

Date: September 2, 2008

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

Amended
Agenda Item No. 5(H)

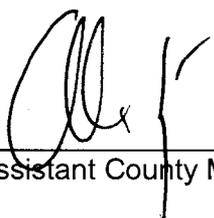
From: George M. Burgess
County Manager

Resolution No. R-885-08

Subject: Class I Permit Application by Fisher Island Club, Inc. to Install a Fixed Concrete Pedestrian Bridge over a Privately Owned, Man-Made Boat Basin within a Marina on Fisher Island, Miami-Dade County

AT 9/2/2008 BCC MEETING, ITEM WAS APPROVED BY THE BOARD WITH THE FOLLOWING AMENDMENT: "APPROVE SUBJECT TO A.D.A. REVIEW AND APPROVAL WITHIN THE BUILDING PROCESS." THE ATTACHED RESOLUTION HAS BEEN AMENDED AS SUCH.

Attached, please find for your consideration an application by Fisher Island Club, Inc. for a Class I 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 I Permit.


Assistant County Manager

Date: September 2, 2008

To: George M. Burgess
County Manager

From: 
Carlos Espinosa, PE, Director
Environmental Resources Management

Subject: Class I Permit Application by Fisher Island Club, Inc. to Install a Fixed Concrete Pedestrian Bridge over a Privately Owned, Man-Made Boat Basin within a Marina on Fisher Island, Miami-Dade County

Recommendation

I have reviewed the Class I Permit application by Fisher Island Club, Inc. Based upon the applicable evaluation factors set forth in Chapter 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 I Permit for the reasons set forth below.

Scope

The project site is located within a man-made boat basin at 1 Fisher Island Drive, Miami, Miami-Dade County, in Commission District 5 (Commissioner Bruno A. Barriero).

Fiscal Impact/Funding Source

Not Applicable

Track Record/Monitor

Not Applicable

Background

The subject Class I Permit application involves the installation of a forty-two (42) foot concrete pedestrian bridge located over tidal waters of Miami-Dade County. The project site is located over a man-made boat basin within a private marina at 1 Fisher Island Drive, Miami, Miami-Dade County, Florida.

Fisher Island is a residential community which includes two private marinas for the use of the residents. The project site is a boat basin within the marina located at the southern point of the island, adjacent to Biscayne Bay. The purpose of the Fisher Island pedestrian bridge is to add an access point from the marina to the Fisher Island Beach Club. Currently, marina patrons have to traverse the boat basin in order to gain access to the Beach Club. The current walking distance from the marina to the beach club can make it difficult for the handicapped and the elderly.

The proposed bridge is approximately twelve (12) feet wide by forty-two (42) feet long. It will be located across the mouth of the boat basin and set back approximately five (5) feet from the entrance. Said bridge will be supported by a concrete footer on either side of the boat basin. The footers will be built into the existing seawall, and concrete pours will stabilize the bridge connection in place. The elevation of the bottom of the bridge at its center point will be nine point four (9.4) feet above sea level.

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 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 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: DERM Project Report

NOTICE OF PUBLIC HEARING ON AN APPLICATION
BY FISHER ISLAND CLUB, INC. FOR A CLASS I
PERMIT TO INSTALL A FIXED CONCRETE
PEDESTRIAN BRIDGE OVER A PRIVATELY OWNED
MAN-MADE BOAT BASIN WITHIN A MARINA AT 1
FISHER ISLAND DRIVE, MIAMI, 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 Fisher Island Club, Inc. for a Class I Permit to install a fixed concrete pedestrian bridge over a privately owned, man-made boat basin within a marina on Fisher Island, Miami-Dade County. Such Public Hearing will be held on the 2nd day of September, 2008 at 9:30 AM at the County Commission Chambers on the 2nd Floor of the Stephen P. Clark Center, 111 NW 1st 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 NW 1st Court, Miami, Florida 33130.

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 NW 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 NW 1st Court, Miami, Florida 33130.

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: September 2, 2008

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

SUBJECT: Amended
Agenda Item No. 5(H)

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 _____

Amended
Agenda Item No. 5(H)
9-2-08

RESOLUTION NO. R-885-08

RESOLUTION RELATING TO AN APPLICATION BY FISHER ISLAND CLUB, INC FOR A CLASS I PERMIT TO INSTALL A FIXED CONCRETE PEDESTRIAN BRIDGE OVER A PRIVATELY OWNED, MAN-MADE BOAT BASIN WITHIN A MARINA AT 1 FISHER ISLAND DRIVE, 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, subject to A.D.A. review and approval within the building process, the application by Fisher Island Club, Inc. for a Class I Permit to install a fixed concrete pedestrian bridge over a privately owned, man-made boat basin within a marina, 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 applicant from obtaining all applicable Federal, State, and local permits.

The foregoing resolution was offered by Commissioner Bruno A. Barreiro , 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
Dorrian D. Rolle	aye	Natacha Seijas	aye
Katy Sorenson	aye	Rebeca Sosa	aye
Sen. Javier D. Souto	aye		

The Chairperson thereupon declared the resolution duly passed and adopted this 2nd day of September, 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



Class I Permit Application

1. Application number
2008-CLI-PER-00039

2. Date Day/Month/Year
6/30/2008

3. For official use only

4. Applicant Information:
Name: Fisher Island Club, Inc.
Address: One Fisher Island Drive
Fisher Island, FL Zip Code: 33109
Phone #: (305) 815-0115 Fax #:

5. Applicant's authorized permit agent
Douglas W. Mann, P.E.
Name: Coastal Planning & Engineering, Inc.
Address: 2481 N.W. Boca Raton Blvd.
Boca Raton, FL Zip Code: 33431
Phone #: (561) 391-8102 Fax #: (561) 391-9116

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.

Install a Fixed Concrete Pedestrian Bridge Over a Privately Owned, Man-made Boat Basin

Dredged/Excavated		Filled/Deposited	
Volume of Material:	0 CY	Volume of Material:	0 CY

7. Proposed Use: (Check One)

Private
 Public
 Commercial
 Other

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

Name: Not applicable	Name: Not applicable
Address:	Address:
Zip Code:	Zip Code:

9. Location where proposed activity exists or will occur.

Street Address: One Fisher Island Drive
 Latitude: 25°45'22.07" Longitude: 80°08'25.13"
 Fisher Island Section 10 Township 54 S Range 42 E
 State Florida County Dade In City or Town Near City or Town

10. Name of waterway at location of the activity.
Fisher Island Marina Area within Norris Cut (Biscayne Bay)

11. Date activity is proposed to:
Commence 2008 Be completed 2008

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	Pedestrian Bridge Construction	DA-559	July 11, 2007	Pending

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 = \$90,000

17. Contractor's name and address
 Name: Not Available 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:
 8 1/2 x 11 Location Map
 8 1/2 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 _____
 Date _____

President, Fisher Island Club, Inc.
 Tony Fano
 8/15/08

SUBSCRIBED AND SWORN TO ME THIS 15th DAY OF August, 2008, BY Tony Fano.
 PERSONALLY KNOWN PRODUCED IDENTIFICATION (PLEASE CHECK ONE)
 TYPE OF ID PRODUCED _____
 _____ NOTARY PUBLIC

Notary Public State of Florida
 Marcel Padron-Hernandez
 My Commission DD492450
 Expires 12/16/2009

Attachment B
Affidavit of Ownership

Affidavit of Ownership
and Hold Harmless Agreement

Personally Appeared Before Me, Tony Fano, President, Fisher Island Club, Inc., that
(Property owner, lessee or Corporate Officer if owner is a corporation)
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:
See Attached

* 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. (see below) 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:

2008-CLI-PER-00039

Install a Fixed Concrete Pedestrian Bridge
Over a Privately Owned, Man-made Boat Basin

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



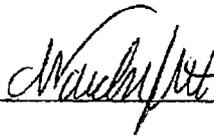
Owner/Applicant

President, Fisher
Island Club, Inc.
Tony Fano

BEFORE ME, the undersigned authority, personally appeared Tony Fano, who, after being duly sworn, deposes and says that he/she has read the foregoing, 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 15 of Aug, 2008.
(day) (month) (year)

Notary Signature



Notary Seal _____



Wanda Pinot
Commission #DD491853
Expires: NOV 17, 2009
www.AARONNOTARY.com

This instrument prepared by:
K. Lawrence Gragg, Esq.
White & Case LLP
200 S. Biscayne Boulevard
Suite 4900
Miami, FL 33131

RECEIVED

JUL 23 2008

DERM
ENVIRONMENTAL RESOURCES
REGULATION DIVISION

Parcel ID Number: portion of 30-4210-002-0010

Space above this line for recorder's use

SPECIAL WARRANTY DEED

(Beach Club)

THIS SPECIAL WARRANTY DEED is made as of this 14th day of June, 2007, by and between FISHER ISLAND HOLDINGS, LLC, a Florida limited liability company (the "Grantor"), whose mailing address is One Fisher Island Drive, Fisher Island, Florida 33109 and FISHER ISLAND CLUB, INC., a Florida not for profit corporation (the "Grantee"), whose mailing address is One Fisher Island Drive, Fisher Island, Florida 33109.

W I T N E S S E T H:

Grantor, for and in consideration of the sum of Ten and No/100 Dollars (\$10.00) and other good and valuable considerations to it in hand paid by Grantee, the receipt and sufficiency of which is hereby acknowledged, hereby grants, bargains and sells to Grantee that certain real property located in Miami-Dade County, Florida, as more particularly described on Exhibit "A" hereto (the "Property");

SUBJECT TO: the Permitted Exceptions set forth in Exhibit "B" attached hereto, however reference in this Special Warranty Deed shall not serve to reimpose same.

TOGETHER WITH, the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

TO HAVE AND TO HOLD, the same in fee simple forever.

AND Grantor hereby covenants with Grantee that Grantor is lawfully seized of the Property in fee simple; that Grantor has good right and lawful authority to sell and convey the Property; and Grantor does hereby specially warrant the title to the Property and will defend the same against the lawful claims of all parties whomsoever claiming by, through, or under Grantor, but none others.

14

IN WITNESS WHEREOF, Grantor has caused this Special Warranty Deed to be executed and delivered on the day and year first above written.

IN WITNESS WHEREOF:

GRANTOR:

Lizbeth Smalley
Print Name: Lizbeth Smalley

FISHER ISLAND HOLDINGS, LLC
a Florida limited liability company

Krista DeCastro
Print Name: Krista DeCastro

By: *Michael C. Fong*
Michael C. Fong
President

STATE OF FLORIDA :
: ss
COUNTY OF MIAMI-DADE :

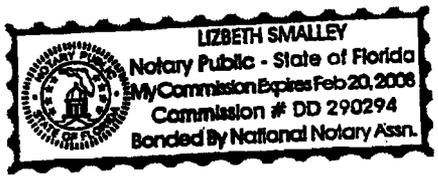
The foregoing instrument was acknowledged before me by Michael C. Fong, as President of FISHER ISLAND HOLDINGS, LLC, on behalf of such limited liability company, who is personally known to me or has produced a _____ driver's license as identification.

IN WITNESS WHEREOF, I have hereunto set my hand and seal on this the 11th day of June, 2007.

(Notarial Seal)

Lizbeth Smalley
Notary Public
State of Florida

My commission expires:



RECEIVED

JUL 23 2008

DERM
ENVIRONMENTAL RESOURCES
REGULATION DIVISION

15

EXHIBIT "A"

LEGAL DESCRIPTION

A parcel of land lying within fractional Section 10, Township 54 South, Range 42 East, Dade County, Florida, being a portion of Fisher Island, and being more particularly described as follows:

Commence at the Northwest corner of the property of the Peninsula Terminal Company described in Trustees Internal Improvement Trust Fund, State of Florida, Deed numbered sixteen thousand nine hundred and thirty-six (16,936), recorded in Deed Book 230, Page 5, of the Public Records of Miami - Dade County, Florida; thence run S. 09 degrees 50'00" E, a distance 650 feet along the East side of the Lemon City Channel to a point; thence run S. 50 degrees 50'00" E., a distance of 3600.00 feet to a point lying on the high water mark of the Atlantic Ocean, as described in Deed Book 1272, Page 11 of the Public Records of Miami - Dade County, Florida; thence run N. 86 degrees 35'12" E., along said high water mark, a distance of 33.70 feet; thence run S. 08 degrees 58'13" W., a distance of 7.60 feet to the POINT OF BEGINNING of the subject parcel; thence run N. 87 degrees 46'42" E., along the Southerly Line of that certain parcel of land, as described in Deed Book 3161, Page 397 of the Public Records of Miami - Dade County, Florida, a distance of 124.00 feet; thence run N. 31 degrees 33'30" E., along the Southeasterly line of Tract "D" of the plat of "LINDISFARNE OF FISHER ISLAND SECTION 1", as recorded in Plat Book 128, Page 59 of the Public Records of Miami - Dade County, Florida, a distance of 8.19 feet to a point lying on the high water line of the Atlantic Ocean, as described in Deed Book 1328, Page 228 of the Public Records of Miami - Dade County, Florida; thence run N. 89 degrees 07'22" E., along said high water line of the Atlantic Ocean, a distance of 129.08 feet to a point lying on the Southeasterly line of Tract "F" of "LINDISFARNE OF FISHER ISLAND SECTION 2", as recorded in Plat Book 133, Page 22 of the Public Records of Miami - Dade County, Florida (the next four calls being along the mean high water line of the Atlantic Ocean); thence run S., 59 degrees 17'00" W., a distance of 30.60 feet; thence run S. 26 degrees 31'42" W., a distance of 128.27 feet; thence run S. 29 degrees 03'49" W., a distance of 89.33 feet; thence run S. 23 degrees 14'08" W., a distance of 41.03 feet to point lying on the centerline of a 30.00 foot Breakwater Easement, as described in Easement No. 26402 (3099-13) granted by the Board of Trustees of the Internal Improvement Trust Fund of the State of Florida; thence run N. 43 degrees 55'52" W., along said centerline of said Breakwater Easement, a distance of 128.58 feet; thence run N. 51 degrees 33'32" W., continuing along said centerline, a distance of 53.27 feet; thence run N. 08 degrees 58'13" E., a distance of 108.03 feet to the POINT OF BEGINNING.

LESS AND EXCEPT:

Tract D of LINDISFARNE ON FISHER ISLAND - SECTION 1, according to the plat thereof as recorded in Plat Book 128, Page 59, of the Public Records of Miami-Dade County, Florida.

RECEIVED

JUL 23 2008

DERM
ENVIRONMENTAL RESOURCES
REGULATION DIVISION

16

RECEIVED

JUL 23 2008

DERM
ENVIRONMENTAL RESOURCES
REGULATION DIVISION

EXHIBIT "B"

PERMITTED ENCUMBRANCES

1. Taxes and assessments for the year 2007, and subsequent years, which are not yet due and payable
2. Restrictions, conditions, reservations, easements and other matters contained on the Plat of LINDISFARNE ON FISHER ISLAND - SECTION 2, as recorded in Plat Book 133, Page 22, Public Records of Miami-Dade County, Florida.
3. The rights, if any, of the public to use as a public beach or recreational area, any part of the land lying between the body of water abutting the Property described Exhibit "A" and the natural line of vegetation, bluff, extreme high water line or other apparent boundary separating the publicly used area from the upland private area, and any right of access thereto.
4. Right of the United States government arising by reason of its control over navigable waters in the interest of navigation and commerce as to any portion of the Property described herein which is (a) submerged land or is (b) artificially filled in land, artificially exposed land, or any land accreted thereto, in what was formerly navigable waters.
5. Conditions and reservations as set forth in the Quit Claim Deed from the Trustees of the Internal Improvement Trust Fund of the State of Florida recorded September 8, 1997 in Official Records Book 17780, Page 2810.
6. Conditions and reservations as set forth in the Quit Claim Deed from the Trustees of the Internal Improvement Fund of the State of Florida recorded September 8, 1997 in Official Records Book 17780, Page 2814.
7. Restrictive Covenants set forth in the Second Substituted Declaration of Restrictive Covenants Governing Development of Fisher Island, recorded in Official Records Book 14063, Page 977, substituting instrument recorded in Official Records Book 11836, Page 878, which substituted instrument recorded in Official Records Book 10212, Page 1461.
8. Covenants, restrictions and easements set forth in the Master Covenants for Fisher Island recorded in Official Records Book 13008, Page 2052; in the Amendment to Master Covenants for Fisher Island recorded in Official Records Book 14972, Page 308 and in the Amendment to Master Covenants for Fisher Island and Supplemental Declaration recorded in Official Records Book 16033, Page 4572.
9. Agreement for Sanitary Sewage Facilities and Disposal of Sanitary Sewage recorded in Official Records Book 11373, Page 1146.
10. Agreement for Water Facilities and Provisions of Water Service recorded in Official

17

Records Book 11373, Page 1173.

11. Easement set forth in Beach Access Easement Agreement recorded in Official Records Book 16035, Page 3527.
12. Conservation Easement in favor of the Board of Trustees of the Internal Improvement Trust Fund of the State of Florida recorded in Official Records Book 17780, Page 2817.

All recording references are to the Public Records of Miami Dade County, Florida.

RECEIVED

JUL 23 2008

**DERM
ENVIRONMENTAL RESOURCES
REGULATION DIVISION**

18

Attachment C

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



COASTAL PLANNING & ENGINEERING, INC.

2481 NW BOCA RATON BOULEVARD, BOCA RATON, FL 33431

561-391-8102 PHONE 561-391-9116 FAX
INTERNET: <http://www.coastalplanning.net>
e-mail: mail@coastalplanning.net

6501.20

August 15, 2008

Christine Hopps
Miami Dade County DERM
Class I Permitting Program
701 NW 1st Court
Miami, FL 33136

Re: Class I Standard Form Permit Application by Fisher Island Club, Inc. to Install a Fixed Concrete Pedestrian Bridge over a Privately Owned, Man-Made Boat Basin No. 2008-CLI-PER-00039

Dear Christine:

By the attached Class I Standard Form permit application with supporting documents, I, Douglas W. Mann, P.E., am the permit applicant's authorized agent and hereby request permission to construct a pedestrian bridge to traverse the Fisher Island Beach Club's 30 foot wide boat basin. The bridge's brick paver walkway is proposed to be 10 feet wide. 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 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 of Environmental Resources Management. The permit applicant 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 applicant will secure the services of a licensed landscape architect to supervise the trimming or cutting.

Very truly yours,

COASTAL PLANNING & ENGINEERING, INC.


Douglas W. Mann, P.E., Authorized Agent
Senior Coastal Engineer



6501.20
August 15, 2008
Page 2

Enclosures

cc: John Iannotti, Fisher Island Club
Robert Kalliche Weber, CPE
Eduardo Castineira

P:\cccl\Dade\6500.95\DERM Application Letter Revised 081508- Fisher Island.doc



COASTAL PLANNING & ENGINEERING, INC.

2481 NW BOCA RATON BOULEVARD, BOCA RATON, FL 33431

561-391-8102 PHONE 561-391-9116 FAX
INTERNET: <http://www.coastalplanning.net>
e-mail: mail@coastalplanning.net

6501.20

August 15, 2008

Christine Hopps
Miami Dade County DERM
Class 1 Permitting Program
701 NW 1st Court
Miami, FL 33136

**Re: Engineer Letter of Certification
Class I Standard Form Permit Application by Fisher Island Club, Inc. to Install a
Fixed Concrete Pedestrian Bridge over a Privately Owned, Man-Made Boat Basin
No. 2008-CLI-PER-00039**

Dear Christine:

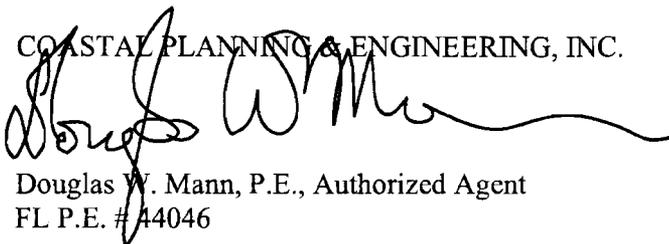
This letter will certify that I am an engineer registered/licensed in the State of Florida, qualified by education and experience in the area of construction, and that to the best of my knowledge and belief, the proposed work does not violate any laws of the State of Florida or any provision of the Code 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, and in my opinion based on 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.
- c. Material injury to adjacent property.

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, drawings, and other data furnished by the contractor to me.

Very truly yours,

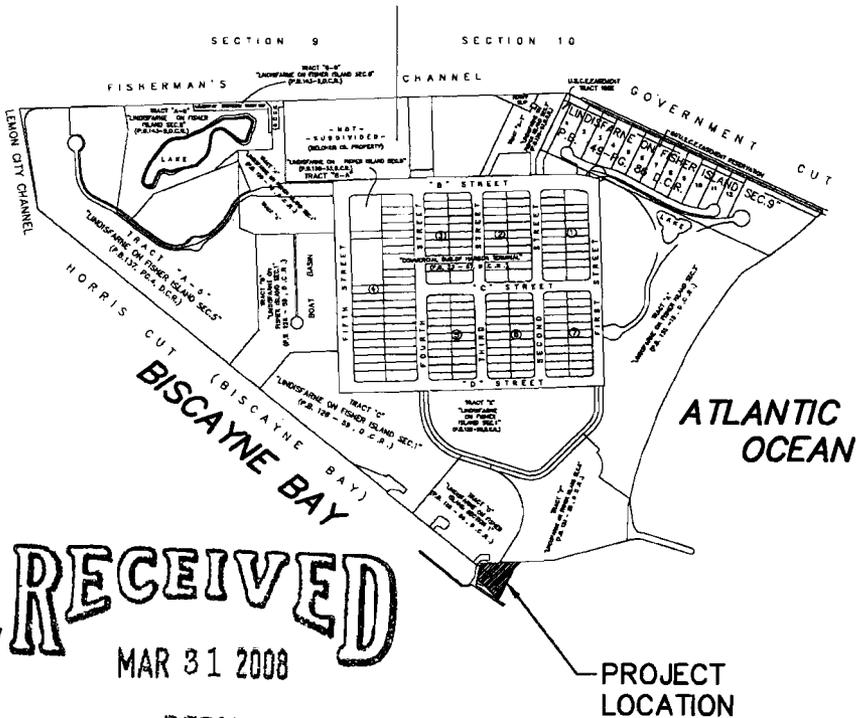
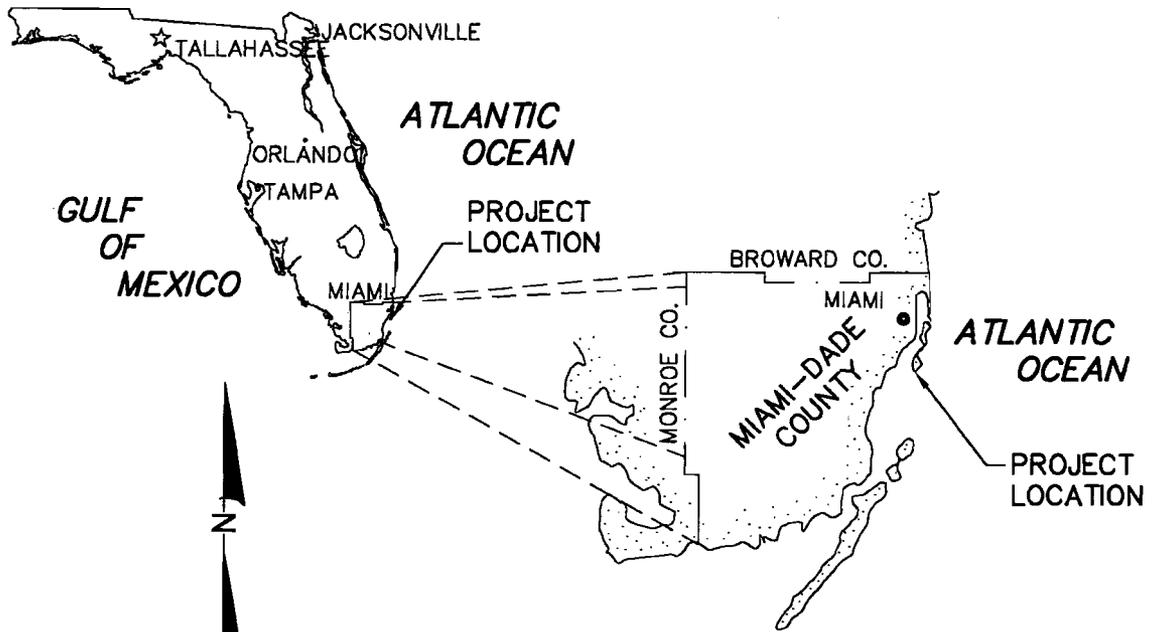
COASTAL PLANNING & ENGINEERING, INC.



Douglas W. Mann, P.E., Authorized Agent
FL P.E. # 44046



FISHER ISLAND CLUB, INC. FISHER ISLAND MIAMI-DADE COUNTY, FLORIDA



INDEX TO SHEETS

- 1. LOCATION MAP
- 2-3. EXISTING PLAN VIEW
- 4-5. PROPOSED PLAN VIEW
- 6-7. CROSS SECTION

RECEIVED

MAR 31 2008

DERM
Environmental Resources Regulation Division

FISHER ISLAND CLUB, INC.
LOCATION MAP

COASTAL PLANNING & ENGINEERING, INC.
 PH: (850) 351-5102
 FAX: (850) 391-8116
 C.O.A. FL 04228
 C.O.A. I.A. 02521
 www.CoastalPlanning.net



DATE: 3/20/07
BY: JRC

COMM NO.: 6500.95
SHEET: 1

NOT FOR CONSTRUCTION
FOR REGULATORY REVIEW ONLY

REVISIONS		
DATE	BY	DESCRIPTION

DOUGLAS W. MANN P.E. NO. 44046

DATE

23

H:_CCCL PERMITS\1\0666500956500956 PLAN_VIEW_XS.dwg - Mar 27, 2008 @ 3:41pm - drubin

N.45°51'37.1"E. PER DADE COUNTY C.C.C.L. MAP
 (P.B. 74-25, RECORDED 2-10-82) 1007.275
 N.46°12'17"E. (PER P.B. 128-59) C.C.C.L.

LEGAL DESCRIPTION: (O.R.B. 17780 PAGE 2810)

A PARCEL OF LAND LYING WITHIN
 FRACTIONAL SECTION 10, TOWNSHIP 54
 SOUTH, RANGE 42 EAST, MIAMI-DADE
 COUNTY, FLORIDA, BEING A PORTION OF
 FISHER ISLAND.

NOTES:

1. SURVEY CONDUCTED BY LEITER, PEREZ & ASSOCIATES, INC. DATED 10/2/05. ELEVATIONS SHOWN HEREON ARE IN FEET, REFERENCE TO NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD88).
2. ARCHITECTURAL SITE PLAN BY CURRIE, SOWARDS, AGUILA ARCHITECTS.
- 3.

RECEIVED

MAR 31 2008

DERM

Environmental Resources Regulation Division

DOUGLAS W. MANN P.E. NO. 44046

DATE

REVISIONS		
DATE	BY	DESCRIPTION

DATE:	3/20/07
BY:	JRC
COMM NO.:	6500.95
SHEET:	2

COASTAL PLANNING & ENGINEERING, INC.
 2481 N.W. BOCA RATON BOULEVARD
 BOCA RATON, FLORIDA 33431
 www.CoastalPlanning.net

PH: (561) 351-6102
 FAX: (561) 351-6116
 C.O.A. FL. #4428
 C.O.A. LA. #2531

FISHER ISLAND CLUB, INC.
EXISTING CONDITIONS
PLAN VIEW

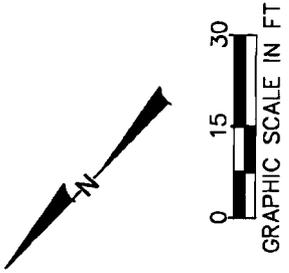


SEAWARD EDGE OF EXISTING STRUCTURE 156.8'
 SEAWARD EDGE OF SEASONAL HIGH WATER 226.4'
 SEAWARD EDGE OF MEAN HIGH WATER 274.7'
 0' NAVD 275.1'

MATCHLINE SEE SHEET 3

24

H:\CCCL PERMITS\10\Deade65095\650095 PLAN VIEW XS.dwg - Mar 27, 2008 @ 4:29pm - drubin



ATLANTIC OCEAN

MEAN HIGH WATER
ELEV. +0.12' NAVD
(10+02-06)

SEASONAL HIGH
WATER LINE
(ELEV. +3.6' NAVD)

0' NAVD

SEAWARD EDGE OF
EXISTING STRUCTURE 156.8'
SEAWARD EDGE OF SEASONAL HIGH WATER 226.4'
SEAWARD EDGE OF MEAN HIGH WATER 274.7'
0' NAVD 275.1'

FISHER ISLAND CLUB, INC.
EXISTING CONDITIONS
PLAN VIEW

TITLE:

COASTAL PLANNING & ENGINEERING, INC.
2481 N.W. BOCA RATON BOULEVARD
BOCA RATON, FLORIDA 33431
PH: (561) 381-8902
FAX: (561) 381-8916
C.O.A. FL #4028
www.CoastalPlanning.net



DATE: 3/20/07

BY: JRC

COMM NO.: 6500.95

SHEET: 3

NOT FOR CONSTRUCTION
FOR REGULATORY REVIEW ONLY

RECEIVED

MAR 31 2008

DOUGLAS W. MANN P.E. NO. 44046

DERM DATE

Environmental Resources Regulation Division

REVISIONS		
DATE	BY	DESCRIPTION

25

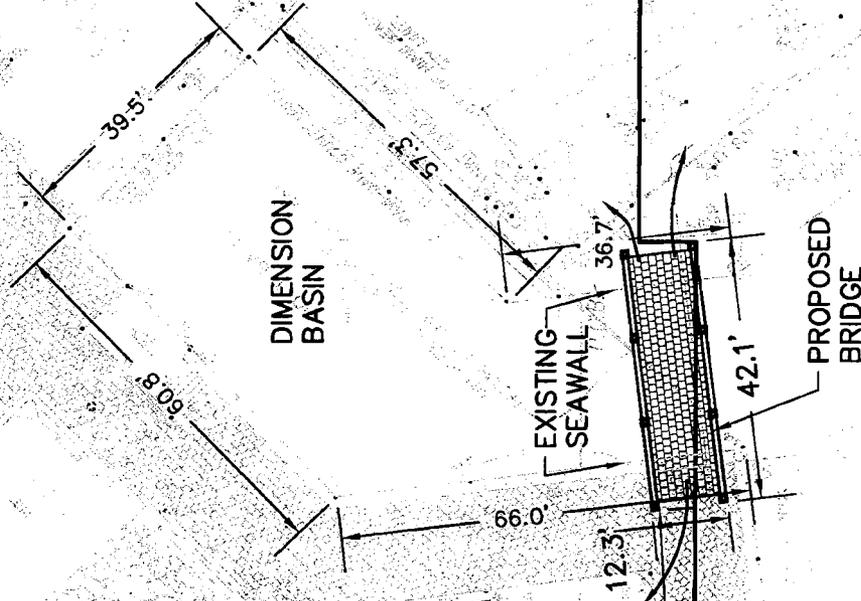
H:\CCCL PERMITS\07\061650095\PLAN VIEW_XS.dwg - Mar 28, 2008 @ 10:12am - drubin

N.45°51'37.1"E. PER DADE COUNTY C.C.C.L. MAP
(P.B. 74-25, RECORDED 2-10-82) 1007.275
N.46°12'17"E. (PER P.B. 128-59) C.C.C.L.

NOTES:

1. PER M.D.P&Z, THERE ARE NO REQUIRED SETBACKS FOR THE BRIDGE.
2. BRIDGE STORM WATER RUN-OFF IS TO BE DIRECTED TOWARD EITHER END OF THE BRIDGE AND BE DISTRIBUTED TOWARD THE DOWNSLOPING ADJACENT GRASSY/PERMEABLE AREAS.

MATCHLINE SEE SHEET 5



SEAWARD EDGE OF PROPOSED BRIDGE 59.6'
SEAWARD EDGE OF EXISTING STRUCTURE 156.8'
SEAWARD EDGE OF SEASONAL HIGH WATER 226.4'
SEAWARD EDGE OF MEAN HIGH WATER 274.7'
0' NAVD 275.1'

**FISHER ISLAND CLUB, INC.
PROPOSED NEW BRIDGE
PLAN VIEW**

COASTAL PLANNING & ENGINEERING, INC.
PH. (850) 391-8702
FAX. (850) 391-8715
C.O.A. FL. #4928
C.O.A. LA. #2851
www.CoastalPlanning.net



DATE:
3/20/07

BY:
JRC

COMM NO.:
6500.95

SHEET:
4

NOT FOR CONSTRUCTION
FOR REGULATORY REVIEW ONLY

RECEIVED

MAR 31 2008

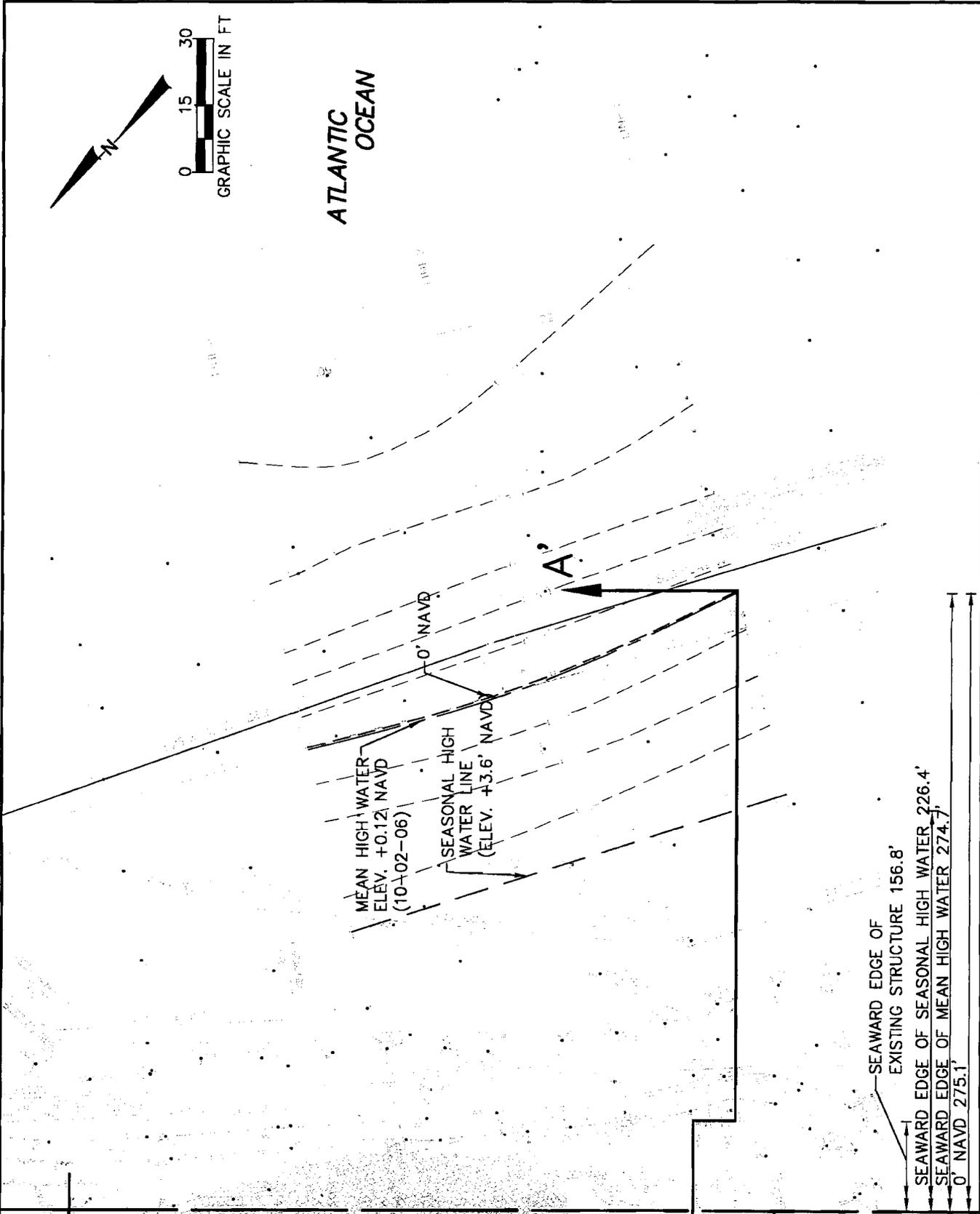
DERM
Environmental Resources Regulation Division
DATE

REVISIONS		
DATE	BY	DESCRIPTION

DOUGLAS W. MANN P.E. NO. 44046

26

H:\CCCL PERMITS\SDa\06650095\650095 PLAN VIEW.XS.dwg - Mar 27, 2008 @ 4:23pm - drubin



FISHER ISLAND CLUB, INC.
PROPOSED NEW BRIDGE
PLAN VIEW

TITLE
COASTAL PLANNING & ENGINEERING, INC.
PH (850) 391-6902
FAX (850) 391-6116
C.O.A. FL #4098
C.O.A. LA #6831
www.CoastalPlanning.net



DATE:
3/20/07

BY:
JRC

COMM NO.:
6500.95

SHEET:
5

NOT FOR CONSTRUCTION
FOR REGULATORY REVIEW ONLY

RECEIVED
MAR 31 2008

REVISIONS		
DATE	BY	DESCRIPTION

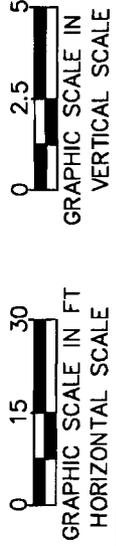
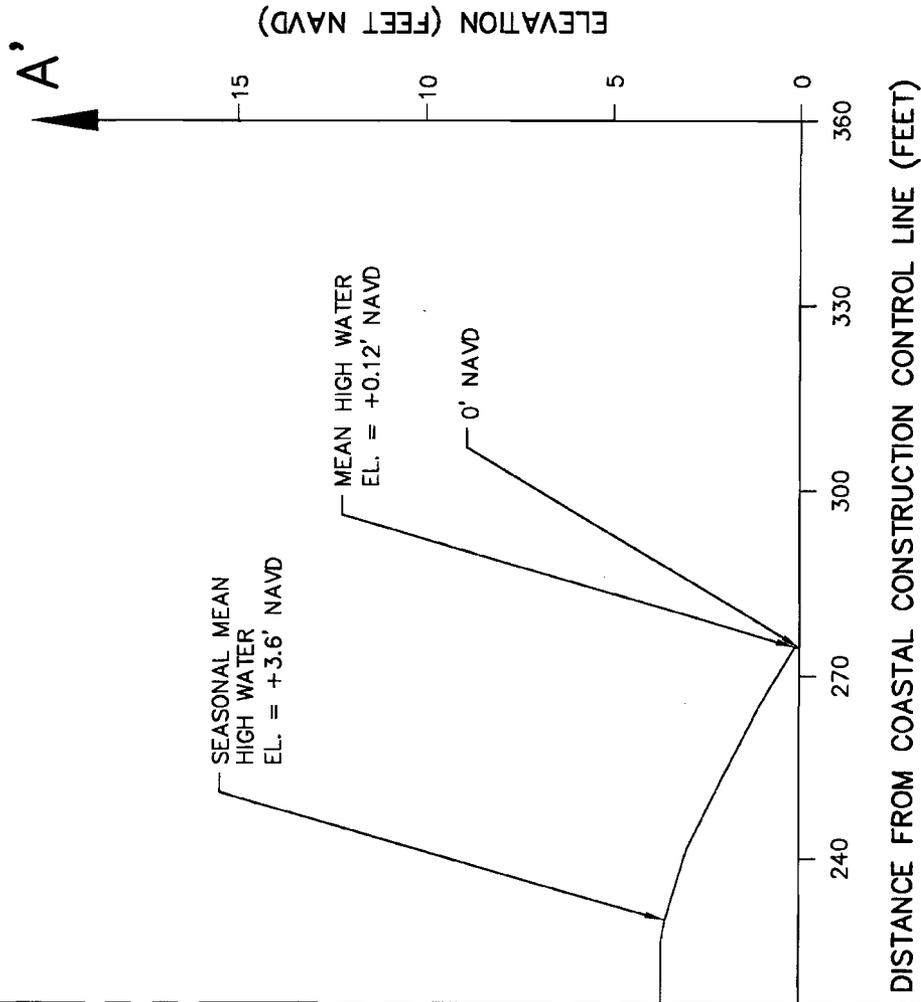
DOUGLAS W. MANN P.E. NO. 44046

DATE

DERM
Environmental Resources Regulation Division

27

H:\CCCL PERMITS\Deade650095\650095 PLAN VIEW XS.dwg - Mar 27, 2008 @ 3:53pm - drubin



**FISHER ISLAND CLUB, INC.
PROPOSED NEW BRIDGE
CROSS SECTION A-A'**

COASTAL PLANNING & ENGINEERING, INC.
2481 N.W. BOCA RATON BOULEVARD
BOCA RATON, FLORIDA 33431
PH: (561) 391-8102
FAX: (561) 391-8116
C.O.A. FL. #0328
C.O.A. LA. #2531
www.CoastalPlanning.net



DATE: 3/20/07
BY: JRC

COMM NO.: 6500.95
SHEET: 7

RECEIVED
MAR 31 2008

NOT FOR CONSTRUCTION
FOR REGULATORY REVIEW ONLY

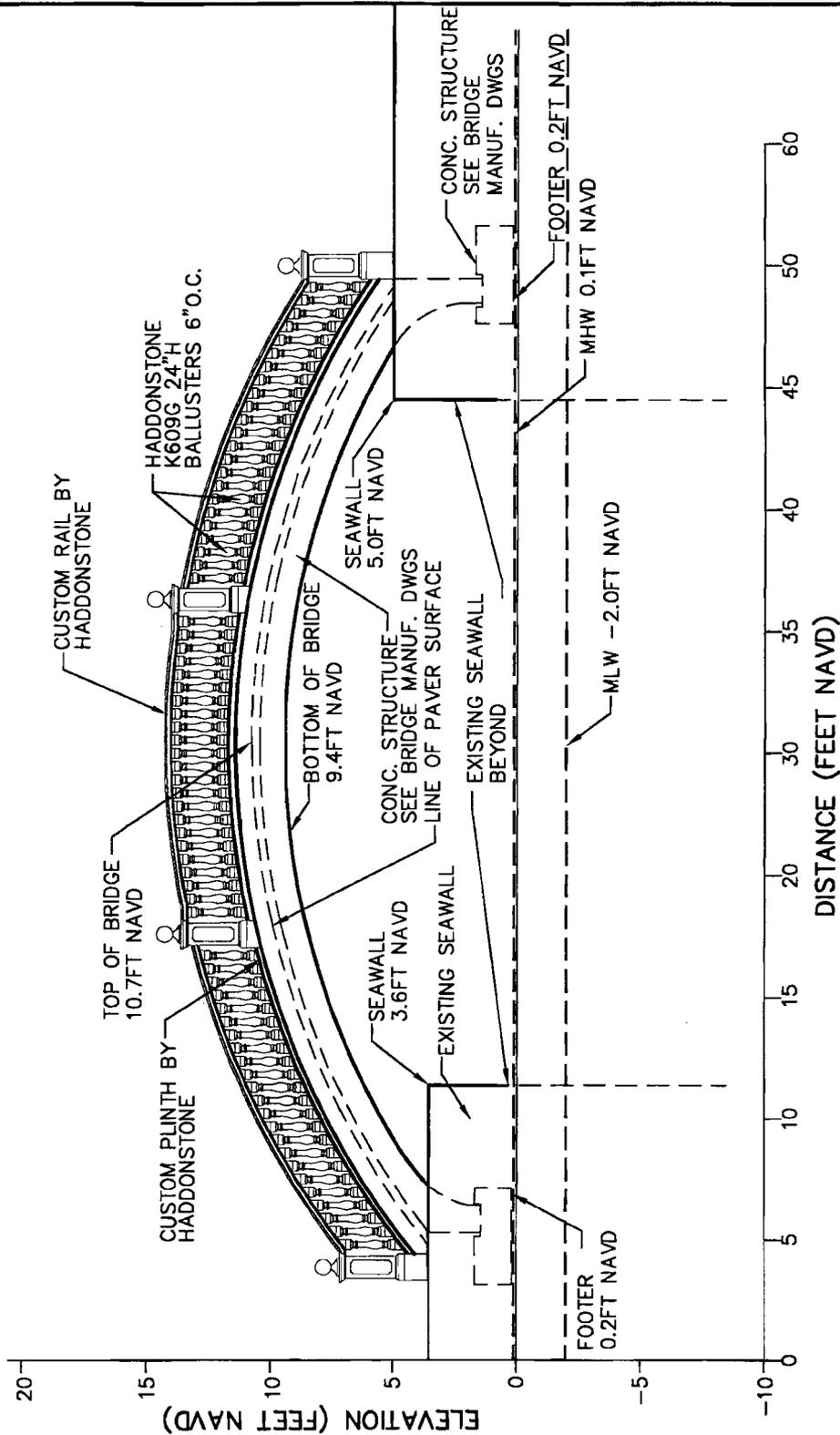
REVISIONS		
DATE	BY	DESCRIPTION

DOUGLAS W. MANN P.E. NO. 44046 **DERM** DATE

Handwritten initials

NOTES:

1. FOUNDATIONS PER STRUCTURAL ENGINEER.
2. BRIDGE CONSTRUCTION BY CONTECH BRIDGE SOLUTIONS INC.



RECEIVED

MAR 31 2008

NOT FOR CONSTRUCTION
FOR REGULATORY REVIEW ONLY

DERM
Environmental Resources Regulation Division

DOUGLAS W. MANN P.E. NO. 44046

DATE

REVISIONS		
DATE	BY	DESCRIPTION

DATE:

3/20/07

BY:

DNR

COMM NO.:

6500.95

SHEET:

8

TITLE:

**FISHER ISLAND CLUB, INC.
PROPOSED NEW BRIDGE**

COASTAL PLANNING & ENGINEERING, INC.

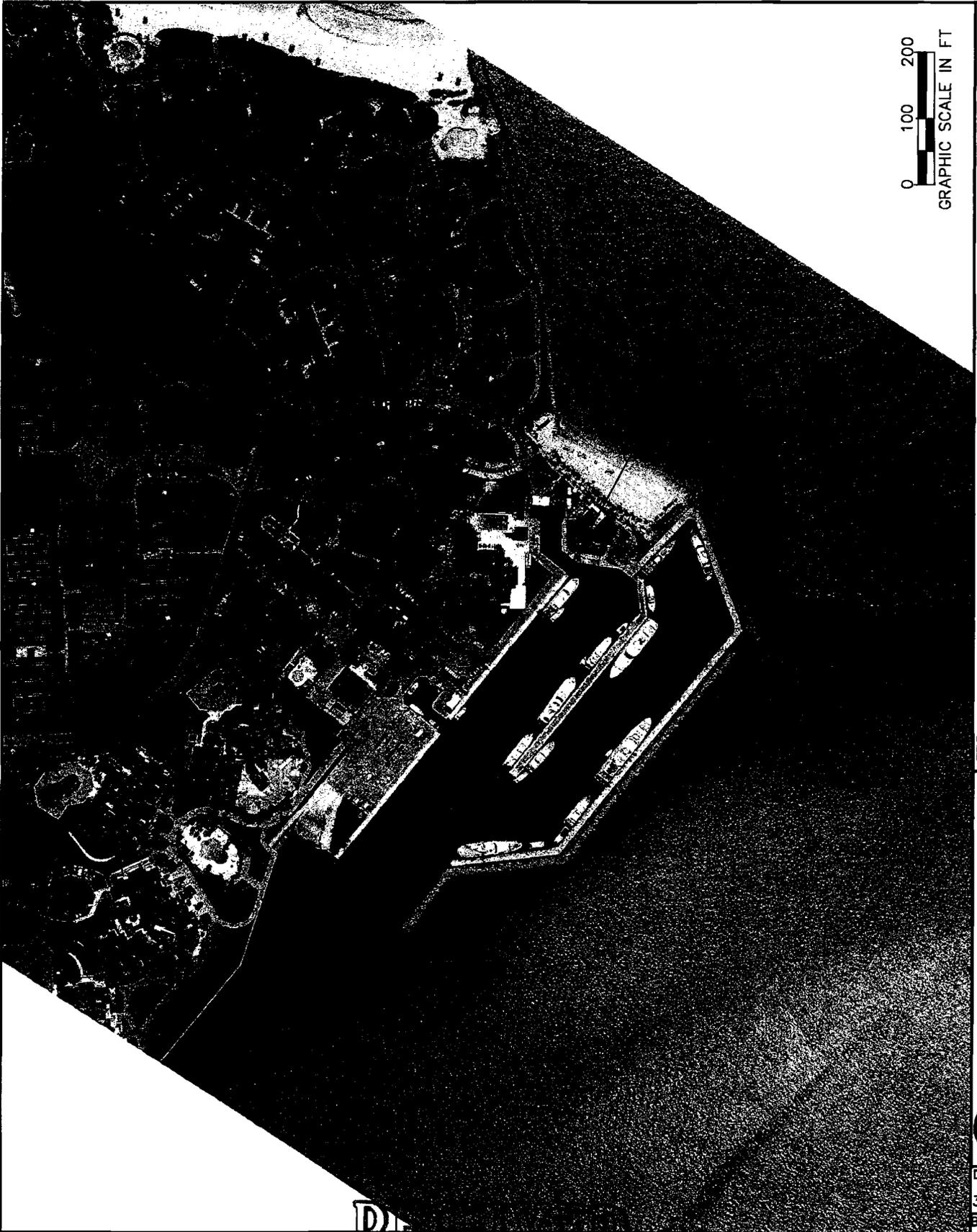
PH. (849) 351-8702
FAX (849) 351-8718
C.O.A. FL #4428
C.O.A. LA #2831

2481 N.W. BOCA RATON BOULEVARD
BOCA RATON, FLORIDA 33431

www.CoastalPlanning.com



H:\CCCL PERMITS\ID\adsl650095\650095_Plan_VIEW_XS.dwg - Mar 27, 2008 @ 3:58pm - dhubin



**FISHER ISLAND CLUB, INC.
2006 AERIAL PHOTOGRAPHY**

TITLE

COASTAL PLANNING & ENGINEERING, INC.

P.O. BOX 3314902
BOCA RATON, FLORIDA 33431
C.O.A. P.L. #022
C.O.A. LI. #2631

2481 N.W. BOCA RATON BOULEVARD
BOCA RATON, FLORIDA 33431

www.CoastalPlanning.net



DATE:
3/26/08

BY:
DNR

COMM NO.:

6500.95
SHEET:

9

NOT FOR CONSTRUCTION
FOR REGULATORY REVIEW ONLY

RECEIVED
MAR 31 2008

Name _____

DERM DATE

Environmental Resources Regulatory Division

REVISIONS		
DATE	BY	DESCRIPTION

31

Attachment D
Zoning Memorandum

Memorandum



Date:

To: Lisa M. Spadafina, Manager
Coastal Resources
Environmental Resources Management *LS*

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

Subject: Class I Permit Application By Fisher Island Club, Inc. to Install a Fixed Concrete Pedestrian Bridge Over a Privately Owned, Man-Made Boat Basin Within a Marina.

Pursuant to Section 24-48.2(II)(A)(7), Code of Miami-Dade County, Florida, a substantiating letter shall be submitted by the applicant stating that the proposed project does not violate any zoning laws. Said letter will be submitted after approval by the Miami-Dade County Board of County Commissioners and prior to issuance of the Class I Permit.

Attachment E

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

Easy Peel Labels
Use Avery® TEMPLATE 5160®



▲
Feed Paper

— See Instruction Sheet
— for Easy Peel Feature ▲



 **AVERY® 5160®** ▲

Fisher Island Holdings LLC
1 Fisher Island Drive
Fisher Island, FL 33109-0001

Fisher Island Holdings LLC
1 Fisher Island Drive
Fisher Island, FL 33109-0001

Fisher Island Holdings LLC
1 Fisher Island Drive
Fisher Island, FL 33109-0001

36

Étiquettes faciles à peler
Utilisez le gabarit AVERY® 5160®

▲
Sens de chargement

Consultez la feuille
d'instruction

www.avery.com
1-800-GO-AVERY

Attachment F
DERM Project Report

PROJECT REPORT

CLASS I PERMIT APPLICATION NO. 2008 CLI -PER 00039

**FISHER ISLAND CLUB, INC. FOR A CLASS I PERMIT TO
INSTALL A FIXED CONCRETE PEDESTRIAN BRIDGE OVER
A PRIVATELY OWNED, MAN-MADE BOAT BASIN WITHIN A
MARINA**

Date: July 28, 2008

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 adverse environmental impacts from the installation of a fixed concrete pedestrian bridge over a privately owned man-made boat basin within a marina are minimal.
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 not reasonably expected to adversely affect water quality. The Class I Permit will include a condition that requires the applicant to use best management practices to ensure that construction debris does not enter the water. In addition, a performance bond shall be held to ensure compliance with said condition.
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 construction there may be temporary aesthetic impacts related to the presence of construction equipment.
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 work is not reasonably expected to adversely affect marine and wildlife habitats.
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 adversely affect marine flora.
17. **Fauna Values** - The proposed project is not reasonably expected to adversely affect marine fauna.
18. **Rare, Threatened and Endangered Species** – The project area is located within essential habitat for the West Indian Manatee (*Trichechus manatus*), however, the proposed project is not reasonably expected to result in adverse effects to rare, threatened or endangered species provided standard manatee protection measures are implemented. Additionally, the Class I Permit will require that all standard manatee conditions for construction permits shall be followed during all in-water construction operations.
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.
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 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 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 will not take place within the Miami River.

CONSERVATION, AQUIFER RECHARGES AND DRAINAGE ELEMENT IV:

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

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

Objective 4/Policies 4A, 4B, 4C - Water storage, aquifer recharge potential and maintenance of natural surface water drainage. - The proposed project 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/Policies 9A, 9B, 9C - The project area is located within essential habitat for the West Indian Manatee (*Trichechus manatus*), however, the proposed project is not reasonably expected to result in adverse effects to rare, threatened or endangered species provided standard manatee protection measures are implemented. Additionally, the Class I Permit will require that all standard manatee conditions for construction permits shall be followed during all in-water construction operations.

COASTAL MANAGEMENT ELEMENT VII:

Objective 1/Policy 1A - Tidally connected mangroves in mangrove protection areas – 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 mangroves

Objective 1/Policy 1D - Protection and maintenance of mangrove forests and related natural vegetational communities. - The proposed project does not involve work in mangrove forests, 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/Policy 3E, 3F - Location of new cut and spoil areas for proper stabilization and minimization of damages. - The proposed project does not involve the development or identification of new cut or spoil areas.

Objective 4/Policy 4A, 4C, 4E, 4F – Protection of endangered or threatened species habitat, implementation of the Miami-Dade County Manatee Protection Plan, and minimizing the overlap between manatees and boat travel patterns. The project area is located within essential habitat for the West Indian Manatee (*Trichechus manatus*), however, the proposed project is not reasonably expected to result in adverse effects to rare, threatened or endangered species provided standard manatee protection measures are implemented. Additionally, the Class I Permit will require that all standard manatee conditions for construction permits shall be followed during all in-water construction operations.

Objective 5/Policy 5B - Existing and new areas for water-dependent uses. - The proposed project will not affect existing water-dependent uses.

Objective 5/Policy 5D - Consistency with Chapter 33D, Miami-Dade County Code (shoreline access, environmental compatibility of shoreline development) - The applicant has applied for a "Need for Compliance 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 in conformance with the Biscayne Bay Management Plan.
30. **Conformance with the Miami-Dade County Manatee Protection Plan** - The project area is located within essential habitat for the West Indian Manatee (*Trichechus manatus*), however, the proposed project is not reasonably expected to result in adverse effects to rare, threatened or endangered species provided standard manatee protection measures are implemented. Additionally, the Class I Permit will require that all standard manatee construction permit conditions shall be followed during all in-water construction operations.
31. **Consistency with Miami-Dade County Criteria for Lake Excavation** – The proposed project does not involve lake excavation.
32. **Municipality Recommendation** – Pursuant to Section 24-48.2(II)(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 does not involve dredging and filling activities.

24-48.3 (3) Minimum Water Depth Required for Boat Slips Created by the Construction or Placement of Fixed or Floating Docks and Piers, Piles and Other Structures Requiring a Permit Under Article IV, Division 1 of Chapter 24 of the Code of Miami-Dade County - The proposed project does not involve the creation of a boat slip.

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

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



Lisa M. Spadafina, Manager
Coastal Resources Section



Christine Hopps, Biologist II
Coastal Resources Section