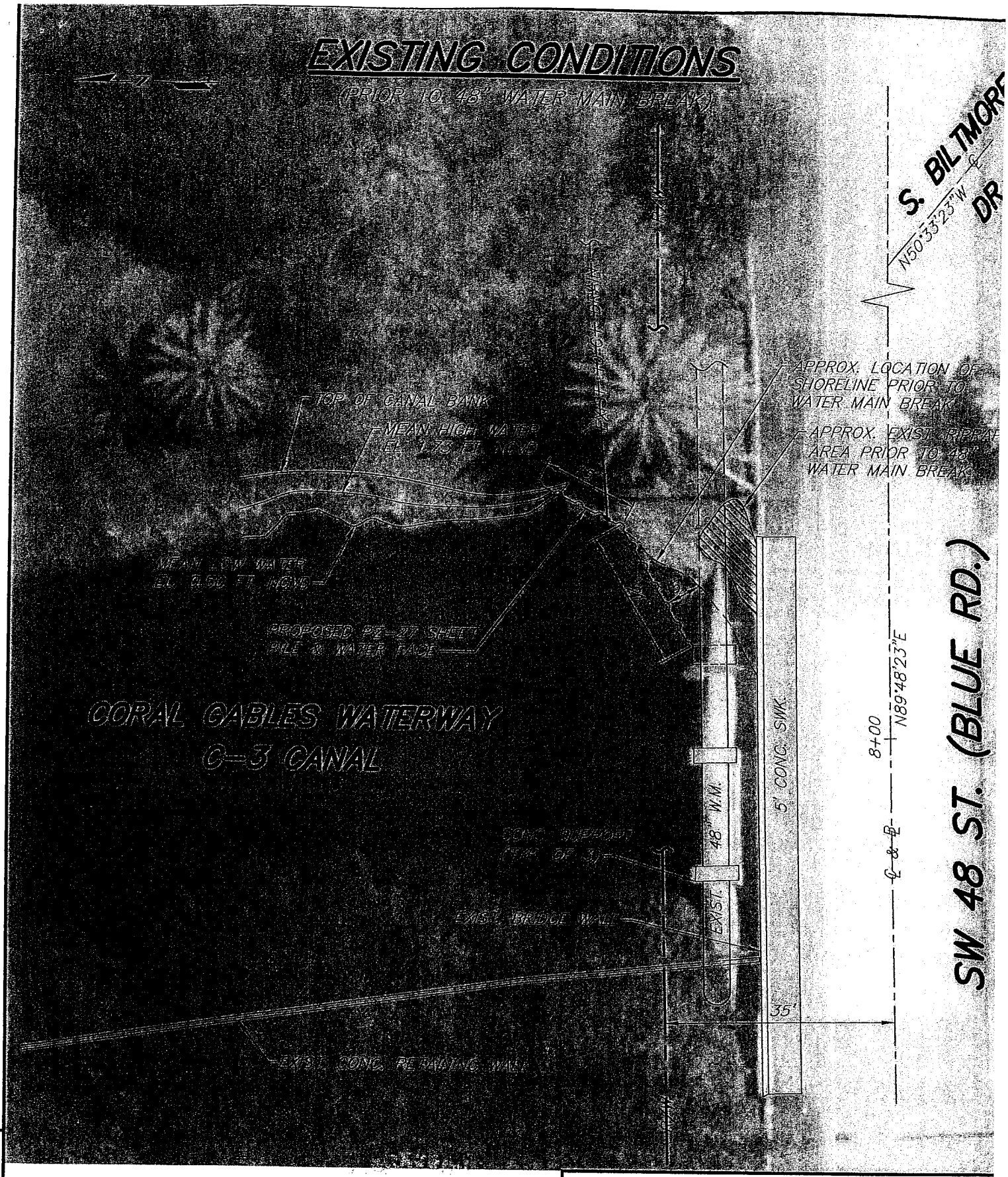
26

CHECKED | N.I. / E.E.A.

EMERGENCY SITE RESTORATION
REPAIR OF 48" W.M. AT CORAL GABLES CANAL
IN SW 48 ST. (BLUE RD.) & BILTMORE DR.
CORAL GABLES, FLORIDA

MIAMI-DADE
WATER AND SEWER DEPARTMENT

DATE: JUN. 18, 2007	SCALE: N.T.S.
SHEET: 6 OF 7	DWG. No. W-17802-C



CHECKED | N.I. / E.E.A.

George Gregory Sibilia, P.E.
Civil Engineer
State of Florida -- License No. 60262
Date: 6-18-2007

~7

EMERGENCY SITE RESTORATION
REPAIR OF 48" W.M. AT CORAL GABLES CANAL
IN SW 48 ST. (BLUE RD.) & BILTMORE DR.
CORAL GABLES, FLORIDA

MIAMI-DADE
WATER AND SEWER DEPARTMENT

DATE: JUN. 18, 2007	SCALE: N.T.S.
SHEET: 7 OF 7	DWG. No. W-17803-C

Attachment D

Zoning Memorandum

Memorandum

MIAMI-DADE COUNTY

Date:

To: Luis C. Otero, Manager LO
Coastal Resources
Environmental Resources Management

From: Christine D. Hopps, Biologist II CH
Coastal Resources
Environmental Resources Management

Subject: Class I Permit Application by Miami-Dade County Water and Sewer Department and The City of Coral Gables to Repair a 48" Water Main and the Surrounding Area that was Affected by the Break, by Means of Installation of Approximately Thirty-five (35) Linear Feet of New Steel Sheet Pile and Filling of Approximately Three Hundred (300) Square Feet of Tidal Waters.

Pursuant to Section 24-48.2(II)(A)(7), Code of Miami-Dade County, Florida, a substantiating letter shall be submitted by the applicants 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 E

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

Rafael Gosalbez y Maria del Mar
755 Blue Road
Coral Gables, Florida 33146

James Clossick
Beatriz Clossick
4811 Orduna Drive
Coral Gables, Florida 33146

Joan Luc Oizon Chapon
4735 Orduna Drive
Coral Gables, Florida 33146

Angel Junquera
Patricia Junquera
4801 Orduna Drive
Coral Gables, Florida 33146

John Sutton
4725 Orduna Drive
Coral Gables, Florida 33146

Maria Catalina Cabal
801 Brickell Key Blvd.
Miami, Florida 33131

Alfredo Guerra
Emma M. Guerra
764 Jeronimo Drive
Miami, Florida 33146

Kenneth H. Gordon
4800 Biltmore Drive
Coral Gables, Florida 33146

Jose A. Bolanos
4901 Orduna Drive
Coral Gables, Florida 33146

Attachment F

Sequence of Construction and Turbidity Control / Water Quality Monitoring Plan

EMERGENCY SITE RESTORATION OF 48" W.M. AT CORAL GABLES CANAL IN SW 48 ST & BILTMORE DR.

SEQUENCE OF CONSTRUCTION

A. Scope:

The work of this project is for the restoration of a portion of the shoreline along the Coral Gables Waterway (C-3 Canal) after emergency repair of an existing 48-inch water main, including but not limited to, installation of 36-linear feet of sheet pile seawall, placement of approximately 212-cubic yards of backfill behind the proposed seawall, extension of adjacent 10-inch drainline through proposed sheet pile seawall and installation of concrete riprap bags in an area 22-feet by 11-feet, at 2:1 slope. The project is located in the Coral Gables Waterway (C-3) Canal near SW 48th St. (Blue Rd.) and Biltmore Drive, Coral Gables, in Miami-Dade County, Florida at Section 20, Township 54S, Range 41E.

B. General:

1. Following receipt of Notice to Proceed with the work, the Contractor shall provide notification at least 5 days before he is ready to start actual construction.

2. The Contractor's equipment must be in first class operating condition, including proper mufflers and other silencing accessories. All equipment must be properly lubricated on a special maintenance type schedule to reduce noise, including tracks, rollers, idlers, sheaves and other noise producing components. Care must be taken to prevent oil spillage of any kind or oil dripping from equipment.

3. If the equipment used proves less than satisfactory and is unduly or needlessly disturbing the neighbors, in the opinion of the Engineer, he will have the right to order the Contractor to immediately modify the equipment to make it satisfactory, or to change to other equipment that is satisfactory at no additional cost.

4. All items shall be performed by the Contractor with special emphasis on the fact that numerous standard and miscellaneous construction phases are not mentioned specifically, but shall be performed by the Contractor as required for a completed Project.

5. No separate payment shall be made for the cost of labor and materials required for bracing of the adjacent 10" C.I. drain.

6. The Contractor shall fully comply with any special working hours, and with all other requirements of the Permits, at no additional cost to the Department. Working hours noted in permits or the specifications are subject to change. In the event that changed working hours effects the work of the Contractor, the Contractor's sole remedy shall be a non-compensable time extension. Said extension to be full compensation for all direct and indirect costs, including but not limited to loss of efficiency, loss of opportunity, increased bond or insurance premiums, or home office or extended overhead, incurred by the Contractor as a result of such change, and no additional compensation shall be considered. Night work may be required as a part of the construction.

7. The Contractor shall evaluate site conditions and have erosion control structures in-place where required or directed by the Engineer or agency having jurisdiction.

8. All marine vessels used during construction shall maintain a 1-ft. clearance from the canal bottom, in accordance with special conditions of the approved permits.

C. Sequence of Construction: The general sequence of construction shall be as follows, but a detailed sequence of construction shall be submitted by the Contractor and approved by the Engineer before any work is started. The Department reserves the right to make changes to the sequence as necessary to facilitate the work or to minimize conflicts, nuisances, or inconveniences to the surrounding area of the jobsite.

1. Coordinate Pre-Construction Conference, to which members of local, state and federal agencies having jurisdiction over the work shall be invited.

2. Notify "Sunshine State One-Call of Florida Inc., 1-800-432-4770" prior to any excavation. Locate and field verify utilities.

3. Contractor shall notify the property owners adjacent to the site a minimum of five days prior to initiating construction and explain the scope of work.

4. Mobilize at site. All storage or stockpiling of material, equipment and supplies shall be limited to the upland impacted project area. Make arrangements for any required additional land for any addition space for staging, material or equipment storage, the cost of which shall be included in the prices bid and no extra compensation will be allowed.

5. Install required manatee habitat signage and observe all other conditions related to in-water construction within manatee habitat.

6. Install turbidity barriers, as shown on the plans and in accordance with the permits. Turbidity barriers shall be installed before commencement of any construction activity and shall remain in-place until demobilization. Turbidity levels within waters surrounding the project site shall be monitored. In the event turbidity levels exceed 29 NTU's above background, the Contractor shall take the measures outlined in the Specific Conditions of the FDEP permit.

7. Install sheet piling to construct proposed seawall, as shown on the plans.

8. Excavate and locate existing 10" C.I. storm drain. Connect to drain with AWWA 10" C-900. Extend drain through proposed seawall, then pour a concrete collar around drain extension, behind piling.

9. Install backfill behind seawall. Backfill shall be clean fill, in accordance with the special conditions of approved permits

10. Install concrete riprap bags over the entire area shown on the plans, graded to the proposed elevations on the permit drawings. Riprap revetment shall be constructed in accordance with the specifications shown on the attached permit drawings and shall have a minimum slope of 2:1.

11. Complete all remaining miscellaneous and appurtenant work, including surface restoration and final cleanup, to the satisfaction of the Engineer.

Attachment G

DERM Project Report

PROJECT REPORT

CLASS I PERMIT APPLICATION NO. 2007 CLI -PER 00091

MIAMI-DADE COUNTY WATER AND SEWER DEPARTMENT AND THE CITY OF CORAL GABLES FOR A CLASS I PERMIT TO INSTALL THIRTY-SIX (36) LINEAR FEET OF NEW STEEL SHEET PILE SEAWALL AND BACKFILL THREE HUNDRED (300) SQUARE FEET OF TIDAL WATERS WITHIN THE CORAL GABLES WATERWAY IN ORDER TO PROTECT AN EXISTING, RECENTLY REPAIRED FORTY-EIGHT (48) INCH WATER MAIN.

Date: November 19, 2007

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

1. **Potential Adverse Environmental Impact** – The potential for any adverse environmental impacts from installation of thirty-six (36) linear feet of new steel sheet pile seawall, the filling of 300 square feet of unvegetated tidal waters with clean fill, filling of approximately two hundred twelve (212) cubic yards of the uplands with clean fill, installation of a filter fabric membrane and riprap bags is minimal. The Class I Permit shall have conditions to minimize turbidity and protect rare, threatened and endangered species, please see below.

2. **Potential Cumulative Adverse Environmental Impact** – Not applicable.

3. **Hydrology** - The proposed project, as designed, is not reasonably expected to adversely affect surface water drainage or retention of stormwater.

4. **Water Quality** – The proposed project is expected to temporarily adversely affect surface water quality during the construction phase of the project, however these impacts will be minimized to the maximum extent practicable by the implementation of proper turbidity control devices. The Class I Permit will require the applicants to employ appropriate turbidity control devices such as, but not limited to, turbidity curtains during all phases of construction (see Attachment F).

5. **Wellfields** – Not applicable.

6. **Water Supply** – Not applicable.

7. **Aquifer Recharge** – Not applicable.

8. **Aesthetics** – The proposed project is not reasonably expected to have negative aesthetic impacts. However, during the construction process there may be temporary aesthetic impacts related to the presence of barges and other vessels associated with the construction activities.

9. **Navigation** –The proposed project may temporarily adversely affect navigation. However, the Class I Permit will include conditions requiring the applicants to contact the USCG prior to the commencement of construction, and follow their recommendations to make sure that any adverse impacts are minimized to the maximum extent practicable.

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 will cause temporary disturbances of the benthic soils located adjacent to the existing shoreline, and permanent coverage of the benthic soils located in the area to be filled. Although the soils may support limited numbers of marine infauna (i.e. benthic fauna living within the substrate), the soils do not support any significant marine resources. Mitigation for unavoidable impacts associated with filling of tidal waters will be provided by the applicants through a contribution to the Biscayne Bay Environmental Enhancement Trust Fund (BBEETF) in the amount of $1,350.00, equal to the value of fifteen (15) cubic yards of natural limestone riprap boulders at a cost of $90.00 per cubic yard.

15. **Wetland Soils Suitable for Habitat** – There are no wetland soils suitable for habitat in the footprint of the proposed work.

16. **Floral Values** –The proposed project is not reasonably expected to affect marine flora. There are no marine flora located in the proposed project locations.

17. **Fauna Values** - The proposed project may cause temporary impacts to marine fauna resulting from turbidity as a result of the installation of the steel sheet pile seawall and the filling of the tidal waters between the new sheet pile and the existing uplands. However these impacts will be minimized to the maximum extent practicable by the implementation of proper turbidity control devices. The Class I Permit will require the applicants to employ appropriate turbidity control devices such as, but not limited to, turbidity curtains during all phases of construction.

18. **Rare, Threatened and Endangered Species** – The proposed project is located in the Coral Gables Waterway, which is designated as essential manatee habitat by the Miami-Dade County Manatee Protection Plan (MPP). Specifically, the location of the proposed work is located in an area of the canal designated by the MPP as "No Entry (Residents Only)" from November 15 through April 30. The applicants shall be required to contact the Florida Fish and Wildlife Conservation Commission prior to the commencement of any work to secure any necessary permits or authorization for work that may take place within the "No Entry (Residents Only)" timeframe. The proposed project is not reasonably expected to adversely affect any rare, threatened or endangered species provided standard manatee protection measures are implemented. Therefore, the Class I Permit will require that all standard manatee construction permit conditions shall be followed during all in-water construction operations. Furthermore, the Class I Permit will require that whenever possible, any work performed during the "No Entry (Residents Only)" season be done from the uplands.

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 dredging or filling of wetlands.

21. **Land Use Classification** – Pursuant to Section 24-48.2(II)(A)(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 and recreation element of the Biscayne Bay Management Plan recreation elements.

23. **Other Environmental Values Affecting the Public Interest** – The proposed project is not reasonably expected to adversely affect environmental values affecting the public interest. The subject submerged lands are owned by one of the applicants, The City of Coral Gables.

24. **Conformance with Standard Construction Procedures and Practices and Design and Performance Standards** – The proposed project complies with the standard construction procedures and practices and design and performance standards of the applicable portions of the following:

    a) Miami-Dade County Public Works Manual
    b) Biscayne Bay Management Plan (Section 33D-1 through 33-D-4 of the Code of Miami-Dade County)
    c) Chapter 33B of the Code of Miami-Dade County

25. **Comprehensive Environmental Impact Statement (CEIS)** - In the opinion of the Director, the proposed project will result in neither adverse environmental impacts nor 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 the following applicable State, Federal and local laws and regulations:

    a) Chapter 24 of the Code of Miami-Dade County
    b) United States Clean Water Act (Army Corps of Engineers permit is required)
    c) Florida Department of Environmental Protection Regulations (FDEP permit is required)

27. **Conformance with the Miami-Dade County Comprehensive Development Master Plan (CDMP)** - In the opinion of DERM, 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 2/Policy 2A - Level of Service. The proposed project does not involve new or significant expansion of existing urban land uses.

Objective 3/Policies 3A, 3B, 3C - Protection of natural resources and systems. – The proposed project is consistent with the Conservation and Coastal Management Elements of the CDMP. The project is does not involve land use in Biscayne Bay and does not involve development in the Big Cypress are of Critical State concern or the East Everglades.

TRANSPORTATION ELEMENT II

Aviation Subelement/Objective 9 - Aviation System Expansion - There is no aviation element to the proposed project.

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

CONSERVATION, AQUIFER RECHARGES AND DRAINAGE ELEMENT IV:

Objective 3/Policys 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/Policys 4A, 4B, 4C - Water storage, aquifer recharge potential and maintenance of natural surface water drainage. - The proposed project will not adversely affect water storage, aquifer recharge potential or natural surface water drainage. The proposed project does not involve positive drainage of wetland area and will not affect water storage or aquifer recharge potential.

Objective 5/Policies 5A, 5B, 5F - Flood protection and cut and fill criteria. – The proposed project does not compromise flood protection, involve filling for development purposes, and is not related to cut and fill activities.

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

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

Objective 6/Policy 6D - Suitable fill material for the support of development. – The proposed project does not involve filling for the purposes of development.

Objective 7/Policy 7A - No net loss of high quality, relatively unstressed wetlands. – The proposed project will not result in a net loss of any such wetlands.

Objective 9/Policys 9A, 9B, 9C - The proposed project is located in the Coral Gables Waterway, which is designated as essential manatee habitat by the Miami-Dade County Manatee Protection Plan (MPP). Specifically, the location of the proposed work is located in an area of the canal designated by the MPP as "No Entry (Residents Only)" from November 15 through April 30. The applicants shall be required to contact the Florida Fish and Wildlife Conservation Commission prior to the commencement of any work to secure any necessary permits or authorization for work that may take place within the "No Entry (Residents Only)" timeframe. The proposed project is not reasonably expected to adversely affect any rare, threatened or endangered species provided standard manatee protection measures are implemented. Therefore, the Class I Permit will require that all standard manatee construction permit conditions shall be followed during all in-water construction operations. Furthermore, the Class I Permit will require that whenever possible, any in-water work performed during the "No Entry (Residents Only)" season be done from the uplands.

COASTAL MANAGEMENT ELEMENT IX:

Objective 1/Policy 1A - Tidally connected mangroves in mangrove protection areas – There are no mangroves in the project area and the project is not located within a designated "Mangrove Protection Area."

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

Objective 1/ Policy 1C - Elevated boardwalk access through mangroves. – The project does not involve access through a Mangrove Protection Area.

Objective 1/Policy 1D - Protection and maintenance of mangrove forests and related natural vegetational communities. - The proposed project does not involve work in mangrove forests, coastal hammock, or other 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 the degradation and destruction of coastal wetlands and therefore does not involve monitoring of mitigation for impacts to coastal wetlands.

Objective 1/Policy 1G - Prohibition on dredging or filling of grass/algal flats, hard bottom or other viable benthic communities, except as provided for in Chapter 24 of the Code of Miami-Dade County, Florida. – The project does not involve 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 proposed project does not involve the development or identification of new cut or spoil areas.

Objective 5/Policy 5D - Consistency with Chapter 33D, Miami-Dade County Code (shoreline access, environmental compatibility of shoreline development) - The proposed project does not require review by the Shoreline Development Review Committee.

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, Miami-Dade County Code** (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 Section 33D-1 through 33D-4) - The proposed project is not located within Biscayne Bay.

30. **Conformance with the Miami-Dade County Manatee Protection Plan -** The proposed project is located in the Coral Gables Waterway, which is designated as essential manatee habitat by the Miami-Dade County Manatee Protection Plan (MPP). Specifically, the location of the proposed work is located in an area of the canal designated by the MPP as "No Entry (Residents Only)" from November 15 through April 30. The applicants shall be required to contact the Florida Fish and Wildlife Conservation Commission prior to the commencement of any work to secure any necessary permits or authorization for work that may take place within the "No Entry (Residents Only)" timeframe. The proposed project is not reasonably expected to adversely affect any rare, threatened or endangered species provided standard manatee protection measures are implemented. Therefore, the Class I Permit will require that all standard manatee construction permit conditions shall be followed during all in-water construction operations. Furthermore, the Class I Permit will require that whenever possible, any in-water work performed during the "No Entry (Residents Only)" season be done from the uplands.

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)(A)(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)(A)(10)(b) of the Code of Miami-Dade County, Florida.

34. **Maximum Protection of a Wetland's Hydrological and Biological Functions** – The proposed project is not expected to impact wetland hydrological and biological functions.

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** – DERM has considered the following factors:

   i) **Whether the proposed exceedance is the minimum necessary to avoid seagrasses or other valuable environmental resources** – Not applicable.
   ii) **Whether the proposed exceedance is the minimum necessary to achieve adequate water depth for mooring of a vessel** – Not applicable.
   iii) **Whether the applicant has provided notarized letters of consent to DERM from adjoining riparian property owners** – Not applicable.
   iv) **Whether any letters of objection from adjoining riparian property owners were received by DERM** – Not applicable.

The proposed project was also evaluated for compliance with the standards contained in Section 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 involves the filling of three hundred (300) square feet of tidal waters of the Gables Waterway. The Proposed project is consistent with two of the six dredge and fill criteria specified in Section 24-48.3(2):

- Minimum dredging and spoiling for public navigation or public necessity
- A physical modification to protect public or private property.

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 slip.

24-48.3 (4) Clean Fill in Wetlands – The proposed project does not involve placing clean fill in wetlands.

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

Luis C. Otero, Manager
Coastal Resources Section

Christine D. Hopps, Biologist II
Coastal Resources Section