

Memorandum



Date: October 21, 2008

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

Agenda Item No. 5(B)

From: George M. Burgess
County Manager

Resolution No. R-1108-08

Subject: Class I Permit Application by South River Drive, LLC, to Construct 334 Linear Feet of Bulkhead along the Existing Natural Shoreline, Construct a Concrete Ramp, Excavate Approximately 4,460 Cubic Yards of Uplands and Dredge Approximately 1,077 Cubic Yards of Submerged Lands to Facilitate the Mooring of a 250-Foot Vessel

Attached, please find for your consideration an application by the South River Drive, LLC, 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

Memorandum



Date: October 21, 2008

To: George M. Burgess
County Manager

From: Carlos Espinosa, PE, Director
Environmental Resources Management

Subject: Class I Permit Application by South River Drive, LLC, to Construct 334 Linear Feet of Bulkhead along the Existing Natural Shoreline, Construct a Concrete Ramp, Excavate Approximately 4,460 Cubic Yards of Uplands and Dredge Approximately 1,077 Cubic Yards of Submerged Lands to Facilitate the Mooring of a 250-Foot Vessel

Recommendation

I have reviewed the Class I Permit application by South River Drive, LLC. 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 I Permit for the reasons set forth below.

Scope

The project site is located at 3293 NW S. River Drive in Miami, Miami-Dade County, located in Commission District 5 (Chairman Barreiro).

Fiscal Impact/Funding Source

Not applicable.

Track Record/Monitor

Not applicable.

Background

The subject property is a freight terminal located along the Miami River currently utilized for upland cargo storage. The two adjacent lots to the west are also under the ownership of South River Drive, LLC, and currently operate as a shipping terminal, servicing two slips along the Miami River (authorized by Marine Facilities Operating Permit 000264 issued by the Miami-Dade County Department of Environmental Resources Management (DERM)). The applicant proposes to excavate 4,460 cubic yards of their upland property (5,840 square feet) and 1,077 cubic yards of substrate (4,667 square feet) within the Miami River to a depth of -15 feet National Geodetic Vertical Datum (NGVD) in order to create a triangular boat notch to accommodate the mooring of a 250-foot commercial cargo vessel. In addition, the project includes the installation of a bulkhead along the entire shoreline of the property and the creation of a cargo ramp. Section 24-48 of the Code of Miami-Dade County, which regulates the permitting of environmental resources, requires that dredging or filling work proposed in Class I Permit applications comply with at least one of six listed criteria. The proposed project complies by conducting the minimum dredging and filling necessary for the creation and maintenance of marinas, piers, docks and attendant navigational channels. Because the proposed work is not specifically referenced in Section 24-48.2(l) of the Code as work that may be processed administratively by DERM, the application must be approved by the Board of County Commissioners.

The proposed project is located within an area identified by the Miami-Dade County Manatee Protection Plan (MDCMPP) as essential manatee habitat for the West Indian Manatee (*Trichechus*

manatus). Pursuant to the MDCMPP, freight terminals may be permitted in the Miami River in conjunction with fendering requirements. For mooring of vessels 100 feet or larger, fender systems are required which extend a minimum of 4 feet off the bulkhead at maximum compression. The applicant has proposed to install a fendering system that meets this requirement.

Pursuant to Section 24-48.4 of the Code of Miami Dade County, potential adverse environmental impacts and cumulative adverse environmental impacts for a proposed project must be avoided and/or minimized to the maximum extent practicable. Mitigation is required to compensate for all unavoidable adverse environmental impacts. As mitigation for impacts associated with the installation of the new bulkhead and the maintenance dredging, 380.67 cubic yards of limerock riprap boulders are required. As it may not be feasible to place the riprap at the site due to site conditions and to the proximity of the work to the federal channel, DERM has agreed to accept a contribution to the Biscayne Bay Environmental Enhancement Trust Fund (BBEETF) in an amount equal to \$90.00 per cubic yard of riprap required.

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 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, Affidavit of Ownership and Hold Harmless Agreement
- Attachment B: Permit Applicant/Authorized Agent Statement, Affidavit for Limited Liability Company
- Attachment C: Engineer Letter of Certification
- Attachment D: Project Plans
- Attachment E: Adjacent Riparian Land Owner Labels
- Attachment F: Zoning Memo
- Attachment G: U.S. Coast Guard Navigation Review
- Attachment H: DERM Approved Spoil Management Plan
- Attachment I: Florida Department of Environmental Protection ERP
- Attachment J: Project Report

NOTICE OF PUBLIC HEARING ON AN APPLICATION BY SOUTH RIVER DRIVE, LLC, FOR A CLASS I PERMIT TO CONSTRUCT 334 LINEAR FEET OF BULKHEAD ALONG THE EXISTING NATURAL SHORELINE, CONSTRUCT A CONCRETE RAMP, EXCAVATE APPROXIMATELY 4,460 CUBIC YARDS OF UPLANDS AND DREDGE APPROXIMATELY 1,077 CUBIC YARDS OF SUBMERGED LANDS TO FACILITATE THE MOORING OF A 250-FOOT VESSEL AT 3293 NW SOUTH RIVER 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 South River Drive, LLC, for a Class I Permit to construct 334 linear feet of bulkhead along the existing natural shoreline, construct a concrete ramp, excavate approximately 4,460 cubic yards of uplands and dredge approximately 1,077 cubic yards of submerged lands to facilitate the mooring of a 250-foot vessel at 3293 NW South River Drive, Miami-Dade County, Florida. Such Public Hearing will be held on the 21st day of October 2008, at 9:30 AM at the County Commission Chambers on the 2nd Floor of the Stephen P. Clark Center in 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 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 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 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: October 21, 2008

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

SUBJECT: Agenda Item No. 5(B)

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(B)
10-21-08

RESOLUTION NO. R-1108-08

RESOLUTION RELATING TO AN APPLICATION BY SOUTH RIVER DRIVE, LLC, FOR A CLASS I PERMIT TO CONSTRUCT 334 LINEAR FEET OF BULKHEAD ALONG THE EXISTING NATURAL SHORELINE, CONSTRUCT A CONCRETE RAMP, EXCAVATE APPROXIMATELY 4,460 CUBIC YARDS OF UPLANDS AND DREDGE APPROXIMATELY 1,077 CUBIC YARDS OF SUBMERGED LANDS TO FACILITATE THE MOORING OF A 250-FOOT VESSEL AT 3293 NW SOUTH RIVER 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 the application by South River Drive, LLC, for a Class I Permit to construct 334 linear feet of bulkhead along the existing natural shoreline, construct a concrete ramp, excavate approximately 4,460 cubic yards of uplands and dredge approximately 1,077 cubic yards of submerged lands to facilitate the mooring of a 250-foot vessel at 3293 NW South River Drive, Miami, Miami-Dade County, Florida, 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 **Carlos A. Gimenez** 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	absent
Katy Sorenson	absent	Rebeca Sosa	aye
Sen. Javier D. Souto	absent		

The Chairperson thereupon declared the resolution duly passed and adopted this 21st day of October, 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 1 Permit Application
Affidavit of Ownership
Hold Harmless Agreement**



Class I RECEIVED Permit Application

1. Application number
2008-CL1-PER-00037

2. Date April 8 2008
DERM
ENVIRONMENTAL RESOURCES
REGULATION DIVISION

3. For official Use only

4. Applicant information:
Name Mr. R. Harvey Sasso, Managing Member, South River Drive, LLC
Address 1104 Ponce de Leon Blvd
Coral Gables, FL Zip Code 33134
Phone Number (305) 661-3655

5. Applicant's authorized permit agent
Name Coastal Systems International, Inc.
Address 464 South Dixie Highway
Coral Gables, Florida Zip Code 33146
Phone Number (305) 661-3655

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.

The Project proposes the following activities:

- 1) Construction of approximately 334 linear feet of bulkhead along the existing natural shoreline.
- 2) Excavation of approximately 4,460 cubic yards of uplands and dredging of approximately 1,077 cubic yards of submerged lands to facilitate optimal mooring area for a 250-foot vessel.
- 3) Construction of a concrete ramp on the uplands to facilitate vessel loading/offloading.

Dredged/Excavated		Filled/Deposited	
Volume of Material	<u>1077</u> CY	<u>4460</u> CY	<u>0</u> CY
	Waterward of O.N.W. or M.N.W.	Landward of O.N.W. or M.N.W.	Waterward of O.N.W. or M.N.W.

7. Proposed Use: (Check One)
 Private
 Public
 Commercial
 Other (explain in remarks)

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

Name <u>Allan W, Helen L & David T. Byrd</u> Address <u>3247 NW South River Drive</u> <u>Miami, Florida</u> Zip Code <u>33142</u>	Name <u>Byrd Undersea Tech Corporation</u> Address <u>3345 NW South River Drive</u> <u>Miami, Florida</u> Zip Code <u>33142</u>
---	---

9. Location where proposed activity exists or will occur

Street Address 3293, 3301 - 3333 NW South River Drive

Latitude 25° 47' 50" N
Longitude 80° 14' 50" W
Section 28
Twp. 53S
Range 41E

State Florida County Miami-Dade In City or Town Miami Near City or Town _____

10. Name of waterway at location of the activity Miami River

11. Date Activity is proposed to commence 2008
 Date Activity is expected to be completed 2008

RECEIVED

12. Is any portion of this activity for which authorization is sought now complete?
 Yes
 No
 If answer is "yes" give answer in the remarks section

Month and year the activity was completed N/A
 Indicate the existing work on the drawings _____

AUG 29 2008

DERM
 ENVIRONMENTAL RESOURCES
 REGULATION DIVISION

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

Issuing agency	Type of Approval	Identification Number	Date of Application	Date of Approval
DEP	Individual Permit	N/A	February 1, 2008	Pending
US Army Corps of Engineers	Letter of Permission	N/A	February 1, 2008	Pending

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

15. Remarks

16. Estimated project cost =
\$640,000

17. Contractor's name and address

Name: TBD
 Address: _____
 _____ Zip Code _____
 Phone Number _____

18. Application is hereby made for a permit or permits to authorize the activities described herein. I agree to provide any additional information 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 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.

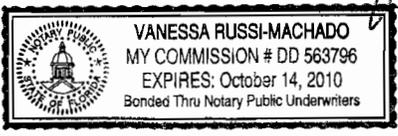
Signature of owner [Signature] Mr. R. Harvey Sasso,
 Managing Member,
 South River Drive, LLC

Date 08-28-08

SUBSCRIBED AND SWORN TO BEFORE ME THIS 28th DAY OF August, 2008, BY R. Harvey Sasso.

PERSONALLY KNOWN PRODUCED IDENTIFICATION (PLEASE CHECK ONE)
 TYPE OF IDENTIFICATION PRODUCED: _____

[Signature]
 NOTARY PUBLIC



11

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AUG 29 2008

DERM
ENVIRONMENTAL RESOURCES
REGULATION DIVISION

Affidavit of Ownership and Hold Harmless Agreement

Personally Appeared Before Me, Mr. R. Harvey Sasso, Managing Member, South River Drive, LLC, that undersigned authority, and hereby swears and affirms under oath as follows:

1. That your affiant is the record owner of that certain property* more fully described as:
South River Drive, LLC
1104 Ponce de Leon Blvd.
Coral Gables, Miami-Dade County, Florida
*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 of that certain property that is the subject matter of Application No. **2008-CL1-00037** 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 Project proposes the following activities:

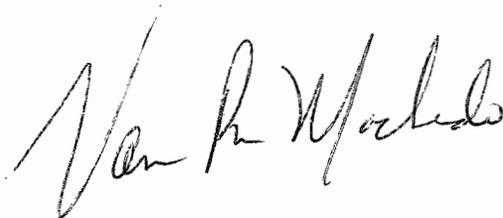
- 1) Construction of approximately 334 linear feet of bulkhead along the existing natural shoreline.
 - 2) Excavation of approximately 4,460 cubic yards of uplands and dredging of approximately 1,077 cubic yards of submerged lands to facilitate optimal mooring area for a 250-foot vessel.
 - 3) Construction of a concrete ramp on the uplands to facilitate vessel loading/offloading.
3. That your affiant hereby swears and affirms its ownership or leasehold in the above noted property necessary for the work note 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.

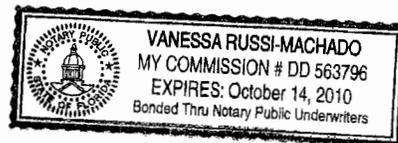
STATE OF FLORIDA
COUNTY OF DADE


 Mr. R. Harvey Sasso
 Managing Member
 South River Drive, LLC
 Owner/Applicant

BEFORE ME, the undersigned authority, personally appeared R. Harvey Sasso, 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 28th day of August 2008.





Attachment B

**Permit Applicant/Authorized Agent Statement
Affidavit for Limited Liability Company**

October 2, 2008

To:

Miami Dade County DERM
Class I Permitting Program
701 NW 1st Court
Miami, Florida 33136

RE: CLASS I STANDARD FORM PERMIT APPLICATION NUMBER 2008-CL1-PER-00037, FOR THE PROPOSED ISLAND CARGO SYSTEMS PROJECT FOR CONSTRUCTION OF APPROXIMATELY 334 LINEAR FEET OF BULKHEAD ALONG THE EXISTING NATURAL SHORELINE, EXCAVATION OF APPROXIMATELY 4,460 CUBIC YARDS OF UPLANDS AND DREDGING OF APPROXIMATELY 1,077 CUBIC YARDS OF SUBMERGED LANDS TO FACILITATE OPTIMAL MOORING AREA FOR A 250-FOOT VESSEL, AND CONSTRUCTION OF A CONCRETE RAMP ON THE UPLANDS TO FACILITATE VESSEL LOADING/OFFLOADING; LOCATED AT 3293 & 3301-3333 NW SOUTH RIVER DRIVE ALONG THE MIAMI RIVER IN THE CITY OF MIAMI, MIAMI-DADE COUNTY, FLORIDA

By the attached Class I Standard Form permit application with supporting documents, I Mr. R. Harvey Sasso, Managing Member of South River Drive, LLC, am the permit applicant / applicant's authorized agent and hereby request permission to perform the following:

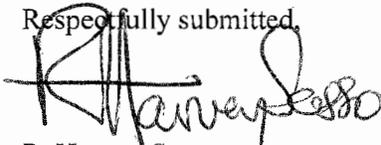
The Project proposes the following activities:

- 1) Construction of approximately 334 linear feet of bulkhead along the existing natural shoreline.
- 2) Excavation of approximately 4,460 cubic yards of uplands and dredging of approximately 1,077 cubic yards of submerged lands to facilitate optimal mooring area for a 250-foot vessel.
- 3) Construction of a concrete ramp on the uplands to facilitate vessel loading/offloading.

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.

Respectfully submitted,



R. Harvey Sasso
Managing Member, South River Drive, LLC
Permit Applicant

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**AFFIDAVIT OF MEMBERS, MANAGING MEMBERS,
AND MANAGERS OF FLORIDA LIMITED LIABILITY COMPANY**

WE, (Print full name(s) and all title(s) of person(s) or entity(s) in the following spaces; if more space needed print additional names and title(s) on separate paper marked as Exhibit A and attach Exhibit A to this Affidavit; the list of names and titles shall include all names on the list required by Section 608.4101(1)(a), Fla. Stat. (2004), as same may be amended from time to time)

<u>Full name</u>	<u>Title(s)</u>
_____R. Harvey Sasso_____	_____Managing Member_____
_____Jan A. Yelen_____	_____Managing Member_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

hereby swear or affirm that :

1. The foregoing persons or entities set forth above and on Exhibit A, if applicable, which Exhibit A is attached hereto and incorporated herein by reference hereto, constitute and are all of the Members, Managing Members, and Managers, as those terms are defined in Section 608.402, Fla. Stat.(2004), as same may be amended from time to time, of the Florida Limited Liability Company known as SOUTH RIVER DRIVE, LLC (Print name of the Florida Limited Liability Company as the name appears in the Articles of Organization currently filed with the Secretary of State of the State of Florida);
2. There are no Members, Managing Members or Managers of the aforesaid Florida Limited Liability Company other than the persons or entities set forth above and on Exhibit A, if applicable.
3. There are no provisions in any Articles of Organization of the aforesaid Florida Limited Liability Company or in any operating agreement, written or oral, of the aforesaid Florida Limited Liability Company, as those terms are defined in Section 608.402, Fla. Stat.(2004), as same may be amended from time to time, which prohibit, restrict or limit in any way or in any manner the execution of the instrument or document attached hereto and incorporated herein by reference hereto, to wit, 2008-CL1-PER-00037 (Print the title of the instrument or document) by any of the foregoing persons or entities set forth above and on Exhibit A, if applicable, for and on behalf of the aforesaid Florida Limited Liability Company and to bind and obligate the aforesaid Florida Limited Liability as set forth in the foregoing instrument or document.

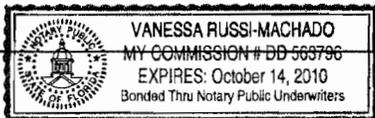
4. All of the foregoing persons or entities set forth above and on Exhibit A, if applicable, are authorized by the foregoing Florida Limited Liability Company, to execute the instrument or document attached hereto and incorporated herein by reference hereto, to wit, 2008-CL1-PER-00037 (Print the title of the instrument or document) for and on behalf of the aforesaid Florida Limited Liability Company and to bind and obligate the aforesaid Florida Limited Liability Company as set forth in the foregoing instrument or document.
5. All of the provisions of this Affidavit shall be construed in accordance with the laws of the State of Florida.

R. Harvey Sasso
 Signature

Managing Member of South
River Drive, LLC
 Title(s)

Sworn to and subscribed before me this 26th day of Sept, 2008
 (year) by R. HARVEY SASSO (print name legibly), who is personally
 known to me or who has produced _____ (type of identification).

Vanessa R. Machado (Signature of Notary Public)



 (Print, type or stamp name of notary public)

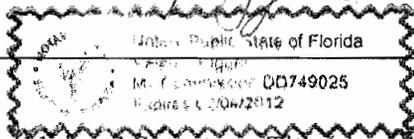
(Add additional Signature, Title(s), and Notary Public areas for all other LLC Members, Managing Members, and Managers, as needed)

[Signature]
Signature

Managing Member of South
River Drive, LLC
Title(s)

Sworn to and subscribed before me this 26th day of Sept, 2008
(year) by JANA YELLEN (print name legibly), who is personally
known to me or who has produced _____ (type of identification).

[Signature] (Signature of Notary Public)



(Print, type or stamp name of notary public)

(Add additional Signature, Title(s), and Notary Public areas for all other LLC Members,
Managing Members, and Managers, as needed)

Signature

Title(s)

Sworn to and subscribed before me this _____ day of _____,
(year) by _____ (print name legibly), who is personally
known to me or who has produced _____ (type of identification).

(Signature of Notary Public)

(Print, type or stamp name of notary public)

(Add additional Signature, Title(s), and Notary Public areas for all other LLC Members,
Managing Members, and Managers, as needed)

Attachment C
Engineer Letter of Certification



COASTAL SYSTEMS INTERNATIONAL, INC.
464 South Dixie Highway • Coral Gables, Florida 33146
Tel: 305-661-3655 • Fax: 305-661-1914
www.coastalsystemsint.com

October 2, 2008

Miami-Dade County DERM
Class I Permitting Program
701 NW 1st Court
Miami, Florida 33136

RE: CLASS I STANDARD FORM PERMIT APPLICATION NUMBER 2008-CL1-PER-00037, FOR THE PROPOSED ISLAND CARGO SYSTEMS PROJECT FOR CONSTRUCTION OF APPROXIMATELY 334 LINEAR FEET OF BULKHEAD ALONG THE EXISTING NATURAL SHORELINE, EXCAVATION OF APPROXIMATELY 4,460 CUBIC YARDS OF UPLANDS AND DREDGING OF APPROXIMATELY 1,077 CUBIC YARDS OF SUBMERGED LANDS TO FACILITATE OPTIMAL MOORING AREA FOR A 250-FOOT VESSEL, AND CONSTRUCTION OF A CONCRETE RAMP ON THE UPLANDS TO FACILITATE VESSEL LOADING/OFFLOADING; LOCATED AT 3293 & 3301-3333 NW SOUTH RIVER DRIVE ALONG THE MIAMI RIVER IN THE CITY OF MIAMI, MIAMI-DADE COUNTY, FLORIDA

Ladies and Gentlemen:

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 upon my knowledge and belief, the following will not occur:

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

Further, I have been retained by the applicant to provide inspections throughout the construction period and to prepare a set of reproducible record prints of drawings showing changes made during the construction process based upon the marked-up prints, drawings, and other data furnished by the contractor to me.

Sincerely,
Coastal Systems International, Inc.
FL EB #7087

Timothy K. Blankenship, P.E.
FL Reg. 55910

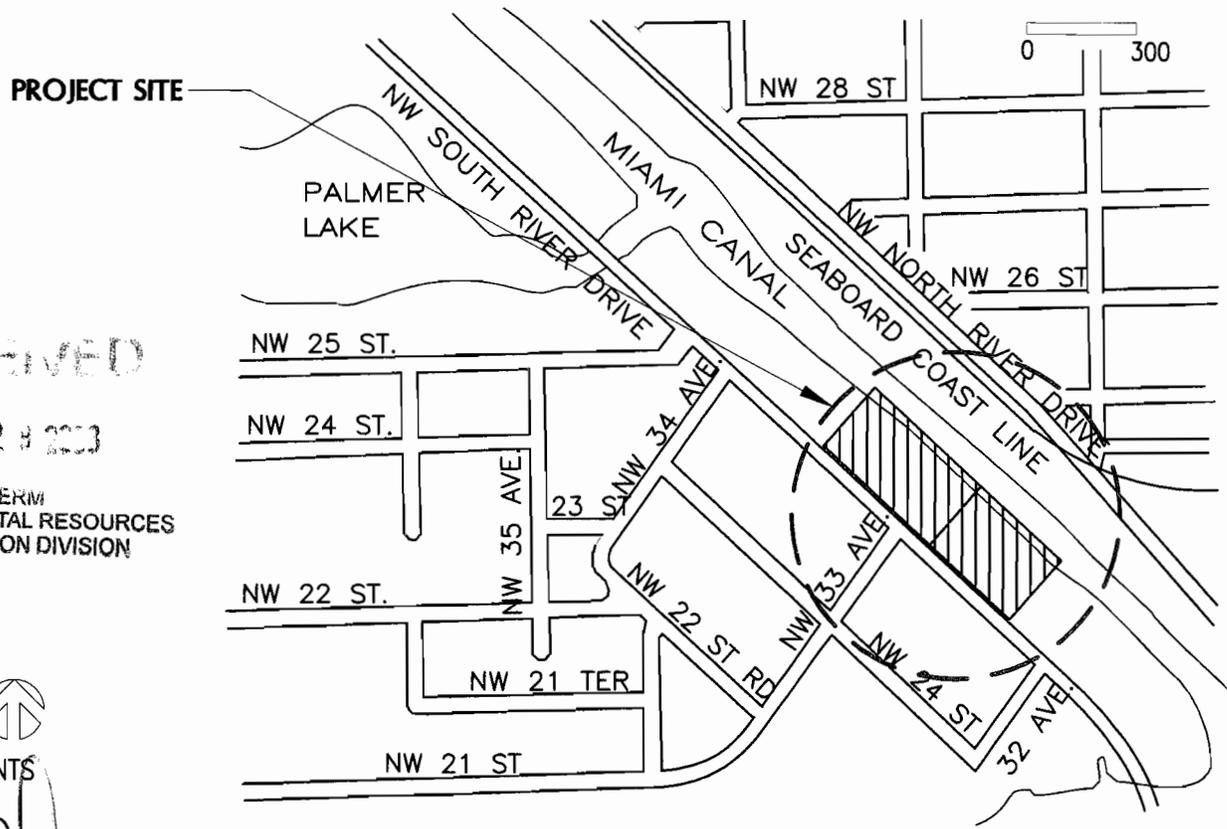
Attachment D

Project Plans



INDEX OF SHEETS	
Sheet	Sheet Title
1	LOCATION MAP AND SHEET INDEX
2	EXISTING CONDITIONS
3	PROPOSED DEMOLITION PLAN
4	DREDGING AND EXCAVATION PLAN
5	TURBIDITY CONTROL PLAN
6	PROPOSED IMPROVEMENTS
7	PROPOSED BULKHEAD PLAN
8	BULKHEAD SECTION A
9	RAMP-BULKHEAD SECTION B
10	EXCAVATION SECTION C
11	TURBIDITY CONTROL DETAILS
12	TURBIDITY CURTAIN CONNECTION DETAILS
13	GENERAL NOTES

PROJECT ADDRESS: 3301-3333 NW S RIVER DR.
 MIAMI, FL
 3293 NW S RIVER DR.
 MIAMI, FL



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DEPM
 ENVIRONMENTAL RESOURCES
 REGULATION DIVISION



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 AUG 28 2008

T.K. BLANKENSHIP
 FL. REG. 55910

08/27/08	REVISED BULKHEAD	APP. NO:	App. No.
07/23/08	UPDATED AREAS	PROJECT NO:	3600
04/23/08	UPDATED DREDGING INFO.	DATUM:	NGVD
01/29/08	PERMIT APPLICATION	DRAWN BY:	BH
DATE:	DESCRIPTION:	CHECKED BY:	TB

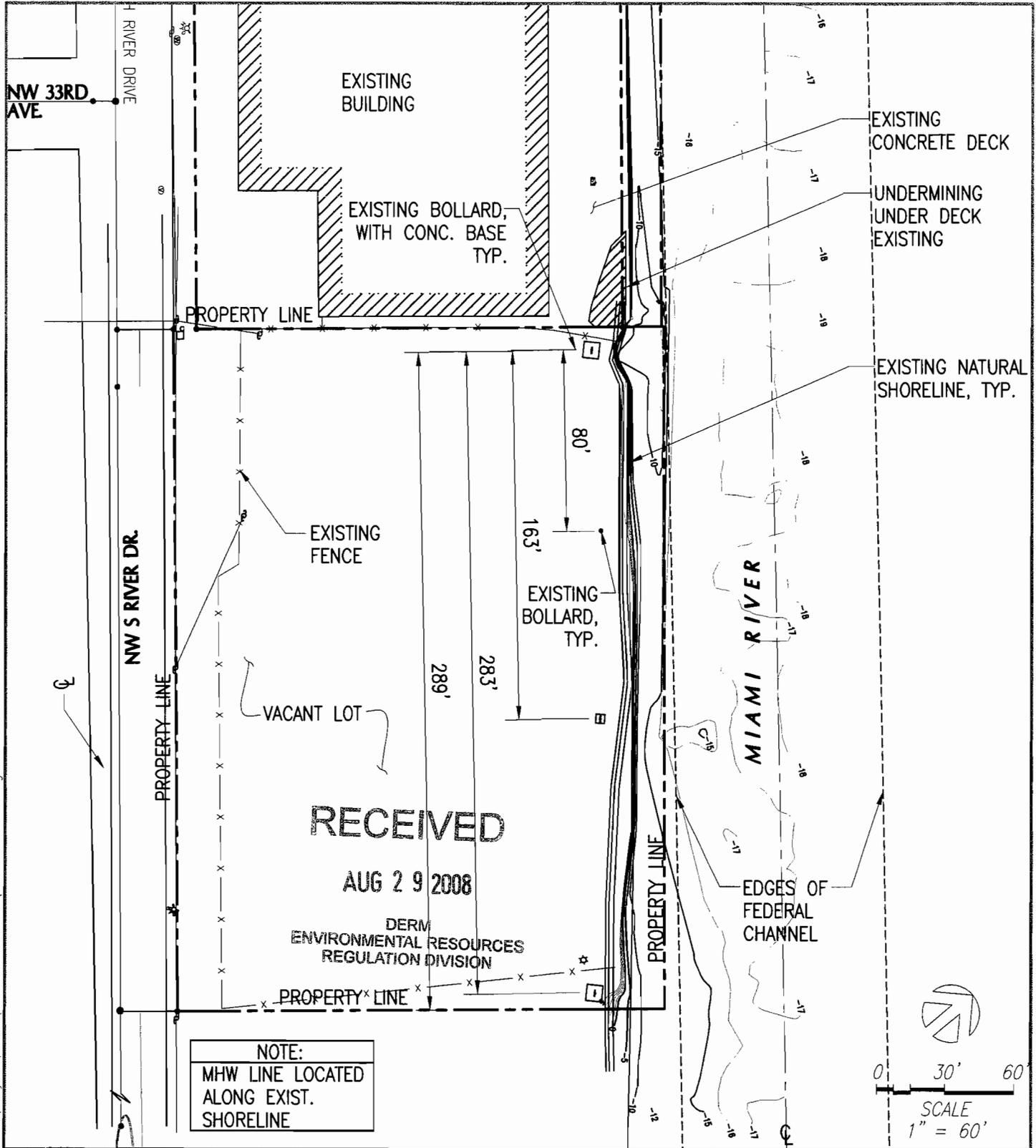


COASTAL SYSTEMS INTERNATIONAL, INC.
 464 South Dixie Highway, Coral Gables, Florida 33146
 Tel: 305-661-3655 Fax: 305-661-1914 www.CoastalSystemsInt.com
 STATE OF FLORIDA EB #7087
 Coastal, Environmental, Civil Engineering and Management

CLIENT:
ISLAND CARGO SYSTEMS 3293 3301, 3315, 3333 NW SO. RIVER DRIVE MIAMI, FLORIDA
ISLAND CARGO SYSTEMS SHORELINE IMPROVEMENTS
LOCATION MAP AND SHEET INDEX
SHEET 1 OF 13

21

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NOTE:
MHW LINE LOCATED
ALONG EXIST.
SHORELINE

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REGULATION DIVISION

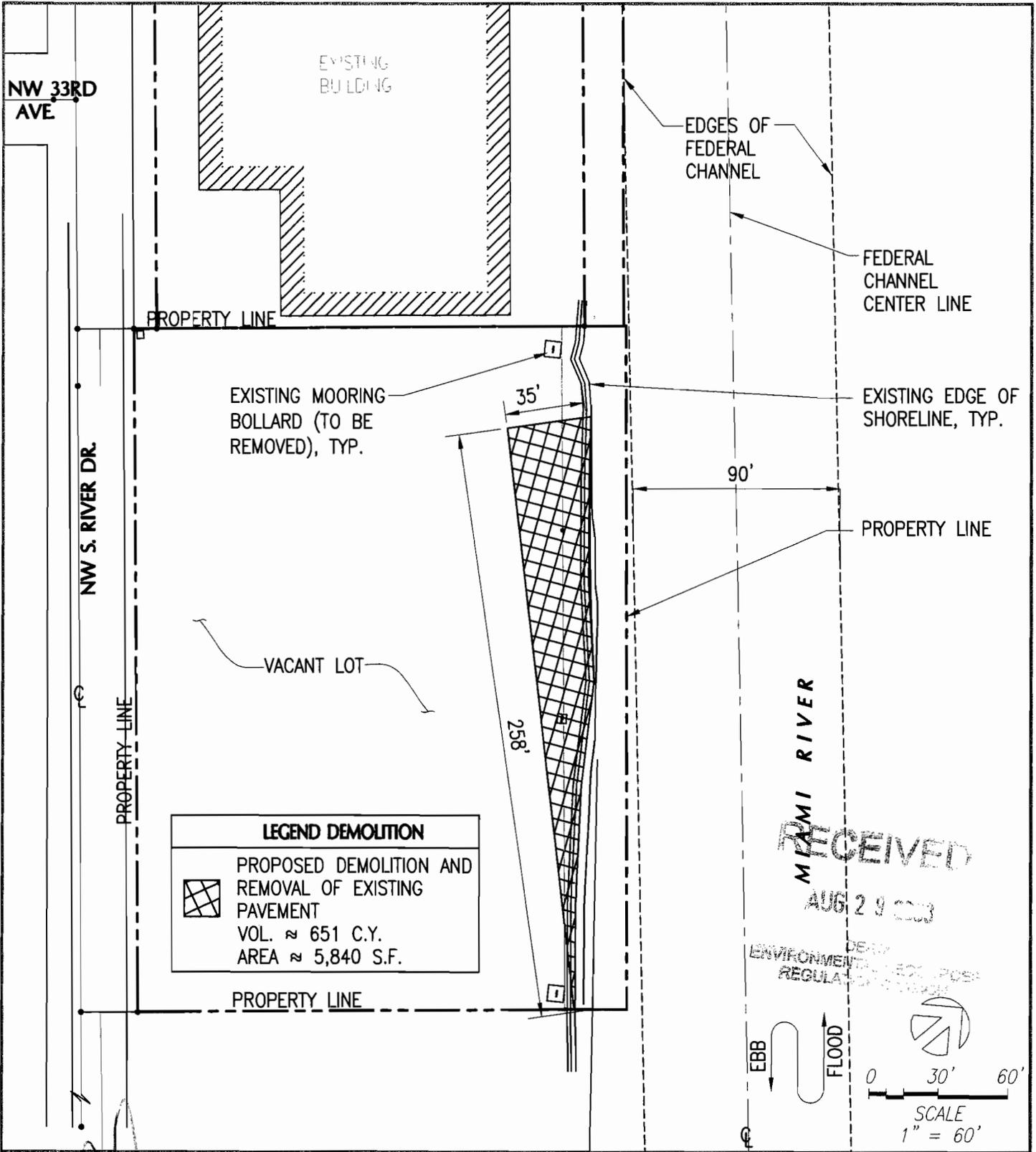
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AUG 28 2008
T.K. BLANKENSHIP
FL. REG. 55910

08/27/08	REVISED BULKEAD	APP. NO:	App. No.
07/23/08	UPDATED AREAS	PROJECT NO:	3600
04/23/08	UPDATED DREDGING INFO.	DATUM:	NGVD
01/29/08	PERMIT APPLICATION	DRAWN BY:	BH
DATE:	DESCRIPTION:	CHECKED BY:	TB
SUBMITTED BY:			
 COASTAL SYSTEMS INTERNATIONAL, INC. 464 South Dixie Highway, Coral Gables, Florida 33146 Tel. 305-661-3655 Fax: 305-661-1914 www.CoastalSystemsInt.com STATE OF FLORIDA EB #7087 Coastal, Environmental, Civil Engineering and Management			

CLIENT:	
ISLAND CARGO SYSTEMS	
3293	3301, 3315, 3333 NW SO. RIVER DRIVE MIAMI, FLORIDA
ISLAND CARGO SYSTEMS SHORELINE IMPROVEMENTS	
EXISTING CONDITIONS	
SHEET 2 OF 13	

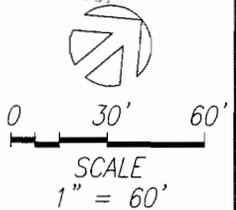
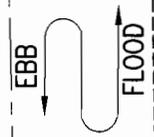
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ENVIRONMENTAL REGULATORY



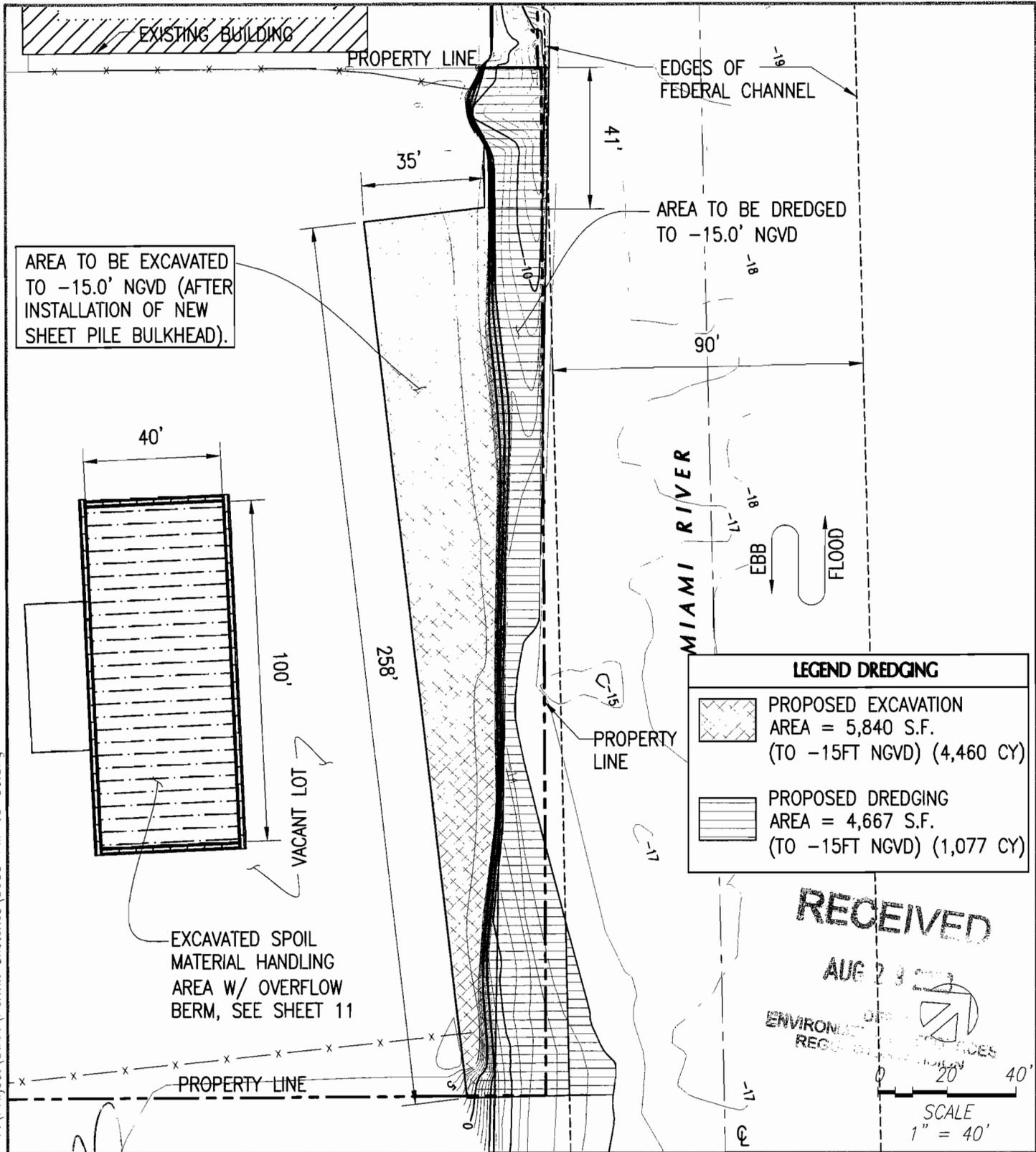
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T.K. BLANKENSHIP
FL. REG. 55910

08/27/08	REVISED BULKHEAD	APP. NO:	App. No.
07/23/08	07/23/08	PROJECT NO:	3600
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DATE:	DESCRIPTION:	CHECKED BY:	TB
SUBMITTED BY:			
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CLIENT:
ISLAND CARGO SYSTEMS
3293 3301, 3315, 3333 NW SO. RIVER DRIVE MIAMI, FLORIDA
ISLAND CARGO SYSTEMS SHORELINE IMPROVEMENTS
PROPOSED DEMOLITION PLAN
SHEET 3 OF 13

23



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[Signature]

AUG 23 2008

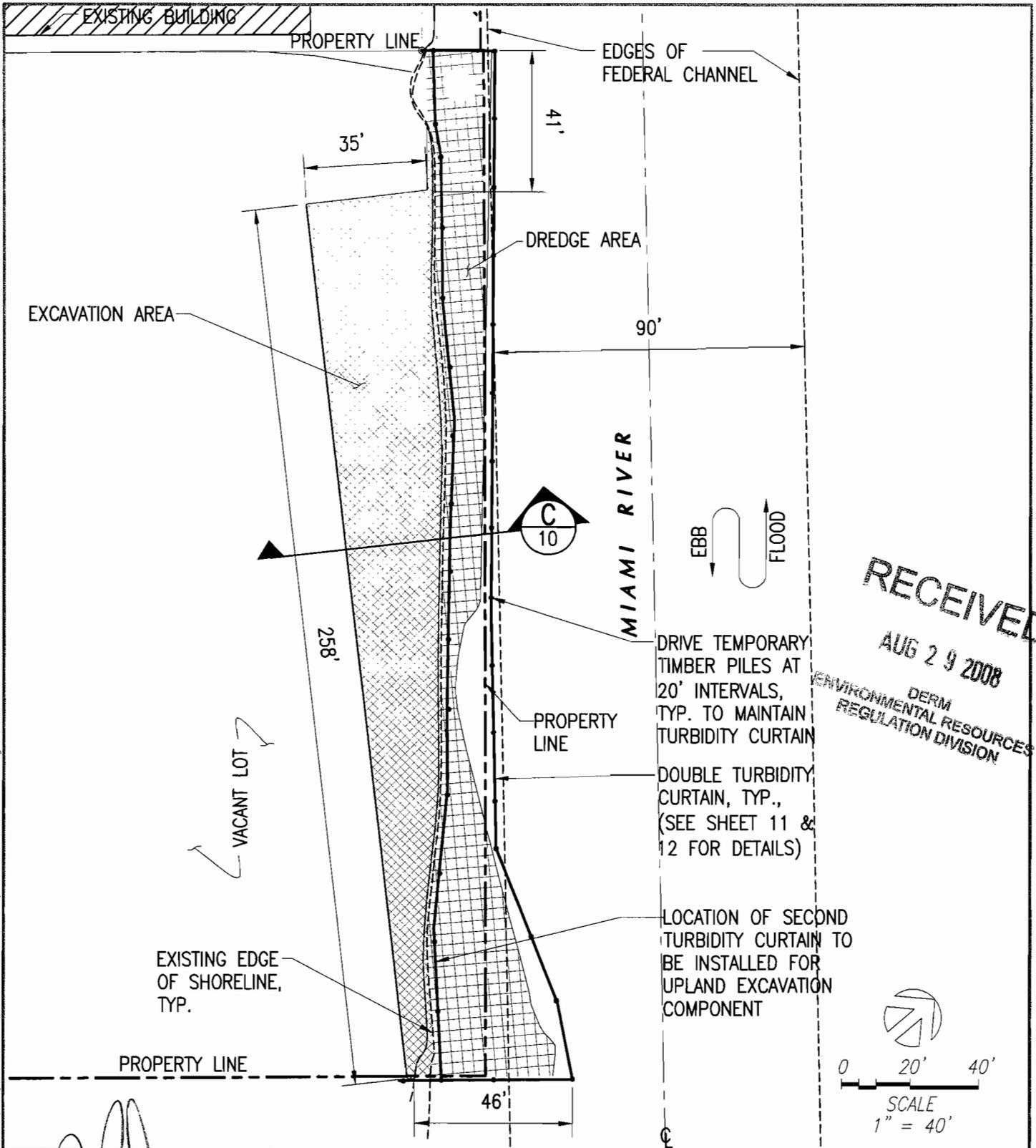
T.K. BLANKENSHIP
FL. REG. 55910

08/27/08	REVISED BULKHEAD	APP. NO:	App. No.
07/23/08	UPDATED AREAS	PROJECT NO:	3600
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CLIENT:	
ISLAND CARGO SYSTEMS	
3293 3301, 3315, 3333 NW SO. RIVER DRIVE MIAMI, FLORIDA	
ISLAND CARGO SYSTEMS SHORELINE IMPROVEMENTS	
DREDGING AND EXCAVATION PLAN	
SHEET 4 OF 13	

24

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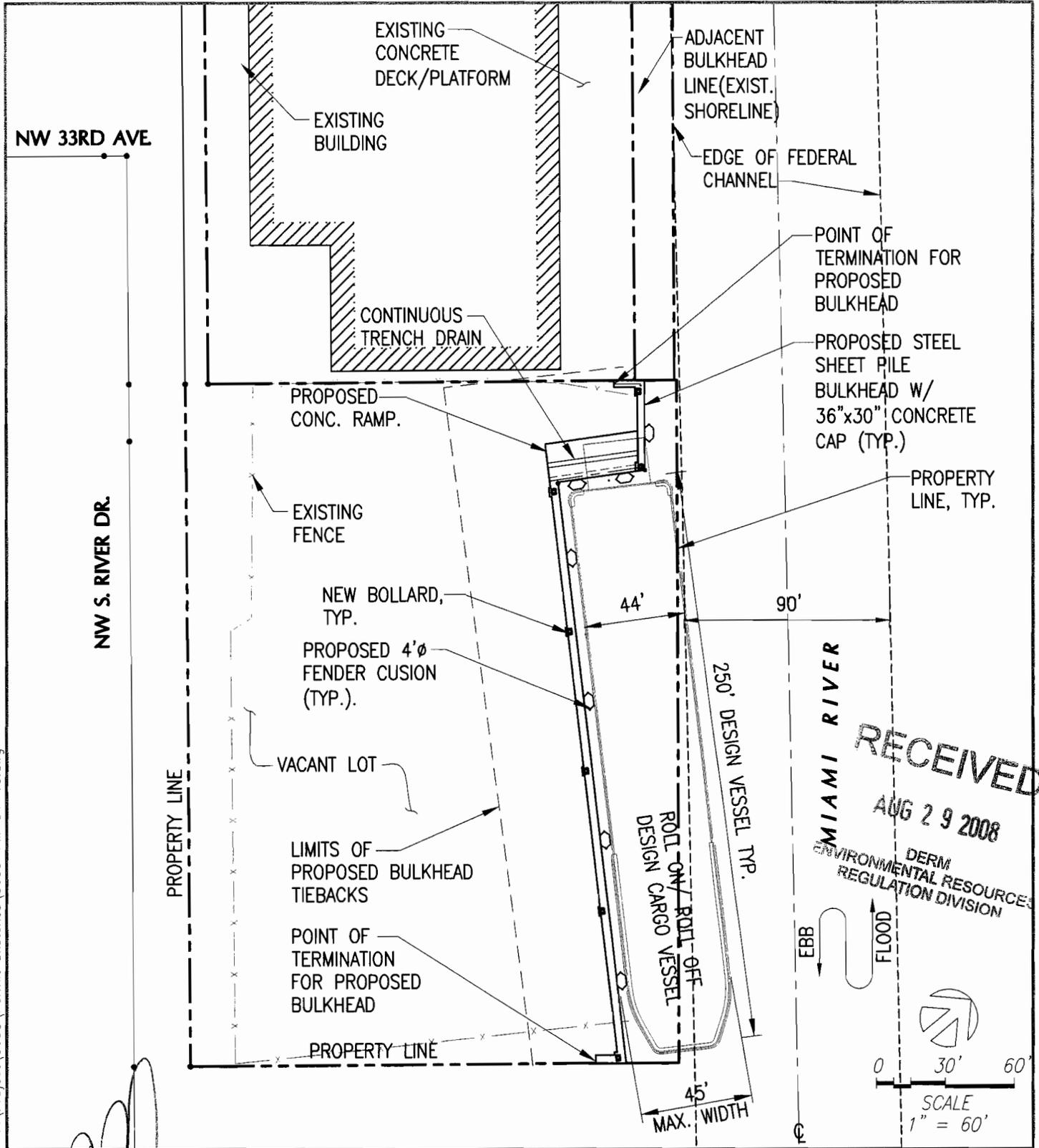
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 T.K. BLANKENSHIP
 FL. REG. 55910

08/27/08	REVISED BULKEAD	APP. NO:	App. No.
07/23/08	UPDATED AREAS	PROJECT NO:	3600
04/23/08	UPDATED DREDGING INFO.	DATUM:	NGVD
01/29/08	PERMIT APPLICATION	DRAWN BY:	BH
DATE:	DESCRIPTION:	CHECKED BY:	TB
SUBMITTED BY:			
 COASTAL SYSTEMS INTERNATIONAL, INC. 464 South Dixie Highway, Coral Gables, Florida 33146 Tel: 305-661-3655 Fax: 305-661-1914 www.CoastalSystemsInt.com STATE OF FLORIDA EB #7087 Coastal, Environmental, Civil Engineering and Management			

CLIENT:
ISLAND CARGO SYSTEMS
3293 3301, 3315, 3333 NW SO. RIVER DRIVE MIAMI, FLORIDA
ISLAND CARGO SYSTEMS SHORELINE IMPROVEMENTS
TURBIDITY CONTROL PLAN
SHEET 5 OF 13

25

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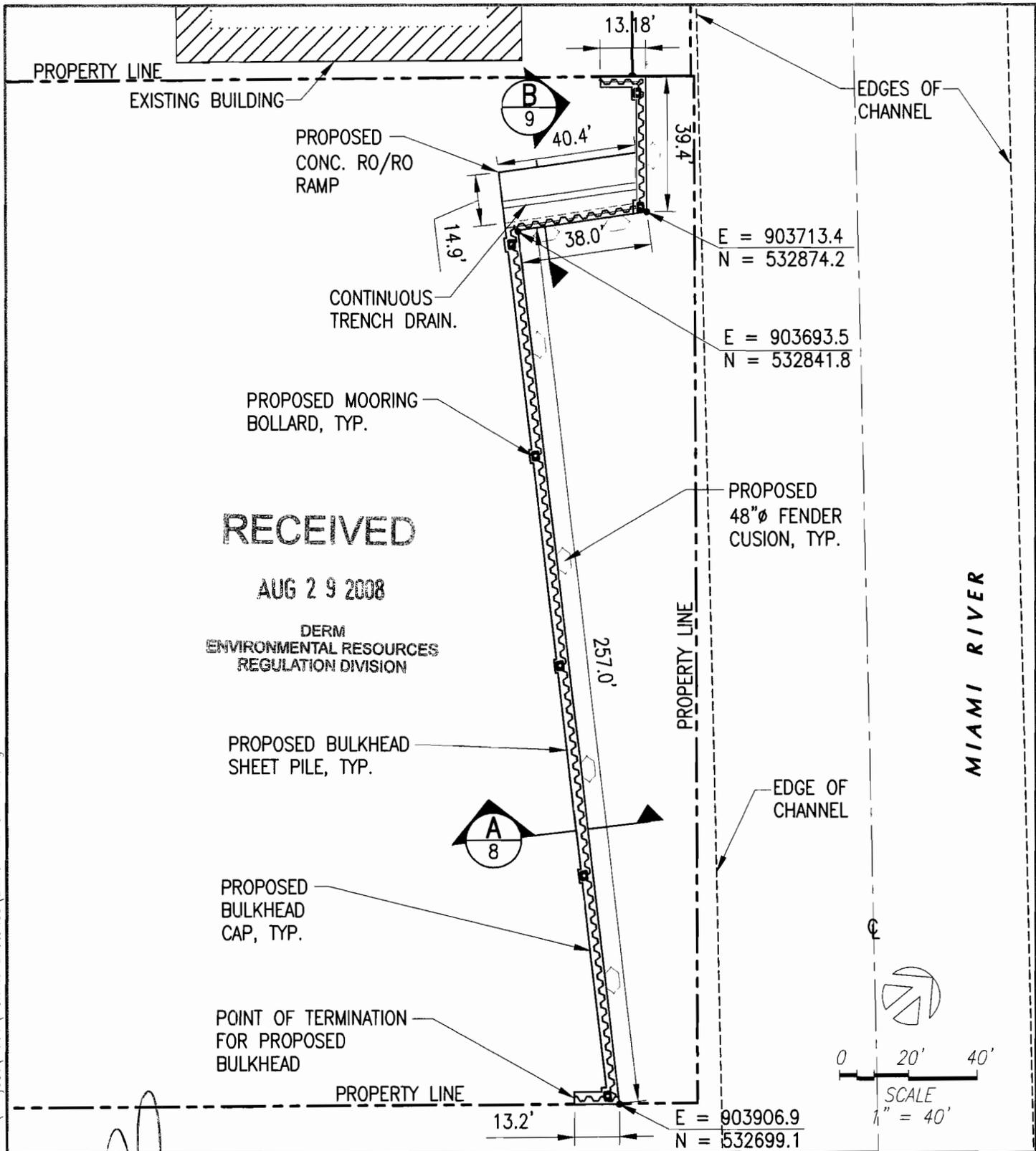
08/27/08	REVISED BULKHEAD	APP. NO:	App. No.
07/23/08	UPDATED AREAS	PROJECT NO:	3600
04/23/08	UPDATED DREDGING INFO.	DATUM:	NGVD
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DATE:	DESCRIPTION:	CHECKED BY:	TB
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CLIENT:	
ISLAND CARGO SYSTEMS	
3293 3301, 3315, 3333 NW SO. RIVER DRIVE MIAMI, FLORIDA	
ISLAND CARGO SYSTEMS SHORELINE IMPROVEMENTS	
PROPOSED IMPROVEMENTS	
SHEET 6 OF 13	

T.K. BLANKENSHIP
FL. REG. 55910

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REGULATION DIVISION

PROPOSED BULKHEAD
SHEET PILE, TYP.

PROPOSED BULKHEAD
CAP, TYP.

POINT OF TERMINATION
FOR PROPOSED
BULKHEAD

PROPOSED
48"Ø FENDER
CUSION, TYP.

E = 903713.4
N = 532874.2

E = 903693.5
N = 532841.8

PROPERTY LINE

PROPERTY LINE

EDGE OF CHANNEL

0 20' 40'

SCALE
1" = 40'

MIAMI RIVER

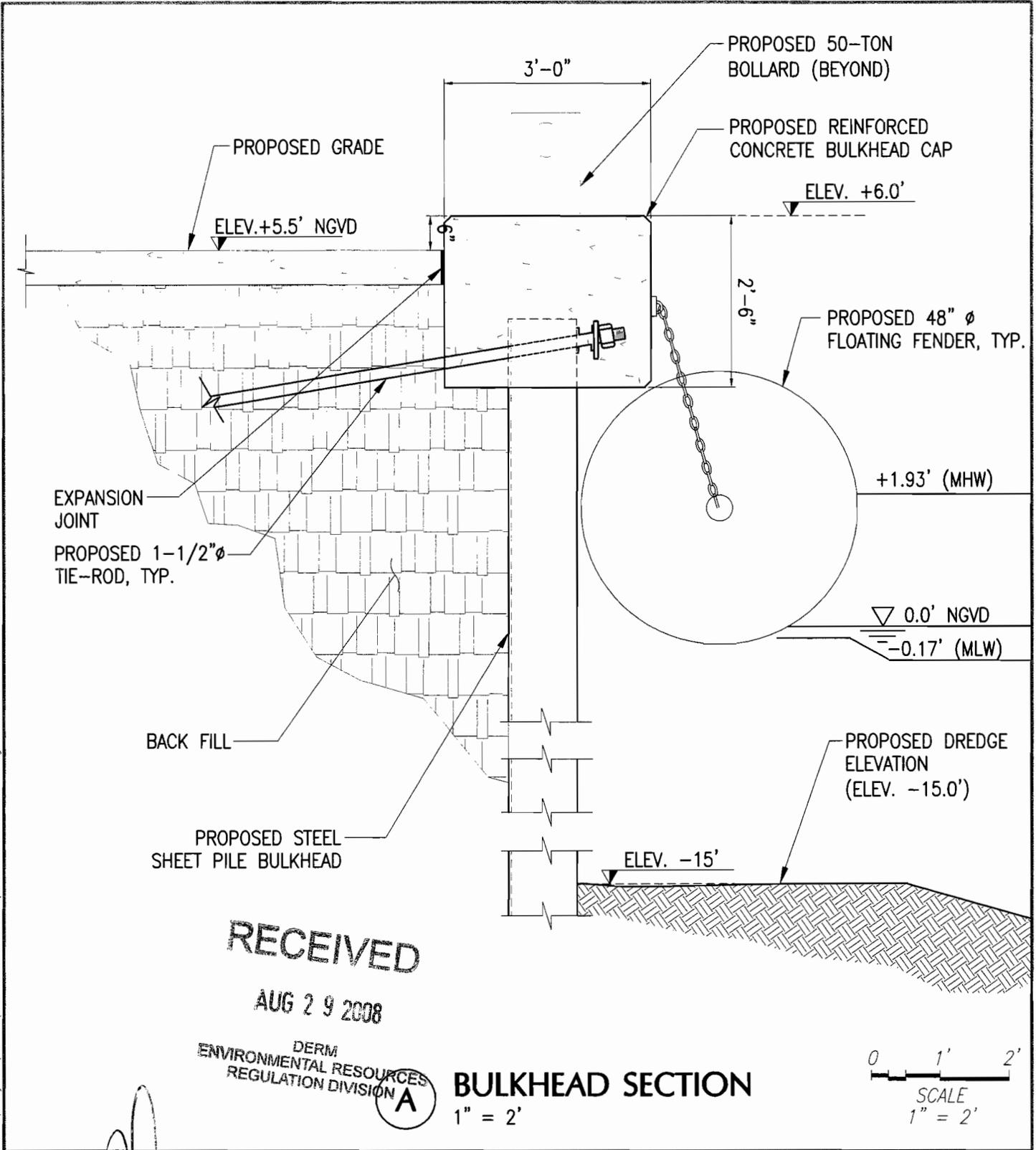
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T.K. BLANKENSHIP
FL. REG. 55910

08/27/08	REVISED BULKHEAD	APP. NO:	App. No.
07/23/08	UPDATED AREAS	PROJECT NO:	3600
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CLIENT:	
ISLAND CARGO SYSTEMS	
3293' 3301, 3315, 3333 NW SO. RIVER DRIVE MIAMI, FLORIDA	
ISLAND CARGO SYSTEMS SHORELINE IMPROVEMENTS	
PROPOSED BULKHEAD PLAN	
SHEET 7 OF 13	

27

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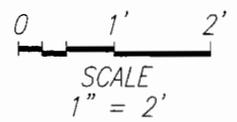


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REGULATION DIVISION
A

BULKHEAD SECTION
1" = 2'



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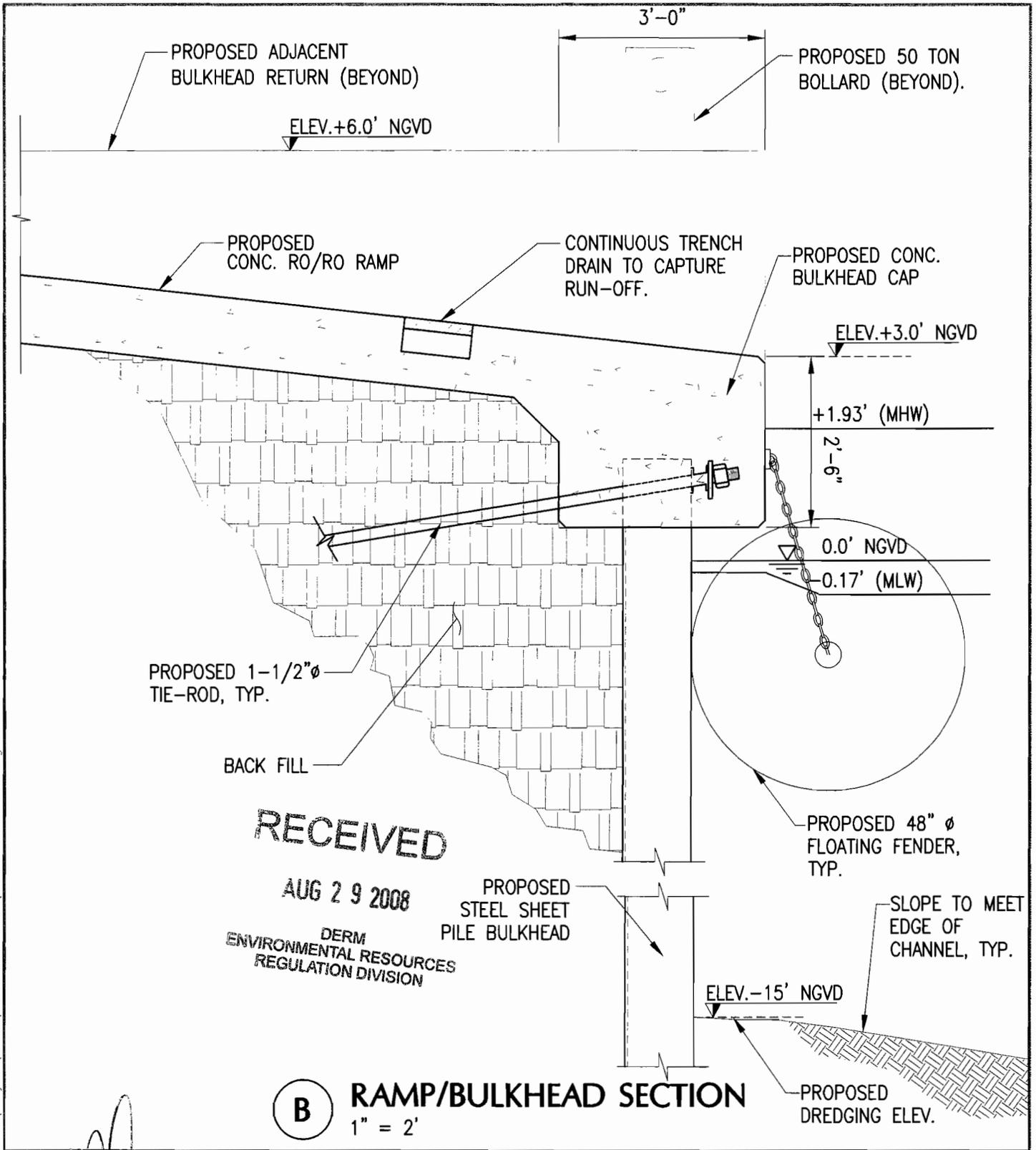
08/27/08	REVISED BULKHEAD	APP. NO:	App. No.
07/23/08	UPDATED AREAS	PROJECT NO:	3600
04/23/08	UPDATED DREDGING INFO.	DATUM:	NGVD
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SUBMITTED BY:			
 COASTAL SYSTEMS INTERNATIONAL, INC. 464 South Dixie Highway, Coral Gables, Florida 33146 Tel: 305-661-3655 Fax: 305-661-1914 www.CoastalSystemsIntl.com STATE OF FLORIDA EB #7087 Coastal, Environmental, Civil Engineering and Management			

CLIENT:	
ISLAND CARGO SYSTEMS	
3293 3301, 3315, 3333 NW SO. RIVER DRIVE MIAMI, FLORIDA	
ISLAND CARGO SYSTEMS SHORELINE IMPROVEMENTS	
BULKHEAD SECTION A	
SHEET 8 OF 13	

T.K. BLANKENSHIP
FL. REG. 55910

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REGULATION DIVISION

B RAMP/BULKHEAD SECTION
1" = 2'

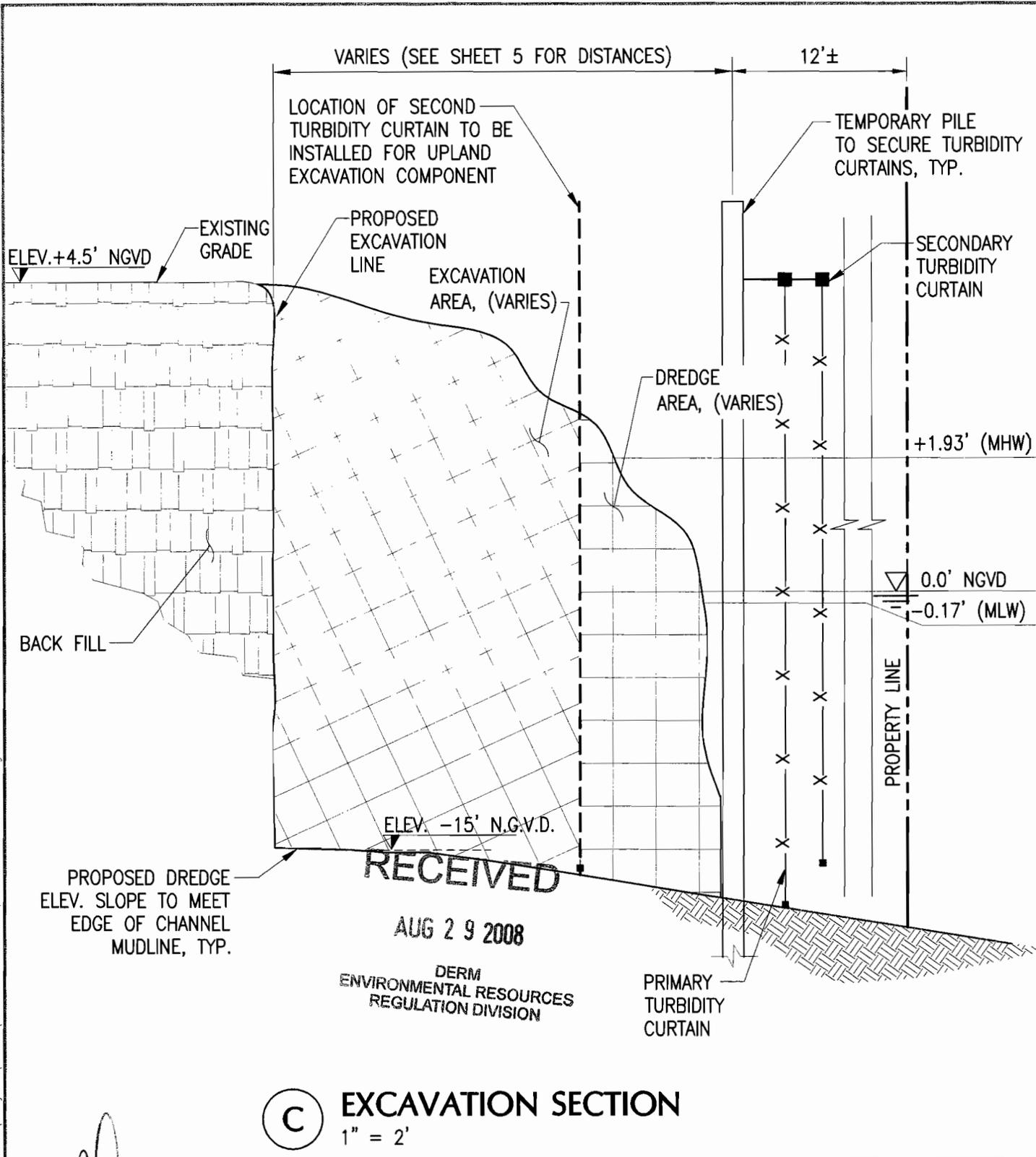
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T.K. BLANKENSHIP
FL. REG. 55910

08/27/08	REVISED BULKHEAD	APP. NO:	App. No.
07/23/08	UPDATED AREAS	PROJECT NO:	3600
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DATE:	DESCRIPTION:	CHECKED BY:	TB
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CLIENT:	
ISLAND CARGO SYSTEMS	
3293 3301, 3315, 3333 NW SO. RIVER DRIVE MIAMI, FLORIDA	
ISLAND CARGO SYSTEMS SHORELINE IMPROVEMENTS	
RAMP-BULKHEAD SECTION B	
SHEET 9 OF 13	

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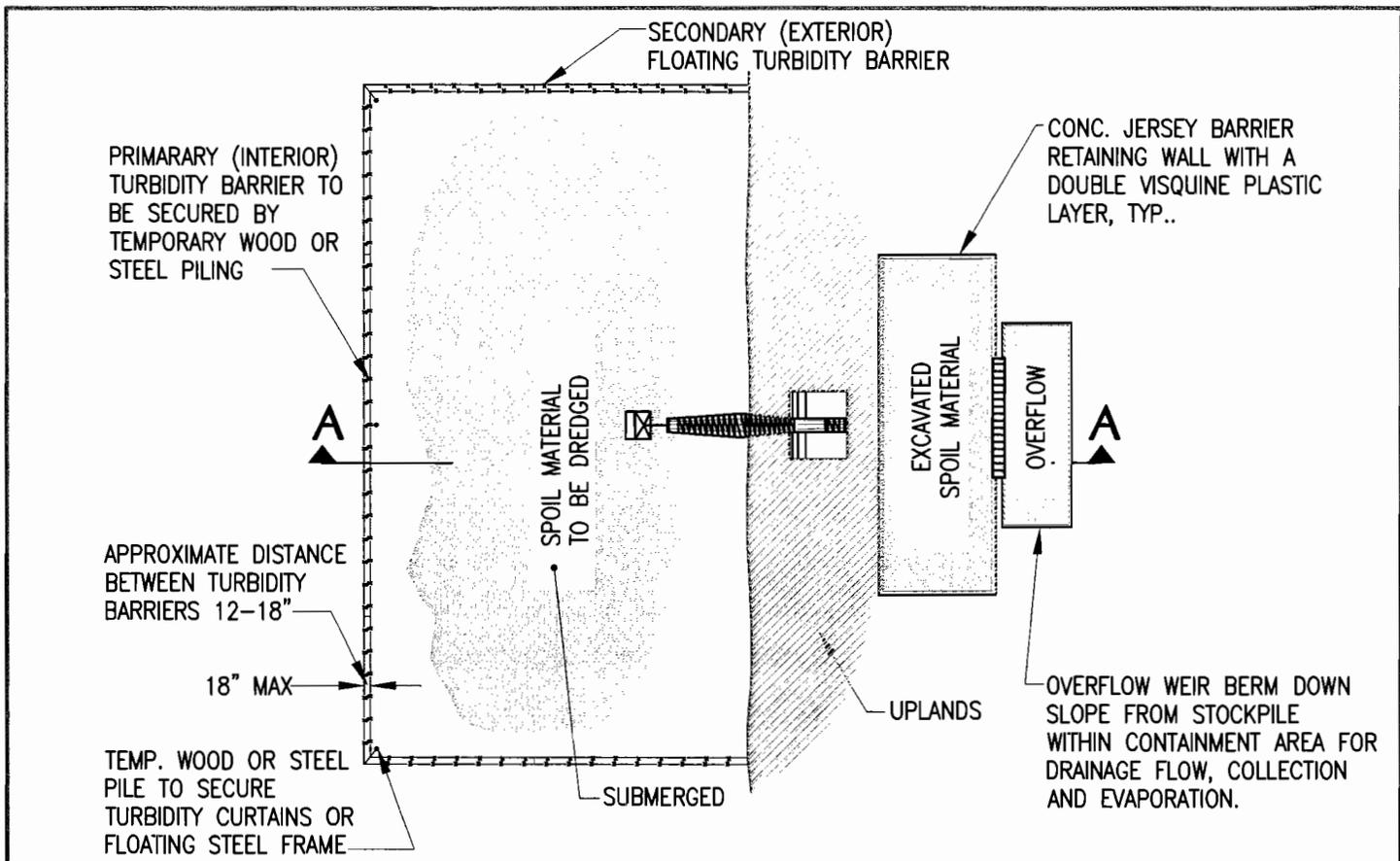
C EXCAVATION SECTION
1" = 2'

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T.K. BLANKENSHIP
FL. REG. 55910

08/27/08	REVISED BULKHEAD	APP. NO:	App. No.
07/23/08	UPDATED AREAS	PROJECT NO:	3600
04/23/08	UPDATED DREDGING INFO.	DATUM:	NGVD
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DATE:	DESCRIPTION:	CHECKED BY:	TB
SUBMITTED BY:			
COASTAL SYSTEMS INTERNATIONAL, INC. 464 South Dixie Highway, Coral Gables, Florida 33146 Tel: 305-661-3655 Fax: 305-661-1914 www.CoastalSystemsIntl.com STATE OF FLORIDA EB #7087 Coastal, Environmental, Civil Engineering and Management			

CLIENT:	
ISLAND CARGO SYSTEMS	
3293	3301, 3315, 3333 NW SO. RIVER DRIVE MIAMI, FLORIDA
ISLAND CARGO SYSTEMS SHORELINE IMPROVEMENTS	
EXCAVATION SECTION C	
SHEET 10 OF 13	

30



DREDGE TURBIDITY CONTROL PLAN VIEW & MATERIAL HANDLING AREA

NOT TO SCALE

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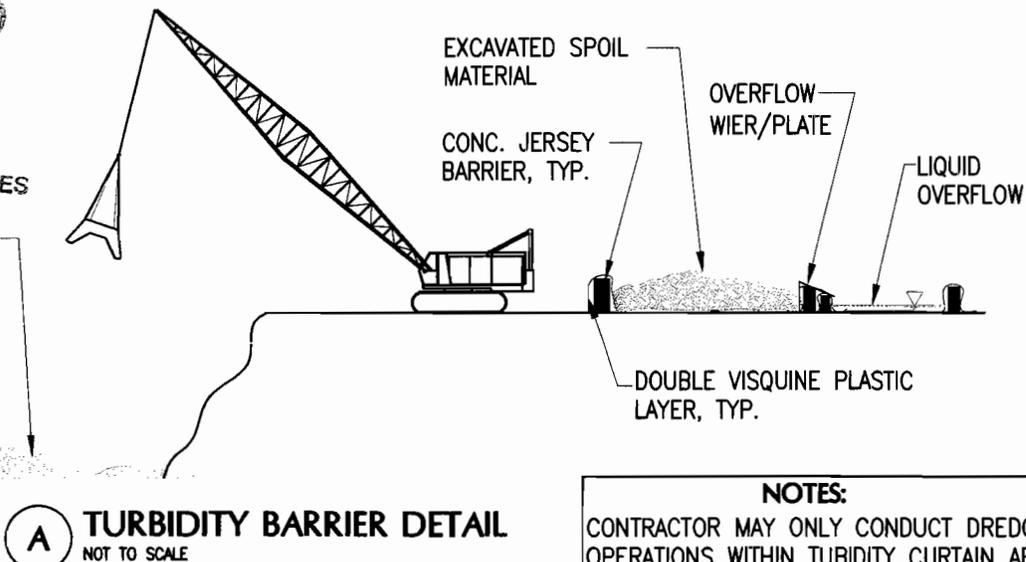
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ENVIRONMENTAL RESOURCES
REGULATION DIVISION

SPOIL MATERIAL TO
BE EXCAVATED

SECONDARY
TURBIDITY
CURTAIN

PRIMARY
TURBIDITY
CURTAIN



A TURBIDITY BARRIER DETAIL
NOT TO SCALE

NOTES:
CONTRACTOR MAY ONLY CONDUCT DREDGING
OPERATIONS WITHIN TURBIDITY CURTAIN AREA

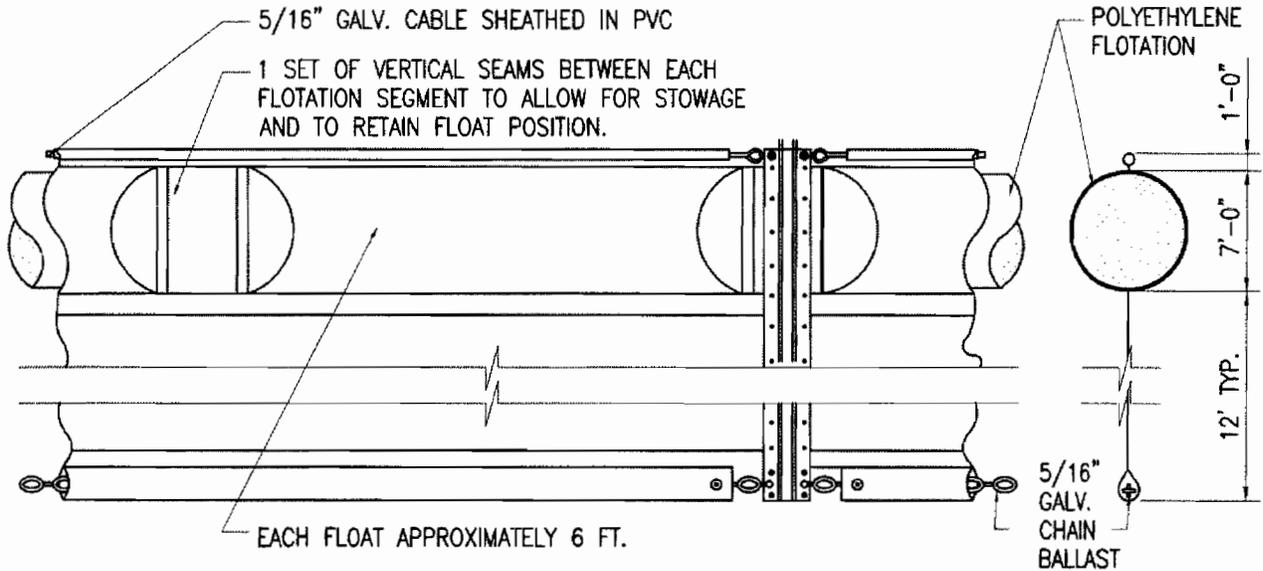
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T.K. BLANKENSHIP
FL. REG. 55910

APP. NO:	App. No.
PROJECT NO:	3600
DATUM:	NGVD
DRAWN BY:	BH
CHECKED BY:	TB
DATE:	DESCRIPTION:
08/27/08	REVISED BULKHEAD
07/23/08	UPDATED AREAS
04/23/08	UPDATED DREDGING INFO.
01/29/08	PERMIT APPLICATION
SUBMITTED BY:	
 COASTAL SYSTEMS INTERNATIONAL, INC. 464 South Dixie Highway, Coral Gables, Florida 33146 Tel: 305-661-3655 Fax: 305-661-1914 www.CoastalSystemsintl.com STATE OF FLORIDA EB #7087 Coastal, Environmental, Civil Engineering and Management	

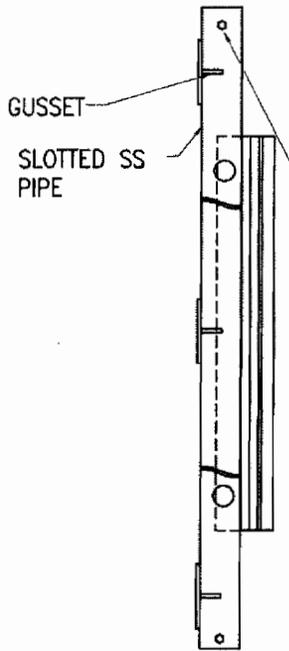
CLIENT:
ISLAND CARGO SYSTEMS
3293 3301, 3315, 3333 NW SO. RIVER DRIVE MIAMI, FLORIDA
ISLAND CARGO SYSTEMS SHORELINE IMPROVEMENTS
TURBIDITY CONTROL DETAILS
SHEET 11 OF 13

31



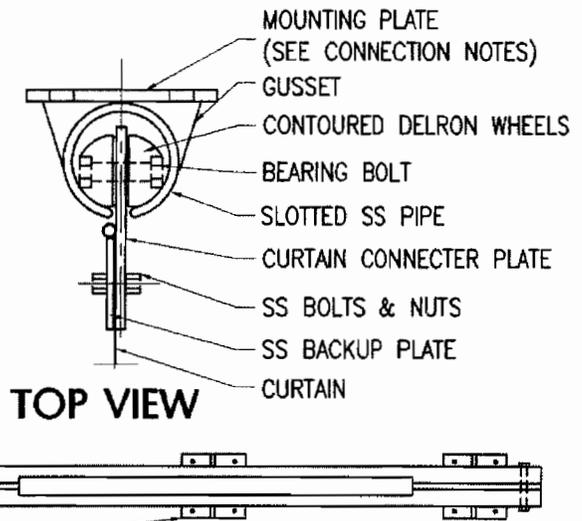
BOOM ELEVATION

BOOM SECTION



SIDE VIEW

NOTE:
DRAWING NOT TO SCALE



TOP VIEW

FRONT VIEW

CONNECTION NOTES

1. WELD PLATE TO EXIST. OR NEW SHEET PILING.
2. ATTACH WITH EPOXY ANCHOR BOLTS TO EXISTING CONCRETE BULKHEAD AS APPLICABLE.

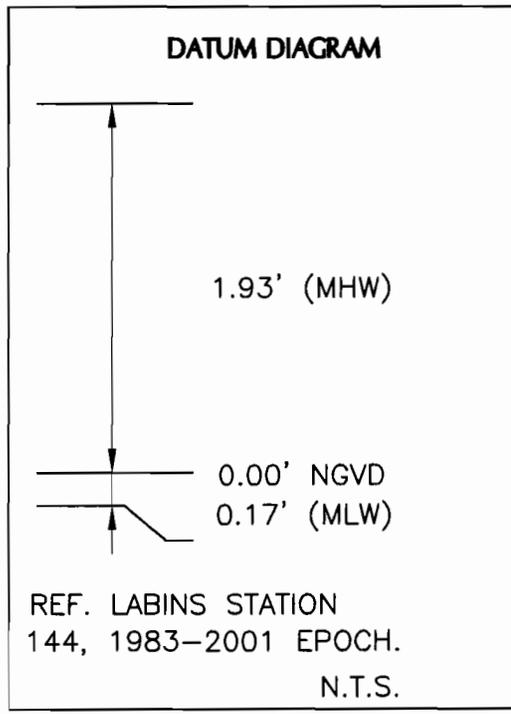
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		APP. NO:	App. No.	CLIENT:	
		PROJECT NO:	3600	ISLAND CARGO SYSTEMS	
07/23/08	UPDATED AREAS	DATUM:	NGVD	32931 3301, 3315, 3333 NW SO. RIVER DRIVE	
04/23/08	UPDATED DREDGING INFO.	DRAWN BY:	BH	MIAMI, FLORIDA	
01/29/08	PERMIT APPLICATION	CHECKED BY:	TB	ISLAND CARGO SYSTEMS	
DATE:	DESCRIPTION:	SUBMITTED BY:		SHORELINE IMPROVEMENTS	
		 COASTAL SYSTEMS INTERNATIONAL, INC. 464 South Dose Highway, Coral Gables, Florida 33146 Tel: 305-661-3655 Fax: 305-661-1914 www.CoastalSystemsintl.com STATE OF FLORIDA EB #7087 Coastal, Environmental, Civil Engineering and Management		TURBIDITY CURTAIN CONNECTION DETAILS	
T.K. BLANKENSHIP FL. REG. 55910				SHEET 12 OF 13	

GENERAL NOTES

1. ALL ELEVATIONS ARE REFERENCED TO THE NATIONAL GEODETIC VERTICAL DATUM (NGVD) OF 1929. REFER TIDAL DATUM RELATIONSHIP THIS SHEET.
2. HYDROGRAPHIC DATA COLLECTED BY COASTAL SYSTEMS INT. ON JUN 22ND, 2007.
3. UPLAND SURVEY LAND INFORMATION OBTAINED FROM SURVEY COMPLETED BY PEDRO MARTINEZ P.L.S, DATED MAY 31, 2007.
4. CONSTRUCTION MAY REQUIRE FLOATING EQUIPMENT.
5. THESE DRAWINGS ARE "PERMIT SKETCHES" INTENDED TO PROVIDE SUFFICIENT DATA FOR REVIEW AND EVALUATION BY REGULATORY AGENCIES. THESE DRAWINGS ARE NOT INTENDED FOR CONSTRUCTION.
6. FEDERAL CHANNEL INFORMATION PROVIDE BY MIAMI RIVER MAINTENANCE DREDGING PLANS, PREPARED BY THE US ACOE.

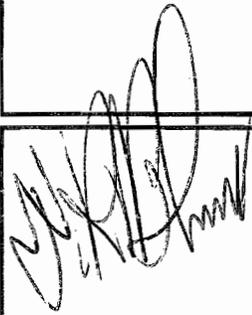
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 REGULATION DIVISION



ABBREVIATIONS

- C.Y. _____ CUBIC YARDS
 TYP. _____ TYPICAL
 LF _____ LINEAR FEET
 NAD _____ NORTH AMERICAN DATUM
 WATER LEVEL

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T.K. BLANKENSHIP
 FL. REG. 5591G

08/27/08	REVISED BULKHEAD	APP. NO:	App. No.
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04/23/08	UPDATED DREDGING INFO.	DATUM:	NGVD
01/29/08	PERMIT APPLICATION	DRAWN BY:	BH
DATE:	DESCRIPTION:	CHECKED BY:	TB

SUBMITTED BY:

 **COASTAL SYSTEMS INTERNATIONAL, INC.**
 464 South Dixie Highway, Coral Gables, Florida 33146
 Tel: 305-661-3655 Fax: 305-661-1914 www.CoastalSystemsInt.com
 STATE OF FLORIDA EB #7087
 Coastal, Environmental, Civil Engineering and Management

CLIENT:	
ISLAND CARGO SYSTEMS	
3293 3301, 3315, 3333 NW SO. RIVER DRIVE MIAMI, FLORIDA	
ISLAND CARGO SYSTEMS SHORELINE IMPROVEMENTS	
GENERAL NOTES	
SHEET 13 OF 13	

33

Attachment E

Adjacent Riparian Land Owner Labels

CONSOLIDADA INTERAMERICANA SA
2945 NW 21 TER MIAMI FL
33142-7019

ALAN W & HELEN L & DAVID T BYRD
4795 SW 78 ST MIAMI FL
33143-6136

TROPIC REAL PROPERTY INC
7337 NW 37 AVE SUITE 2B MIAMI FL
33147-5813

Attachment F
Zoning Memo

Memorandum



Date: September 19, 2008

To: Lisa Spadafina, Manager 
Coastal Resources Section
Environmental Resources Management

From: Elaine Pietryak, Biologist II 
Coastal Resources Section
Environmental Resources Management

Subject: Class I Permit Application by South River Drive, LLC to Construct 334 Linear Feet of Bulkhead Along the Existing Natural Shoreline, a Concrete Ramp, Excavate Approximately 4,460 Cubic Yards of Uplands and Dredge Approximately 1,077 Cubic Yards of Submerged Lands to Facilitate the Mooring of a 250-foot Vessel at 3293 NW S. River Drive on the Miami River.

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

Attachment G:
U.S. Coast Guard Navigation Review

U.S. Department of
Homeland Security

United States
Coast Guard



Commander
Prevention Operations
United States Coast Guard
Sector Miami

100 MacArthur Causeway
Miami Beach, FL 33139
Phone: (305) 535-4317
Fax: (305) 535-4378

16600/08-1250
August 20, 2008

Department of the Army
Jacksonville District Corps of Engineers
Miami Regulatory Office
Attn: Ms. Audrey Siu
9900 SW 107th Ave, Suite 203
Miami, FL 33176

Dear Ms. Siu:

The Coast Guard has received and reviewed the plans in permit application SAJ-2008-505 regarding proposed improvements at the Island Cargo Systems facility located on the Miami River at 3293 and 3301-3333 NW South River Drive, Miami, FL 33142. Based upon a review of the plans and the enclosed navigation exhibit submitted by Coastal Systems International, Inc., I do not find that this project poses a hazard to navigation or impedes vessel traffic.

This determination does not relieve the applicant from complying with the Regulated Navigation Area requirements detailed in Title 33 Code of Federal Regulations §165.726. Should you have any questions, please contact LT Paul Steiner at (305) 535-8724 or by e-mail at paul.a.steiner@uscg.mil.

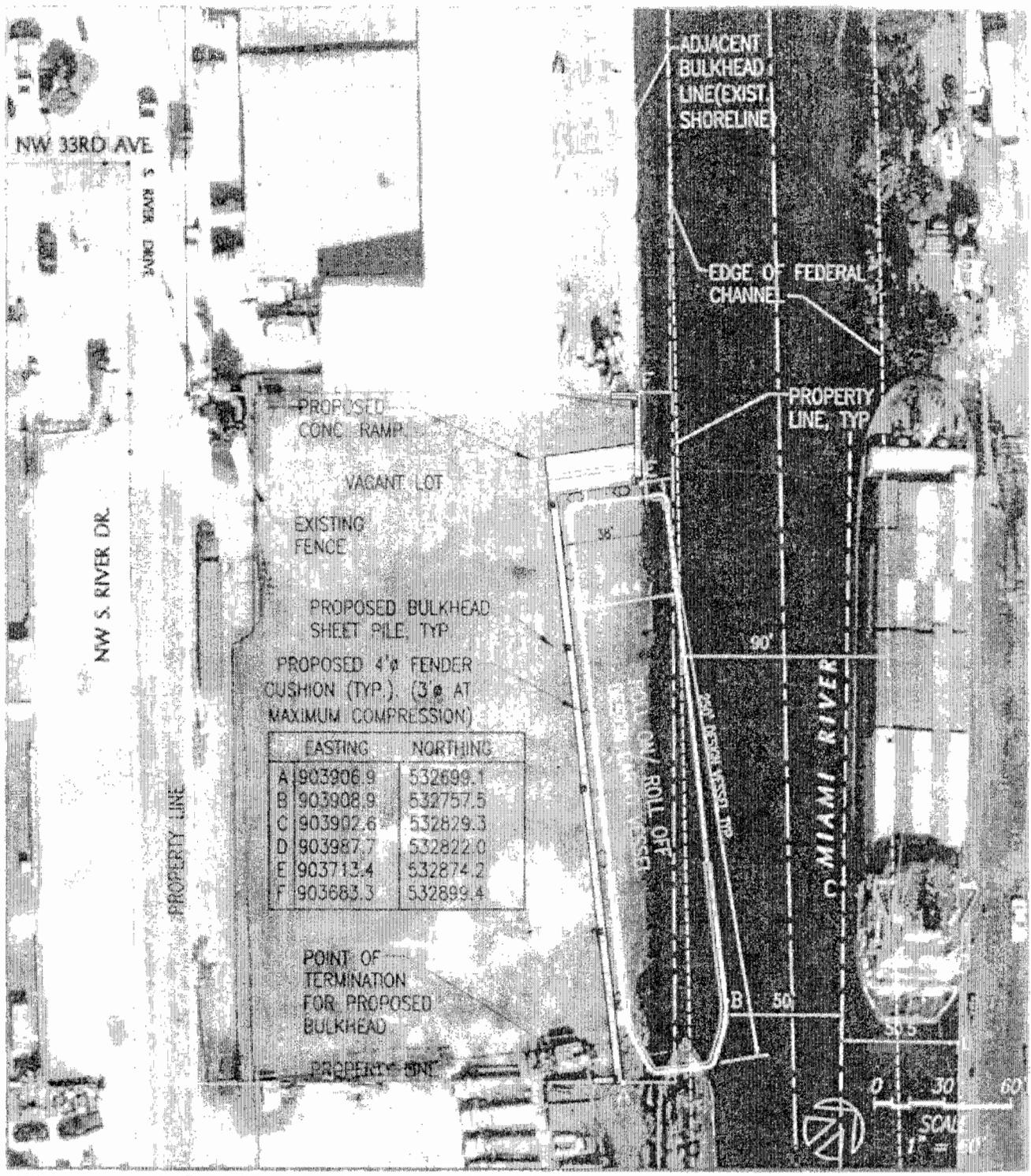
Sincerely,

A handwritten signature in black ink that reads "B.K. GOVE".

Commander, U. S. Coast Guard
Chief, Prevention Operations Department
U.S. Coast Guard Sector Miami

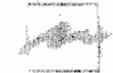
Enclosure

Copy: Commander, Seventh Coast Guard District (dpw)



	EASTING	NORTHING
A	903906.9	532699.1
B	903908.9	532757.5
C	903902.6	532829.3
D	903987.7	532822.0
E	903713.4	532874.2
F	903683.3	532899.4



08/06/08 NAVIGATION EXHIBIT	App No 1463 NGVD EV TB	ISLAND CARGO SYSTEMS 30901 2301 4315 3333 NW 27th RIVER DRIVE MIAMI FLORIDA
	COASTAL SYSTEMS INTERNATIONAL, INC. 4000 South Dixie Highway, Suite 1000, Coral Gables, Florida 33134 Phone: 305-441-1111 Fax: 305-441-1112 www.coastalsystems.com Coastal Systems International, Inc. Engineering and Architecture	ISLAND CARGO SYSTEMS SHORELINE IMPROVEMENTS NAVIGATION EXHIBIT

Attachment H:
DERM Approved Spoil Management Plan

Memorandum



Date: August 25, 2008

To: Lisa Spadafina, Manager
Coastal Resources Section

From: Wilbur Mayorga P.E., Chief
Pollution Control Division 

Subject: Dredging Methodology, Material and Turbidity Control Plan dated July 24, 2008 submitted by Coastal Systems International for the Island Cargo Systems Maintenance Dredging Project.

The Pollution Control Division (PCD) has reviewed the referenced Plan dated July 24, 2008 and received via email on July 24 2008 and offers no objection the proposal maintenance dredging provided, the following actions are performed as provided in the referenced document:

1. The dredged material will be stockpiled on site in an impervious (lined), bermed area and allowed to dry. The material will be transported to a permitted, lined landfill subsequent to drying. Be advised that receipts documenting the appropriate disposal of the material must be submitted to DERM.
2. Runoff from the saturated material will be contained within the bermed area or collected, via overflow, in an adjacent containment sump and allowed to evaporate. The runoff shall not be allowed to discharge to the ground or groundwater, into the any surface water body or into any structures designed for storm water management.

The Pollution Control Division recommends monitoring of the project site through the life of the project to ensure adherence to the stated procedures.

If you have any questions concerning the above please contact Lorna Bucknor at (305) 372-6703.

Island Cargo Systems

Dredging Methodology, Materials, and Turbidity Control Plan

Revised July 24, 2008

DREDGING METHODOLOGY

The proposed method for excavation and dredging incorporates the use of a conventional clamshell dredge for spoil removal to a design depth of -15 feet NGVD (-16 feet NGVD including 1 foot of overdredge) within the area to be dredged for the creation of the proposed vessel mooring area and to a design depth of - 15 feet NGVD (- 16 feet NGVD including 1 foot of overdredge) for the maintenance dredge area. Due to the small dredging volume and high cost associated with a hydraulic dredge, a clam-shell dredge will be utilized for this project. All components of the proposed action are within the Miami River and will comply with State codes regarding anti-degradation of water quality (see Excavated Materials Control and Turbidity Control sections below). Standard Manatee Construction Conditions (June 2001) will be adhered to.

EXCAVATED MATERIALS CONTROL

Unsaturated materials excavated from the uplands will be stockpiled on-site and subsequently hauled by truck to an approved landfill. Saturated materials excavated from the submerged lands will be dried on-site within a lined, bermed area and subsequently hauled by truck to an approved landfill. Due to the mechanical methods employed, there will be little water in the dredged materials, as compared to dredging performed by a hydraulic dredge.

TURBIDITY CONTROL

Best management practices for turbidity and erosion control will be implemented and maintained at all times during construction to prevent siltation and turbid discharges in excess of background levels outside of the approved mixing zone within the Miami River. Methods include staged construction, installation of turbidity curtains, and utilization of erosion control devices around active construction areas.

Turbidity Barriers and Erosion Control Devices/Staging

1. Turbidity controls will be implemented during construction as illustrated in the Permit Sketches so as to minimize the potential for the transfer of suspended sediments into the water column adjacent to the dredging operations. Turbidity curtains will be anchored with temporary piles and an appropriate number of anchors to stabilize the curtains. Given the high level of tidal activity and currents, these anchors must be deployed to provide adequate stabilization of the turbidity curtains to minimize the turbidity plume escaping the work area. The turbidity barriers will remain in place until dredging and excavation is complete and disturbed areas are stabilized.

2. Dredge spoil will be placed in an adequately bermed, fully lined, upland de-watering area (see item 3 below). Unsaturated spoil from upland excavation area will be stored separately from the saturated dredge spoil within a designated upland storage area.
3. Berms covered with impervious material will surround the perimeter of the fully lined upland dewatering area to eliminate the potential for run-off. A stockpile area will be constructed with an impervious layer covering the entire dredge containment area and berm. A secondary overflow weir berm will be installed downslope from the stockpile within the containment area so that the drainage will flow into a collection sump. The water will then be allowed to evaporate from the collection sump.
4. Turbidity/erosion controls will be installed and maintained in an effective condition until construction is complete and disturbed areas are stabilized. A stormwater pollution prevention plan (SWPPP) will be prepared in accordance with the National Pollutant Discharge Elimination System relative to upland fill and other construction activities.

Erosion Control Maintenance

1. Upland erosion control devices will be inspected at least every 7 days or within 24 hours of a rain event of 0.5 inch or greater and maintained in accordance with the SWPPP during construction.
2. In-water turbidity barriers will be inspected daily, prior to commencement of construction activities and maintained as necessary during construction.

Turbidity Monitoring

During upland excavation and dredging activities, which have the potential for discharge of suspended sediments to the Miami River (receiving waterbody), turbidity monitoring will be conducted twice daily, at least every 4 hours during active construction as follows:

Background Sample(s): The background sample(s) will be collected at least 50 meters upcurrent from the project construction areas, outside of any visible turbidity plume. Samples will be collected from the surface and mid-depth.

Compliance Sample(s): The compliance sample(s) will be collected no more than 50 meters downcurrent and within any visible turbidity plume. Samples will be collected from the surface and mid-depth.

Analysis: All samples will be analyzed onsite using a nephelometer within 60 minutes of collection, the results of which will be reviewed by a qualified on-site supervisor.

Action if Standards are Exceeded: If any turbidity compliance samples exceed 29 NTU's above natural background, construction activities that may be contributing suspended solids to the receiving water body will cease immediately and will not resume until corrective measures have been taken and turbidity returns to acceptable levels (compliance with Chapter 62-302, Florida Administrative Code). The Miami-Dade County Department of Environmental Resources Management (DERM) and the Florida Department of Environmental Protection (DEP) will be notified and consulted prior to re-commencement of work; work will not continue until the DERM and DEP confirms acceptance of the measures taken to address the exceedences.

Reporting: Weekly summaries of the turbidity monitoring data will be submitted to the DERM and DEP within one week of analysis with documents containing the following information: 1) permit number; 2) dates and times of sampling and analysis; 3) a statement describing the methods used in collection, handling, storage and analysis; 4) a map indicating the sampling locations; and 5) a statement by the individual responsible for implementation of the sampling program concerning the authenticity, precision, limits of detection and accuracy of the data.

Attachment I:

Florida Department of Environmental Protection ERP



Florida Department of Environmental Protection

Southeast District Office
400 North Congress Avenue, Suite 200
West Palm Beach, Florida 33401-2913

Charlie Crist
Governor

Jeff Kottkamp
Lt. Governor

Michael W. Sole
Secretary

ENVIRONMENTAL RESOURCE PERMIT

PERMITTEE:

South River Drive, LLC
c/o R. Harvey Sasso- Managing Member
1104 Ponce de Leon Blvd.
Coral Gables, FL 33134

Permit No.: 13-0286251-001
Date of Issue: **SEP 03 2008**
Expiration Date of
Construction Phase: **SEP 2 2013**
County: Miami-Dade
Project: South River Drive, LLC
Upland cut and dredge

This project requires an Environmental Resource Permit. Under the operating agreements between the Department and the water management districts, the Department has the authority to issue this permit. References: Part IV of Chapter 373, Florida Statutes; Title 62, Florida Administrative Code; Operating Agreements with the water management districts in Chapter 62-113, Florida Administrative Code.

ACTIVITY DESCRIPTION:

The purpose of the project is to perform the following activities: a) create a one (1) slip upland cut boat basin by removing approximately 4,460 cubic yards of material from the uplands, within a 5,840-sq. ft. area to a depth of -15' mean low water (MLW), b) dredge approximately 1,077 cubic yards of material within a 4,667-sq. ft. area adjacent to the upland cut to a depth of -15' mean low water (MLW), c) install a seawall along the approximately 334-linear ft. shoreline created from the upland cut, d) install approximately seven fender cushions along the proposed seawall, and e) construct a new concrete ramp on the uplands adjacent to the proposed slip, to facilitate the loading and unloading of a moored vessel.

The submerged bottom at the project site consists of silt and debris. There are no submerged or emergent resources within the project area; therefore this permit does not authorize any impacts to submerged or emergent resources. The standard manatee conditions will be adhered to during all in water work and specific personnel shall be designated as manatee observers during all construction activities. All work shall occur during daylight hours only.

Prior to dredging, two rows of weighted turbidity curtains shall be installed around the dredging and area to ensure that any turbidity resulting from this project will be contained within the project boundaries. Dredging shall be conducted from a shallow draft barge. The material shall be mechanically dredged by a clamshell dredge and deposited temporarily into a fully contained upland spoil site adjacent to the dredging activity. The material will be taken to an offsite spoil disposal facility for final disposal. No return water shall be discharged into the Miami River.

ACTIVITY LOCATION:

The project is located on the Miami River, Class III Waters, adjacent to 3293 NW South River Drive, Miami (Section 28, Township 53 South, Range 41 East), in Miami-Dade County (N 25° 47' 50.61" / W 80° 14' 50.93").

This permit also constitutes a finding of consistency with Florida's Coastal Management Program, as required by Section 307 of the Coastal Zone Management Act.

Permittee: South River Drive, LLC
File No.: 13-0286251-001
Page 2

This permit also constitutes certification of compliance with water quality standards under Section 401 of the Clean Water Act, 33 U.S.C. 1341.

Your project will not occur on sovereignty submerged land. Therefore, pursuant to Chapter 253.77, F.S., authorization from the Board of Trustees is not required.

Federal authorization for the proposed project is reviewed by DEP pursuant to an agreement between the Department and the U.S. Army Corps of Engineers (Corps). The agreement is outlined in a document titled *Coordination Agreement Between the U.S. Army Corps of Engineers and the Florida Department of Environmental Protection State Programmatic General Permit, Section 10 of the Rivers and Harbor Act of 1899 and Section 404 of the Clean Water Act.*

Your project has been reviewed for compliance with a State Programmatic General Permit (SPGP). As shown on the attached drawings, the proposed project is **not** consistent with the SPGP program. A copy of your application has been sent to the Corps who may require a separate permit. Failure to obtain their authorization prior to construction could subject you to enforcement action. For further information, contact the Corps directly.

You are hereby advised that authorizations also may be required by other federal, state, and local entities. This authorization does not relieve you from the requirements to obtain all other required permits and authorizations.

The above named permittee is hereby authorized to construct the work shown on the application and drawing(s), plans, and other documents attached hereto and made a part hereof. **This permit is subject to the limits, conditions, and locations of work shown in the attached drawings, and is also subject to the attached 19 General Conditions and 16 Specific Conditions, which are a binding part of this permit.** You are advised to read and understand these drawings and conditions prior to commencing the authorized activities, and to ensure the work is conducted in conformance with all the terms, conditions, and drawings. If you are utilizing a contractor, the contractor also should read and understand these drawings and conditions prior to commencing the authorized activities. Failure to comply with all drawings and conditions shall constitute grounds for revocation of the permit and appropriate enforcement action.

Operation of the facility is not authorized except when determined to be in conformance with all applicable rules and with the general and specific conditions of this **permit/certification** as specifically described below.

GENERAL CONDITIONS:

(1) All activities authorized by this permit shall be implemented as set forth in the plans, specifications and performance criteria as approved by this permit. Any deviation from the permitted activity and the conditions for undertaking that activity shall constitute a violation of this permit and Part IV, Chapter 373, F.S.

(2) This permit or a copy thereof, complete with all conditions, attachments, exhibits, and modifications shall be kept at the work site of the permitted activity. The complete permit shall be available for review at the work site upon request by the Department staff. The permittee shall require the contractor to review the complete permit prior to commencement of the activity authorized by this permit.

(3) Activities approved by this permit shall be conducted in a manner which does not cause violations of state water quality standards. The permittee shall implement best management practices for erosion and pollution control to prevent violation of state water quality standards. Temporary erosion control shall be implemented prior to and during construction, and permanent control measures shall be completed within 7 days of any construction activity. Turbidity barriers shall be installed and maintained at all locations where the possibility of transferring suspended solids into the receiving waterbody exists due to the permitted work. Turbidity barriers shall remain in place at all locations until construction is completed and soils are stabilized and vegetation has been established. All practices shall be in accordance with the guidelines and specifications described in Chapter 6 of the Florida Land Development Manual; A Guide to Sound Land and Water Management (Department of Environmental Regulation, 1988), unless a project-specific erosion and sediment control plan is approved as part of the permit. Thereafter the

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permittee shall be responsible for the removal of the barriers. The permittee shall correct any erosion or shoaling that causes adverse impacts to the water resources.

(4) The permittee shall notify the Department of the anticipated construction start date within 30 days of the date that this permit is issued. At least **48 hours prior to commencement** of activity authorized by this permit, the permittee shall submit to the Department an "Environmental Resource Permit Construction Commencement" notice (Form No. 62-343.900(3), F.A.C.) indicating the actual start date and the expected completion date.

(5) When the duration of construction will exceed one year, the permittee shall submit construction status reports to the Department on an annual basis utilizing an "Annual Status Report Form" (Form No. 62-343.900(4), F.A.C.). Status Report Forms shall be submitted the following June of each year.

(6) **Within 30 days after completion of construction** of the permitted activity, the permittee shall submit a written statement of completion and certification by a registered professional engineer or other appropriate individual as authorized by law, utilizing the supplied "Environmental Resource Permit As-Built Certification by a Registered Professional" (Form No. 62-343.900(5), F.A.C.). The statement of completion and certification shall be based on on-site observation of construction or review of as-built drawings for the purpose of determining if the work was completed in compliance with permitted plans and specifications. This submittal shall serve to notify the Department that the system is ready for inspection. Additionally, if deviation from the attached drawings are discovered during the certification process, the certification must be accompanied by a copy of the attached permit drawings with deviations noted. Both the original and revised specifications must be clearly shown. The plans must be clearly labeled as "as-built" or "record" drawing. All surveyed dimensions and elevations shall be certified by a registered surveyor.

(7) The operation phase of this permit shall not become effective: until the permittee has complied with the requirements of condition (6) above, has **submitted a "Request for Transfer of Environmental Resource Permit Construction Phase to Operation Phase"** (Form No. 62-343.900(7), F.A.C.); the Department determines the system to be in compliance with the permitted plans and specifications; and the entity approved by the Department in accordance with Sections 9.0 and 10.0 of the Basis of Review for Environmental Resource Permit Applications Within the South Florida Water Management District - August 1995, accepts responsibility for operation and maintenance of the system. The permit shall not be transferred to such approved operation and maintenance entity until the operation phase of the permit becomes effective. Following inspection and approval of the permitted system by the Department, the permittee shall initiate transfer of the permit to the approved responsible operating entity if different from the permittee. Until the permit is transferred pursuant to Section 62-343.110(1)(d), F.A.C., the permittee shall be liable for compliance with the terms of the permit.

(8) Each phase or independent portion of the permitted system must be completed in accordance with the permitted plans and permit conditions prior to the initiation of the permitted use of site infrastructure located within the area served by that portion or phase of the system. Each phase or independent portion of the system must be completed in accordance with the permitted plans and permit conditions prior to transfer of responsibility for operation and maintenance of the phase or portion of the system to a local government or other responsible entity.

(9) For those systems that will be operated or maintained by an entity that will require an easement or deed restriction in order to enable that entity to operate or maintain the system in conformance with this permit, such easement or deed restriction must be recorded in the public records and submitted to the Department along with any other final operation and maintenance documents required by sections 9.0 and 10.0 of the Basis of Review for Environmental Resource Permit Applications Within the South Florida Water Management District - August 1995, prior to lot or unit sales or prior to the completion of the system, whichever occurs first. Other documents concerning the establishment and authority of the operating entity must be filed with the Secretary of State where appropriate. For those systems which are proposed to be maintained by the county or municipal entities, final operation and maintenance documents must be received by the Department when maintenance and operation of the system is accepted by the local government entity. Failure to submit the appropriate final documents will result in the permittee remaining liable for carrying out maintenance and operation of the permitted system and any other permit conditions.

(10) Should any other regulatory agency require changes to the permitted system, the permittee shall notify the Department in writing of the changes prior to implementation so that a determination can be made whether a permit modification is required.

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(11) This permit does not eliminate the necessity to obtain any required federal, state, local and special district authorizations prior to the start of any activity approved by this permit. This permit does not convey to the permittee or create in the permittee any property right, or any interest in real property, nor does it authorize any entrance upon or activities on property which is not owned or controlled by the permittee, or convey any rights or privileges other than those specified in the permit and Chapter 40E-4 or Chapter 40E-40, F.A.C.

(12) The permittee is hereby advised that Section 253.77, F.S. states that a person may not commence any excavation, construction, or other activity involving the use of sovereign or other lands of the state, the title to which is vested in the Board of Trustees of the Internal Improvement Trust Fund without obtaining the required lease, license, easement, or other form of consent authorizing the proposed use. Therefore, the permittee is responsible for obtaining any necessary authorizations from the Board of Trustees prior to commencing activity on sovereignty lands or other state-owned lands.

(13) The permittee is advised that the rules of the South Florida Water Management District require the permittee to obtain a water use permit from the South Florida Water Management District prior to construction dewatering, unless the work qualifies for a general permit pursuant to subsection 40E-20.302(4), F.A.C., also known as the "No Notice" rule.

(14) The permittee shall hold and save the Department harmless from any and all damages, claims, or liabilities which may arise by reason of the construction, alteration, operation, maintenance, removal, abandonment or use of any system authorized by the permit.

(15) Any delineation of the extent of a wetland or other surface water submitted as part of the permit application, including plans or other supporting documentation, shall not be considered binding unless a specific condition of this permit or a formal determination under section 373.421(2), F.S., provides otherwise.

(16) The permittee shall notify the Department in writing within 30 days of any sale, conveyance, or other transfer of ownership or control of a permitted system or the real property on which the permitted system is located. All transfers of ownership or transfers of a permit are subject to the requirements of section 62-343.130, F.A.C. The permittee transferring the permit shall remain liable for corrective actions that may be required as a result of any violations prior to the sale, conveyance or other transfer of the system.

(17) Upon reasonable notice to the permittee, Department authorized staff with proper identification shall have permission to enter, inspect, sample and test the system to insure conformity with the plans and specifications approved by the permit.

(18) If historical or archaeological artifacts are discovered at any time on the project site, the permittee shall immediately notify the appropriate Department office.

(19) The permittee shall immediately notify the Department in writing of any previously submitted information that is later discovered to be inaccurate.

SPECIFIC CONDITIONS:

(1) The project drawings, sheets 1 through 13; the permit checklist; the 3-page Manatee Exhibit; and DEP forms 62.343.900(3), (4), (5), and (7) are attached to and become part of this permit.

(2) If the attached permit drawings conflict with the specific conditions, then the specific conditions shall prevail.

(3) No impacts to mangroves, oysters, seagrasses, or other submerged/emergent natural resources are authorized by this permit.

(4) After selection of the contractor to perform the authorized activities and prior to the initiation of any work authorized by this permit, the permittee (or authorized agent) and the contractor shall attend a pre-construction conference with a representative of the Department. The permittee shall contact the Department in writing to schedule the conference. Department of Environmental Protection, Southeast District, Submerged Lands & Environmental Resources Program, Compliance/Enforcement Section, Attention: Richard Stalker, 400 N. Congress Ave., Suite 200, West Palm Beach, Florida 33401 (phone: 561/681-6643).

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(5) The permittee shall be responsible for ensuring that the permit conditions are explained to all construction personnel working on the project, and for providing each contractor and subcontractor with a copy of this permit before construction begins.

(6) The work authorized by this permit shall not be conducted on any property, other than that owned by the permittee, without prior written approval of that property owner.

(7) All storing and stockpiling of tools and materials (i.e., lumber, pilings, debris), shall be limited to uplands and barges within the impact areas authorized by this permit.

(8) All areas to be dredged shall be in accordance with the attached permit drawings and shall not exceed the areas and depths indicated on those drawings.

(9) All watercraft associated with the construction of the permitted structure shall only operate within waters of sufficient depth (one-foot clearance from the deepest draft of the vessel to the submerged bottom) so as to preclude bottom scouring or prop dredging.

(10) Prior to the initiation of any work authorized by this permit, weighted turbidity curtains that extend to within 1 foot of the bottom shall be placed around the project site. The curtains shall be maintained and shall remain in place for the duration of the project construction to ensure that turbidity levels outside the construction area do not exceed 29 NTUs above background levels. The permittee shall be responsible for ensuring that turbidity control devices are inspected daily and maintained in good working order so that there are no violations of state water quality standards outside of the turbidity screens.

The following measures shall be taken immediately by the permittee whenever turbidity levels within waters of the State surrounding the project site exceed 29 NTUs above background:

- a. Notify the DEP-Southeast District Office ERP Compliance/Enforcement Section at 561/681-6600 at the time the violation is first detected.
- b. Immediately cease all work contributing to the water quality violation. Operations may not resume until the department gives authorization to do so.
- c. Stabilize all exposed soils contributing to the violation. Modify the work procedures that were responsible for the violation, install more turbidity containment devices, and repair any non-functional turbidity containment devices.

(11) Turbidity Monitoring. Water turbidity levels shall be monitored and recorded at least every 4 hours during dredging or filling or upon the occurrence of other circumstances that might create water quality violations on site. Samples shall be taken 1 ft below the surface at monitoring stations, which shall be located as follows:

a. At least 100 ft up-current of the work sites and clearly outside the influence of construction activities. (This shall serve as the natural background sample against which other turbidity readings shall be compared.)

b. Within 1-ft directly outside of the turbidity curtain and within the densest portion of any visible turbidity plume. (This sample shall serve as the compliance sample.)

If at any time during construction, the turbidity level directly outside of the turbidity screens exceeds natural background levels, the permittee or permittee's contractor shall take the following actions: (1) immediately cease the operations that cause the water quality violations; (2) notify the Department's Division of Environmental Resource Permitting within 24 hours after the time the violation was first detected; and (3) modify the work procedures that were responsible for the violation.

(12) Turbidity Monitoring Reports. On a daily basis during construction, the permittee or permittee's contractor shall permanently attach to this permit a report containing the turbidity data gathered. The report shall contain the following information:

- a. permit number
- b. dates of sampling and analysis
- c. turbidity sampling results
- d. description of data collection methods
- e. a map indicating the sampling locations
- f. time of day profile was taken
- g. depth of water body
- h. weather conditions at times of sampling
- i. tidal stage and direction of flow
- j. wind direction and velocity
- k. water temperature

Further, each monitoring report shall include a statement by the individual responsible for implementation of the sampling program attesting to the authenticity, precision, limits of detection and accuracy of the data.

(13) Best management practices for erosion control on the uplands shall be implemented and maintained at all times during construction to prevent siltation and turbid discharges in excess of the ambient turbidity levels waterbody surrounding the project site. Methods shall include, but are not limited to the use of staked hay bales, staked filter cloth, sodding, seeding, and mulching; staged construction; and the installation of turbidity screens around the immediate project site. The permittee shall be responsible for ensuring that erosion control devices/procedures are inspected and maintained daily during all phases of construction authorized by this permit until all areas that were disturbed during construction are sufficiently stabilized to prevent erosion, siltation, and turbid discharges.

(14) The dredged material shall be transported temporarily stored at a self-contained upland disposal site that shall be located on the property of the permittee. The spoil shall be taken to an offsite spoil disposal facility for final disposal. No discharge of water or dredged material to waters of the state shall be allowed during transport.

(15) Specific personnel shall be designated as manatee observers. The designated observer(s) shall be dedicated only for this task, must be on site during all in-water activities, and will advise personnel to cease operation upon sighting a manatee within 50 feet of any in-water construction activity. The observer(s) shall wear polarized sunglasses to aid in observation. Movement of a work barge or other associated vessels shall not be performed at night, when the possibility of spotting manatees is negligible. Observers shall maintain a log detailing manatee sightings, work stoppages, and other protected species-related incidents. A report, summarizing all activities noted in the observer logs, the location and name of project, and the dates and times of work shall be submitted within 30 days following project completion, to the Florida Fish and Wildlife Conservation Commission's Imperiled Species Management Section at: 620 South Meridian Street, 6A, Tallahassee, Florida 32399-1600, or e-mailed at fcmpmail@myfwc.com.

(16) The permittee shall comply with the standard manatee protection construction conditions listed in the attachment, "Standard Manatee Conditions for In-water Work, 2005."

RIGHTS OF AFFECTED PARTIES

This permit is hereby granted. This action is final and effective on the date filed with the Clerk of the Department unless a sufficient petition for an administrative hearing is timely filed under sections 120.569 and 120.57 of the Florida Statutes as provided below. If a sufficient petition for an administrative hearing is timely filed, this action automatically becomes only proposed agency action on the application, subject to the result of the

administrative review process. Therefore, on the filing of a timely and sufficient petition, this action will not be final and effective until further order of the Department. Because an administrative hearing may result in the reversal or substantial modification of this action, the applicant is advised not to commence construction or other activities until the deadlines noted below for filing a petition for an administrative hearing or request for an extension of time have expired.

Mediation is not available.

A person whose substantial interests are affected by the Department's action may petition for an administrative proceeding (hearing) under sections 120.569 and 120.57 of the Florida Statutes. The petition must contain the information set forth below and must be filed (received by the clerk) in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000.

Under rule 62-110.106(4) of the Florida Administrative Code, a person whose substantial interests are affected by the Department's action may also request an extension of time to file a petition for an administrative hearing. The Department may, for good cause shown, grant the request for an extension of time. Requests for extension of time must be filed with the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000, before the applicable deadline. A timely request for extension of time shall toll the running of the time period for filing a petition until the request is acted upon. If a request is filed late, the Department may still grant it upon a motion by the requesting party showing that the failure to file a request for an extension of time before the deadline was the result of excusable neglect.

If a timely and sufficient petition for an administrative hearing is filed, other persons whose substantial interests will be affected by the outcome of the administrative process have the right to petition to intervene in the proceeding. Intervention will be permitted only at the discretion of the presiding officer upon the filing of a motion in compliance with rule 28-106.205 of the Florida Administrative Code.

In accordance with rule 62-110.106(3), F.A.C., petitions for an administrative hearing by the applicant must be filed within 21 days of receipt of this written notice. Petitions filed by any persons other than the applicant, and other than those entitled to written notice under section 120.60(3) of the Florida Statutes must be filed within 21 days of publication of the notice or within 21 days of receipt of the written notice, whichever occurs first. Under section 120.60(3) of the Florida Statutes, however, any person who has asked the Department for notice of agency action may file a petition within 21 days of receipt of such notice, regardless of the date of publication.

The petitioner shall mail a copy of the petition to the applicant at the address indicated above at the time of filing. The failure of any person to file a petition for an administrative hearing within the appropriate time period shall constitute a waiver of that person's right to request an administrative determination (hearing) under sections 120.569 and 120.57 of the Florida Statutes.

A petition that disputes the material facts on which the Department's action is based must contain the following information:

- (a) The name and address of each agency affected and each agency's file or identification number, if known;
- (b) The name, address, and telephone number of the petitioner; the name, address, and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding; and an explanation of how the petitioner's substantial interests are or will be affected by the agency determination;
- (c) A statement of when and how the petitioner received notice of the agency decision;
- (d) A statement of all disputed issues of material fact. If there are none, the petition must so indicate;
- (e) A concise statement of the ultimate facts alleged, including the specific facts that the petitioner contends warrant reversal or modification of the agency's proposed action;

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- (f) A statement of the specific rules or statutes that the petitioner contends require reversal or modification of the agency's proposed action; and
- (g) A statement of the relief sought by the petitioner, stating precisely the action that the petitioner wishes the agency to take with respect to the agency's proposed action.

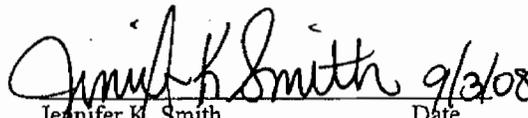
A petition that does not dispute the material facts on which the Department's action is based shall state that no such facts are in dispute and otherwise shall contain the same information as set forth above, as required by rule 28-106.301.

Under sections 120.569(2)(c) and (d) of the Florida Statutes, a petition for administrative hearing must be dismissed by the agency if the petition does not substantially comply with the above requirements or is untimely filed.

This permit constitutes an order of the Department. Subject to the provisions of paragraph 120.68(7)(a) of the Florida Statutes, which may require a remand for an administrative hearing, the applicant has the right to seek judicial review of the order under section 120.68 of the Florida Statutes, by the filing of a notice of appeal under rule 9.110 of the Florida Rules of Appellate Procedure with the Clerk of the Department in the Office of General Counsel, 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida, 32399-3000; and by filing a copy of the notice of appeal accompanied by the applicable filing fees with the appropriate district court of appeal. The notice of appeal must be filed within 30 days from the date when the order is filed with the Clerk of the Department.

Executed in West Palm Beach, Florida.

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION



Jennifer K. Smith Date
Environmental Administrator
Submerged Lands & Environmental Resources Program

JS/jk/dm

Copies furnished to:

FDEP Compliance and Enforcement, Richard Stalker
USACOE – Palm Beach Gardens, Samantha Rice, Samantha.L.Rice@usace.army.mil
Miami-Dade County DERM, Lisa Spadafina, spadaL2@miamidade.gov
FFWCC, Bureau of Protected Species Management, fcmpmail@myfwc.com
Coastal Systems International, Adrian Lyew-Ayee, adrianL@coastalsystemsint.com

CERTIFICATE OF SERVICE

The undersigned duly designated deputy clerk hereby certifies that this permit, including all copies, was mailed before the close of business on SEP 03 2008, to the above listed persons.

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Permittee: South River Drive, LLC
File No.: 13-0286251-001
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FILING AND ACKNOWLEDGMENT

FILED, on this date, under 120.52(7) of the
Florida Statutes, with the designated Department Clerk,
receipt of which is hereby acknowledged.

Rachel Osborne 9/3/08
Clerk Date

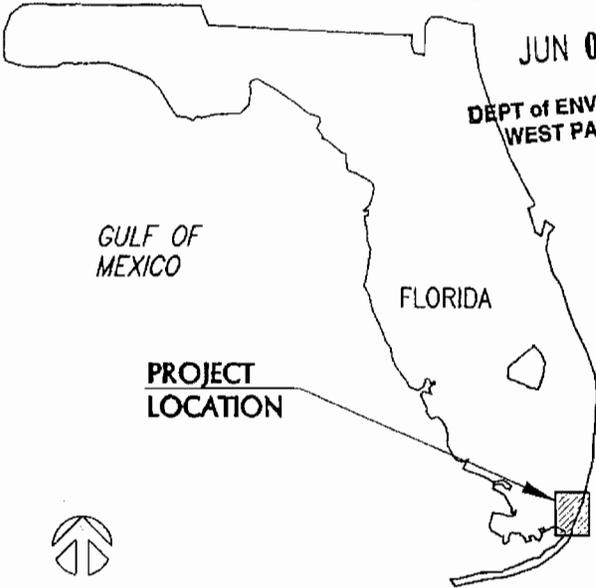
Prepared by Daniel Moretz.

21 pages attached.

RECEIVED

JUN 09 2008

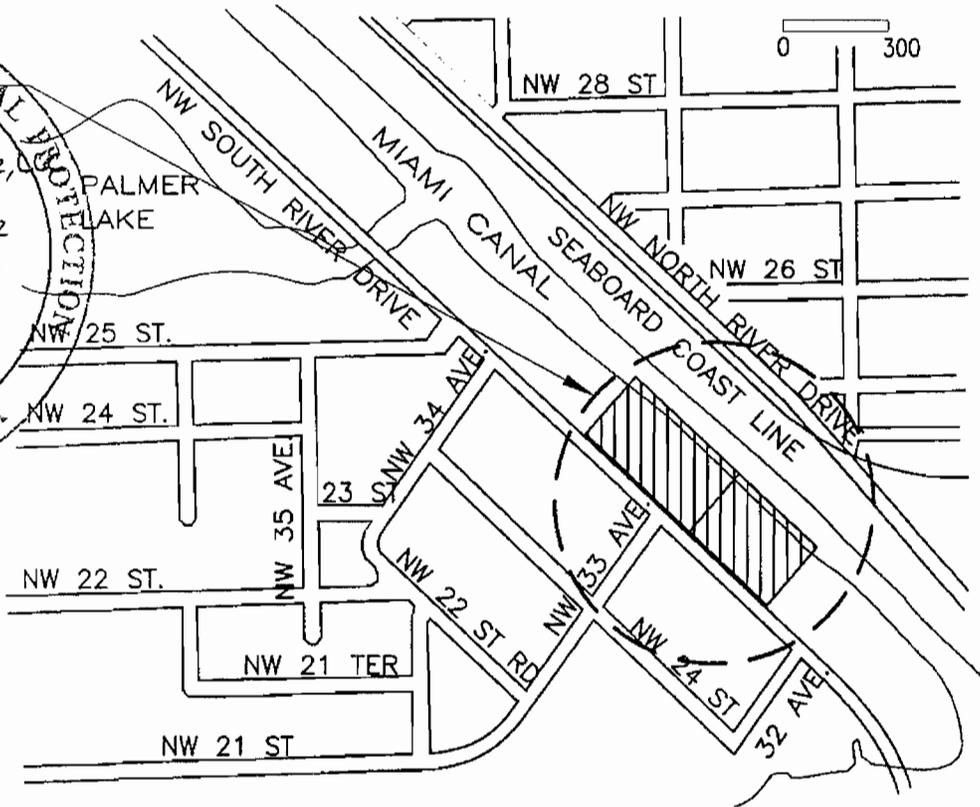
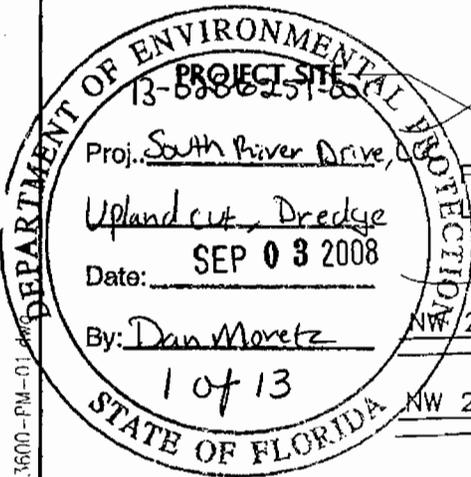
DEPT of ENV PROTECTION
WEST PALM BEACH



INDEX OF SHEETS

Sheet	Sheet Title
1	LOCATION MAP AND SHEET INDEX
2	EXISTING CONDITIONS
3	PROPOSED DEMOLITION PLAN
4	DREDGING AND EXCAVATION PLAN
5	TURBIDITY CONTROL PLAN
6	PROPOSED IMPROVEMENTS
7	PROPOSED BULKHEAD PLAN
8	BULKHEAD SECTION A
9	RAMP-BULKHEAD SECTION B
10	EXCAVATION SECTION C
11	TURBIDITY CONTROL DETAILS
12	TURBIDITY CURTAIN CONNECTION DETAILS
13	GENERAL NOTES

PROJECT ADDRESS: 3301-3333 NW S RIVER DR.
MIAMI, FL
3293 NW S RIVER DR.
MIAMI, FL



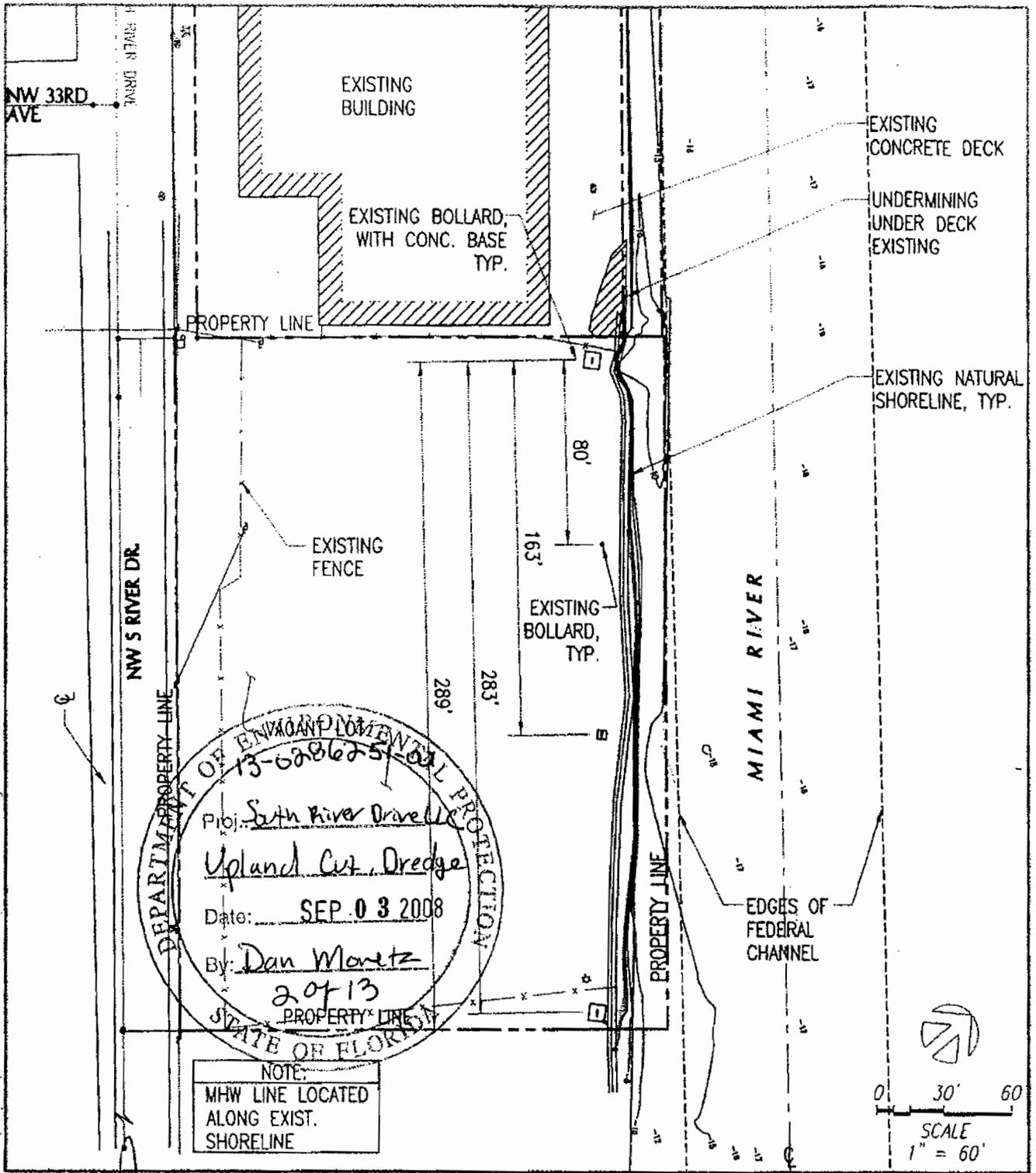
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JUN 06 2008
T. J. ELANKENSHIP
FL. REG. 4491C

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01/29/08	PERMIT APPLICATION	PROJECT NO.:	3600
DATE:	DESCRIPTION:	DATUM:	NGVD
		DRAWN BY:	BH
		CHECKED BY:	TB
SUBMITTED BY:			
 COASTAL SYSTEMS INTERNATIONAL, INC. 464 South Dade Highway, Coral Gables, Florida 33146 Tel: 305-661-3655 Fax: 305-661-1914 www.CoastalSystemstl.com STATE OF FLORIDA EB #7087 Coastal, Environmental, Civil Engineering and Management			

CLIENT:
ISLAND CARGO SYSTEMS
3293 3301, 3315, 3333 NW SO. RIVER DRIVE MIAMI, FLORIDA
ISLAND CARGO SYSTEMS SHORELINE IMPROVEMENTS
LOCATION MAP AND SHEET INDEX
SHEET 1 OF 13

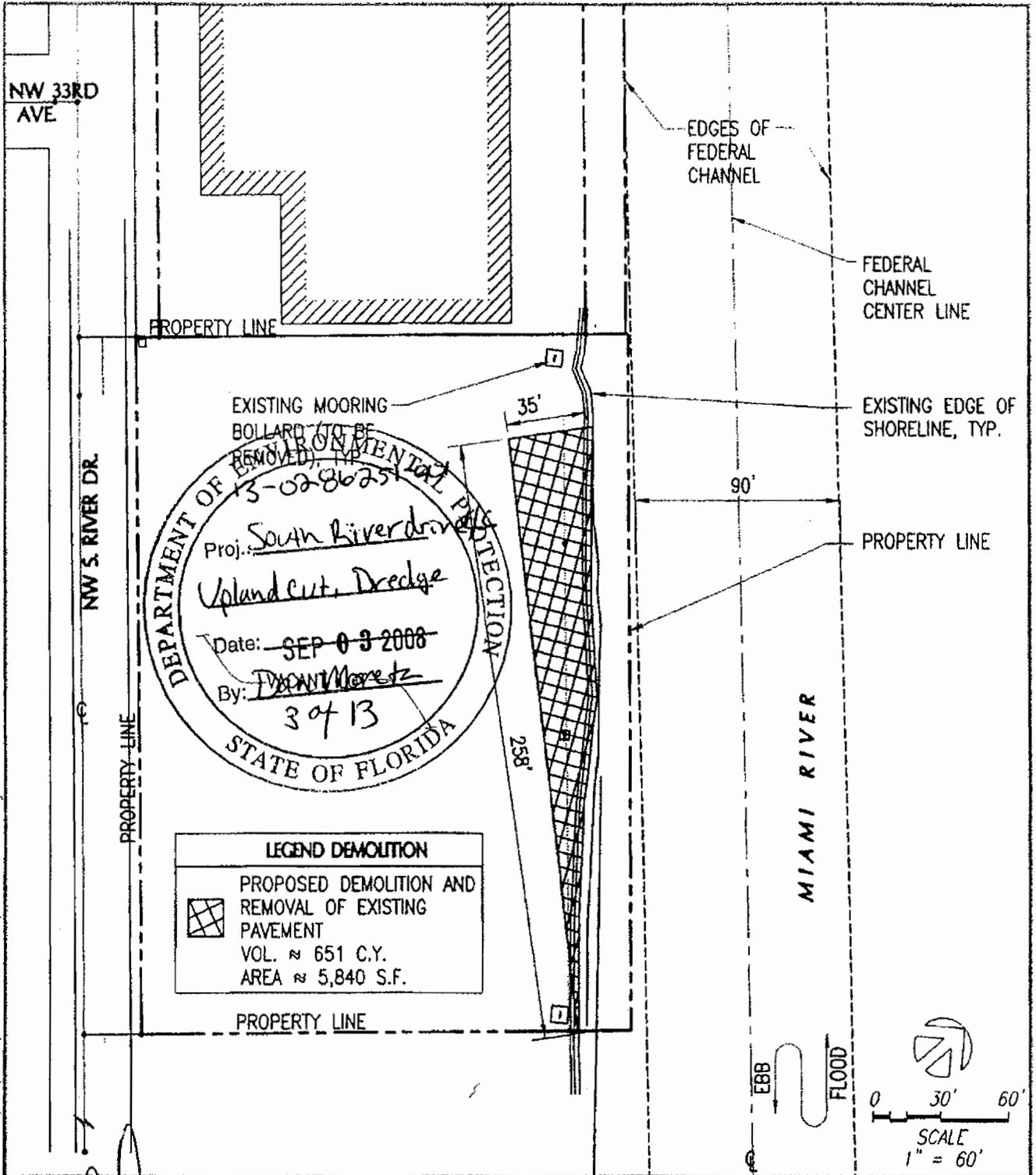
56



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 AUG 28 2008 RELAYED TO FL REC 58710	08/27/08 REVISED BULKEAD 07/23/08 UPDATED AREAS 04/23/08 UPDATED DREDGING INFO. 01/29/08 PERMIT APPLICATION	APP. NO. 3600 PROJECT NO. 3600 DATA NGVD DRAWN BY: BH CHECKED BY: TB	CLIENT: ISLAND CARGO SYSTEMS 3293 3301, 3315, 3333 NW SO. RIVER DRIVE MIAMI, FLORIDA
	SUBMITTED BY: COASTAL SYSTEMS INTERNATIONAL, INC. 464 South Dixie Highway, Coral Gables, Florida 33146 Tel: 305-661-3655 Fax: 305-661-1914 www.CoastalSystemsInt.com STATE OF FLORIDA EB #7087 Coastal, Environmental, Civil Engineering and Management		ISLAND CARGO SYSTEMS SHORELINE IMPROVEMENTS
			EXISTING CONDITIONS
			SHEET 2 OF 13

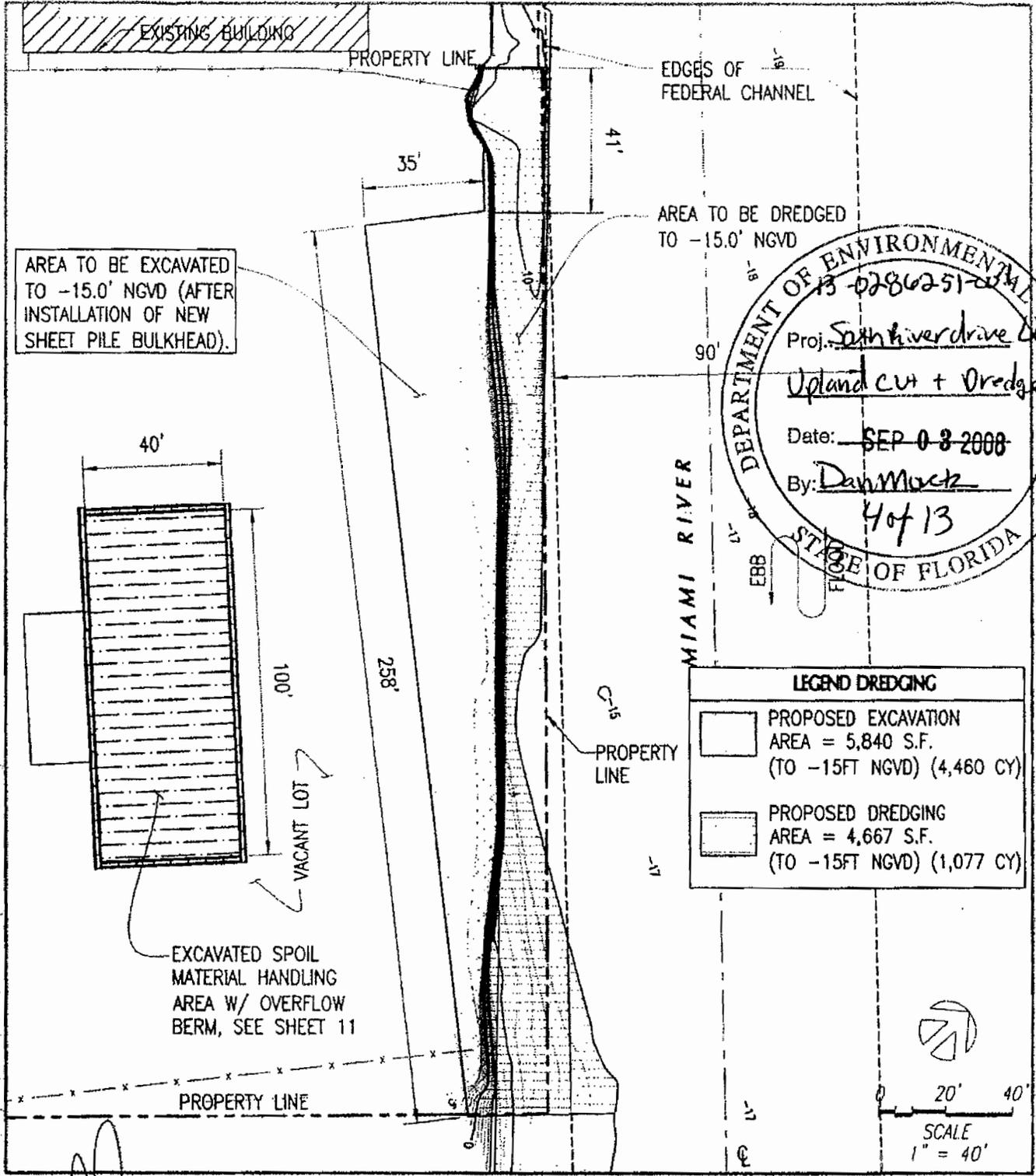
57



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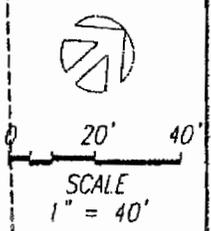
<p>SEP 2008</p> <p>BLANK COPY FL REC 08516</p>	08/27/08	REVISED BULKHEAD	APP. NO.	App. No.	CLIENT: ISLAND CARGO SYSTEMS 3293 3301, 3315, 3333 NW SO. RIVER DRIVE MIAMI, FLORIDA ISLAND CARGO SYSTEMS SHORELINE IMPROVEMENTS PROPOSED DEMOLITION PLAN SHEET 3 OF 13
	07/23/08	07/23/08	PROJECT NO.	3600	
	04/23/08	UPDATED DREDGING INFO.	DATUM.	NGVD	
	01/29/08	PERMIT APPLICATION	DRAWN BY	BH	
	DATE:	DESCRIPTION:	CHECKED BY:	TB	
	SUBMITTED BY:		COASTAL SYSTEMS INTERNATIONAL, INC. 464 South Dixie Highway, Coral Gables, Florida 33146 Tel. 305-661-3655 Fax: 305-661-1916 www.CoastalSystemsInt.com STATE OF FLORIDA EB #7087 Coastal, Environmental, Civil Engineering and Management		

57



DEPARTMENT OF ENVIRONMENTAL PROTECTION
 13-0286251-004
 Proj. South river drive
Upland cut + dredge
 Date: SEP 08 2008
 By: Dan Mack
 4 of 13
 STATE OF FLORIDA

LEGEND DREDGING	
	PROPOSED EXCAVATION AREA = 5,840 S.F. (TO -15FT NGVD) (4,460 CY)
	PROPOSED DREDGING AREA = 4,667 S.F. (TO -15FT NGVD) (1,077 CY)



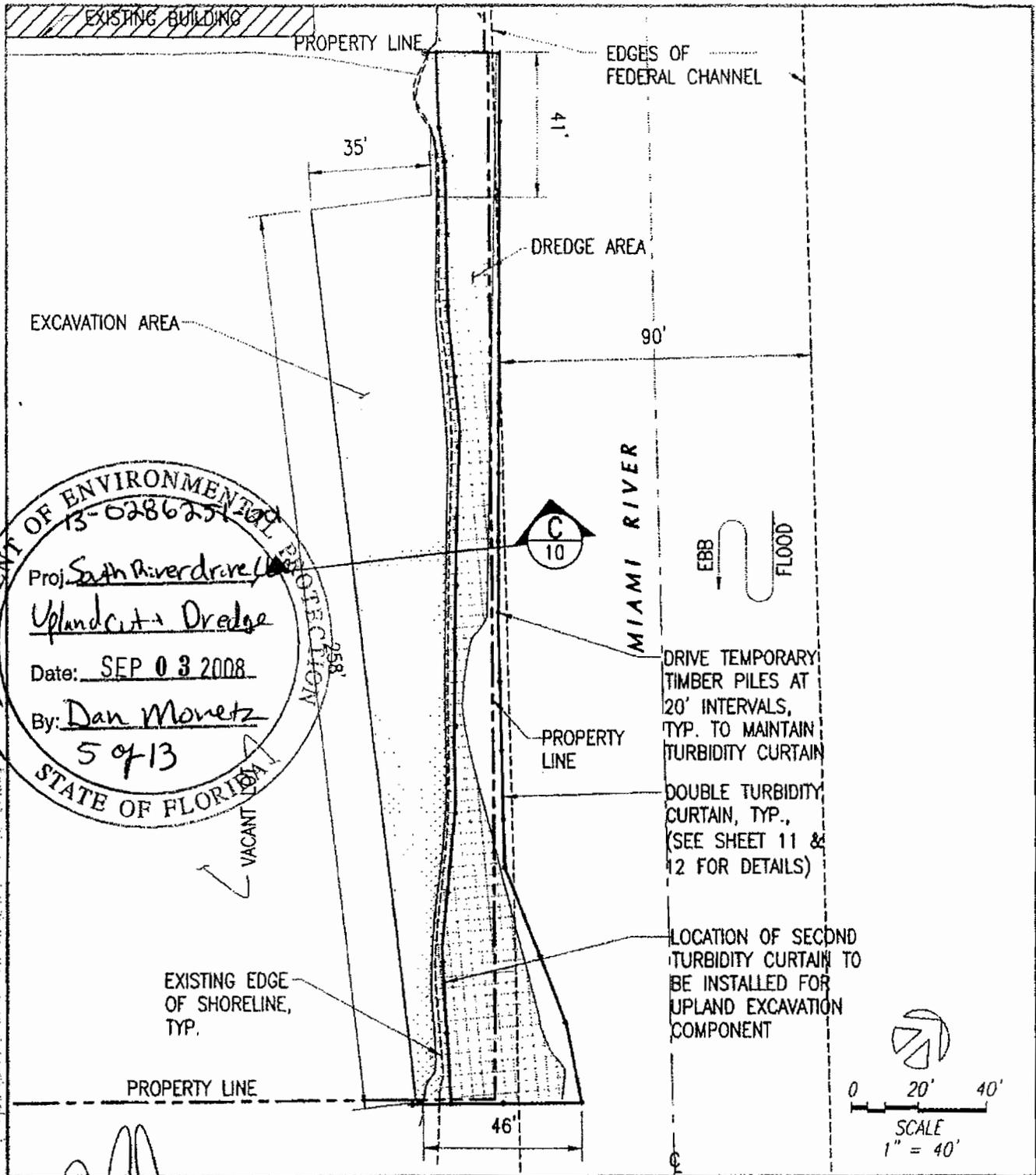
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[Signature]
AUG 28 2008
 FL REG. 68626

08/27/08	REVISED BULKHEAD	APP. NO.	3600
07/23/08	UPDATED AREAS	PROJECT NO.	NGVD
04/23/08	UPDATED DREDGING INFO.	DATUM	BH
01/29/08	PERMIT APPLICATION	DRAWN BY	TB
DATE:	DESCRIPTION:	CHECKED BY	
SUBMITTED BY:			
COASTAL SYSTEMS INTERNATIONAL, INC. 444 South Dixie Highway, Coral Gables, Florida 33146 Tel: 305-661-3855 Fax: 305-661-1911 www.CoastalSystemsIntl.com STATE OF FLORIDA EB #7087 Coastal, Environmental, Civil Engineering and Management			

CLIENT:	
ISLAND CARGO SYSTEMS	
3293 3301, 3315, 3333 NW SO. RIVER DRIVE MIAMI, FLORIDA	
ISLAND CARGO SYSTEMS SHORELINE IMPROVEMENTS	
DREDGING AND EXCAVATION PLAN	
SHEET 4 OF 13	

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DEPARTMENT OF ENVIRONMENTAL PROTECTION
 13-0286251
 Proj. South River Drive
 Upland Excavation Dredge
 Date: SEP 03 2008
 By: Dan Monetz
 5 of 13
 STATE OF FLORIDA

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[Signature]

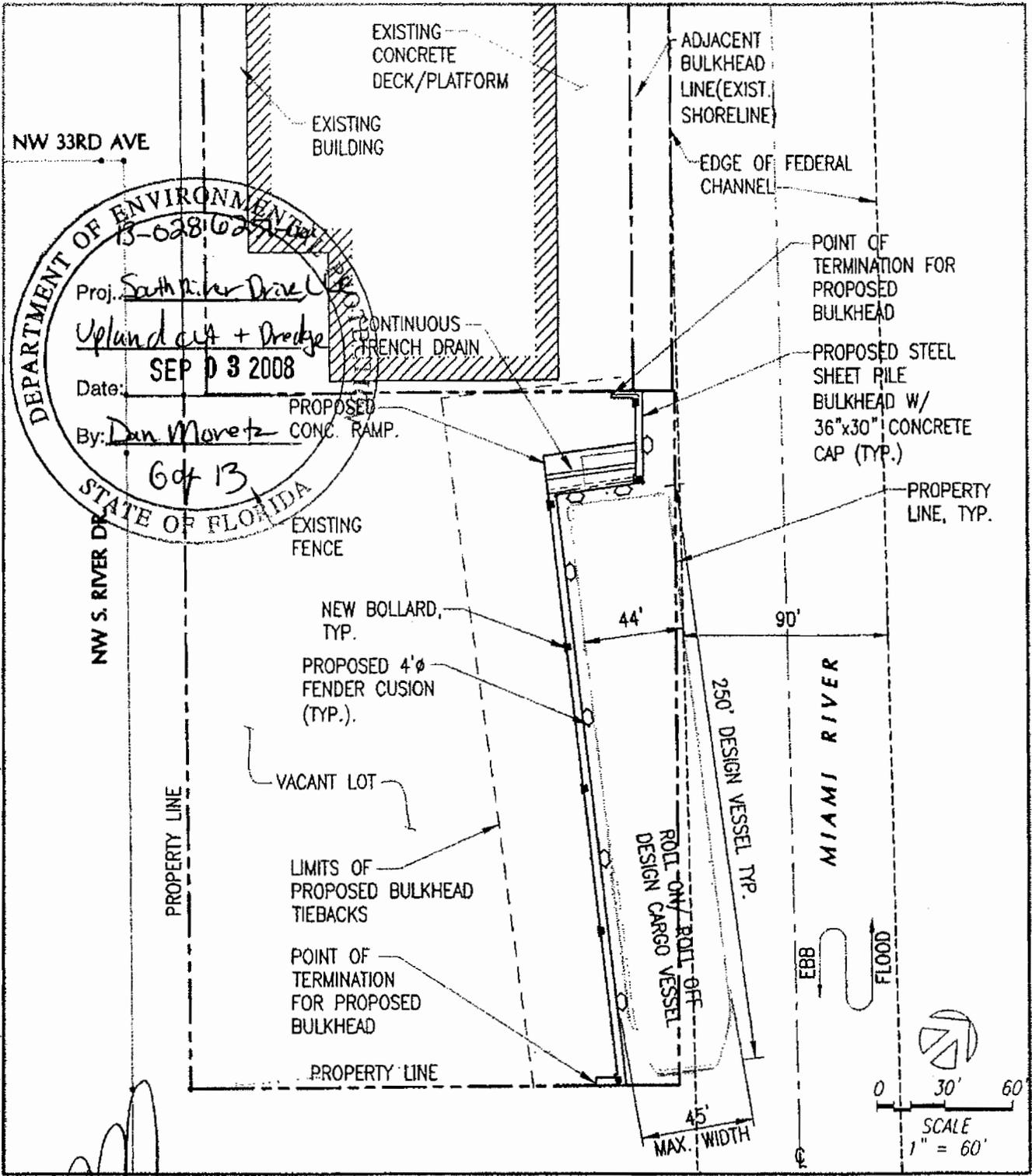
AUG 28 2008

BLAWENSH
 REC 5493C

08/27/08	REVISED BULKHEAD	APP NO.	App. No.
07/23/08	UPDATED AREAS	PROJECT NO.	3600
04/23/08	UPDATED DREDGING INFO.	DATUM	NGVD
01/29/08	PERMIT APPLICATION	DRAWN BY:	BH
DATE:	DESCRIPTION:	CHECKED BY:	TB
SUBMITTED BY:			
COASTAL SYSTEMS INTERNATIONAL, INC. 464 South Dade Highway, Coral Gables, Florida 33146 Tel: 305-661-3655 Fax: 305-661-1914 www.CoastalSystemsIntl.com STATE OF FLORIDA EG #7087 Coastal, Environmental, Civil Engineering and Management			

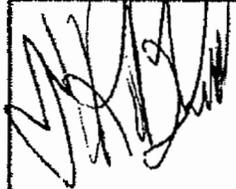
CLIENT:	
ISLAND CARGO SYSTEMS	
3293	3301, 3315, 3333 NW SO. RIVER DRIVE MIAMI, FLORIDA
ISLAND CARGO SYSTEMS SHORELINE IMPROVEMENTS	
TURBIDITY CONTROL PLAN	
SHEET 5 OF 13	

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DEPARTMENT OF ENVIRONMENTAL REGULATION
 3-6281025-101
 Proj. South River Drive
Upland cut + Dredge
 Date: SEP 03 2008
 By: Dan Moretz
 6 of 13
 STATE OF FLORIDA

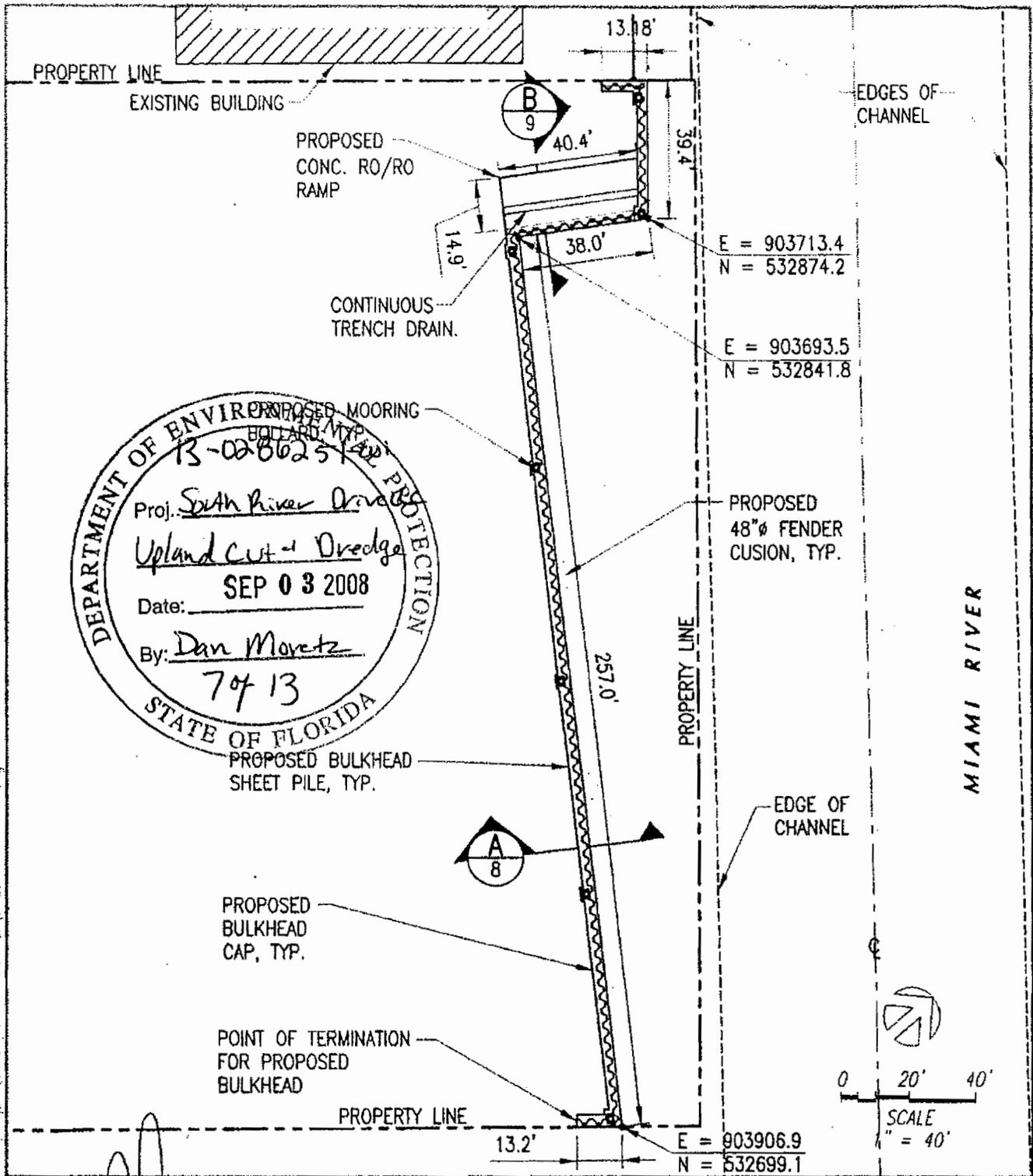
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 AUG 14 2008
 DEPARTMENT OF ENVIRONMENTAL REGULATION

08/27/08	REVISED BULKHEAD	APP. NO.	3600
07/23/08	UPDATED AREAS	PROJECT NO.	3600
04/23/08	UPDATED DREDGING INFO.	DATUM	NGVD
01/29/08	PERMIT APPLICATION	DRAWN BY:	BH
DATE	DESCRIPTION	CHECKED BY:	TB
SUBMITTED BY:			
 COASTAL SYSTEMS INTERNATIONAL, INC. 464 South Dade Highway, Coral Gables, Florida 33146 Tel: 305-861-3655 Fax: 305-861-1914 www.CoastalSystemsInt.com STATE OF FLORIDA EB #7087 Coastal, Environmental, Civil Engineering and Management			

CLIENT:	
ISLAND CARGO SYSTEMS	
3293	3301, 3315, 3333 NW SO. RIVER DRIVE
MIAMI, FLORIDA	
ISLAND CARGO SYSTEMS	
SHORELINE IMPROVEMENTS	
PROPOSED IMPROVEMENTS	
SHEET 6 OF 13	

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DEPARTMENT OF ENVIRONMENTAL PROTECTION
STATE OF FLORIDA

13-028625-10

Proj. South River Drive
Upland Cut - Dredge

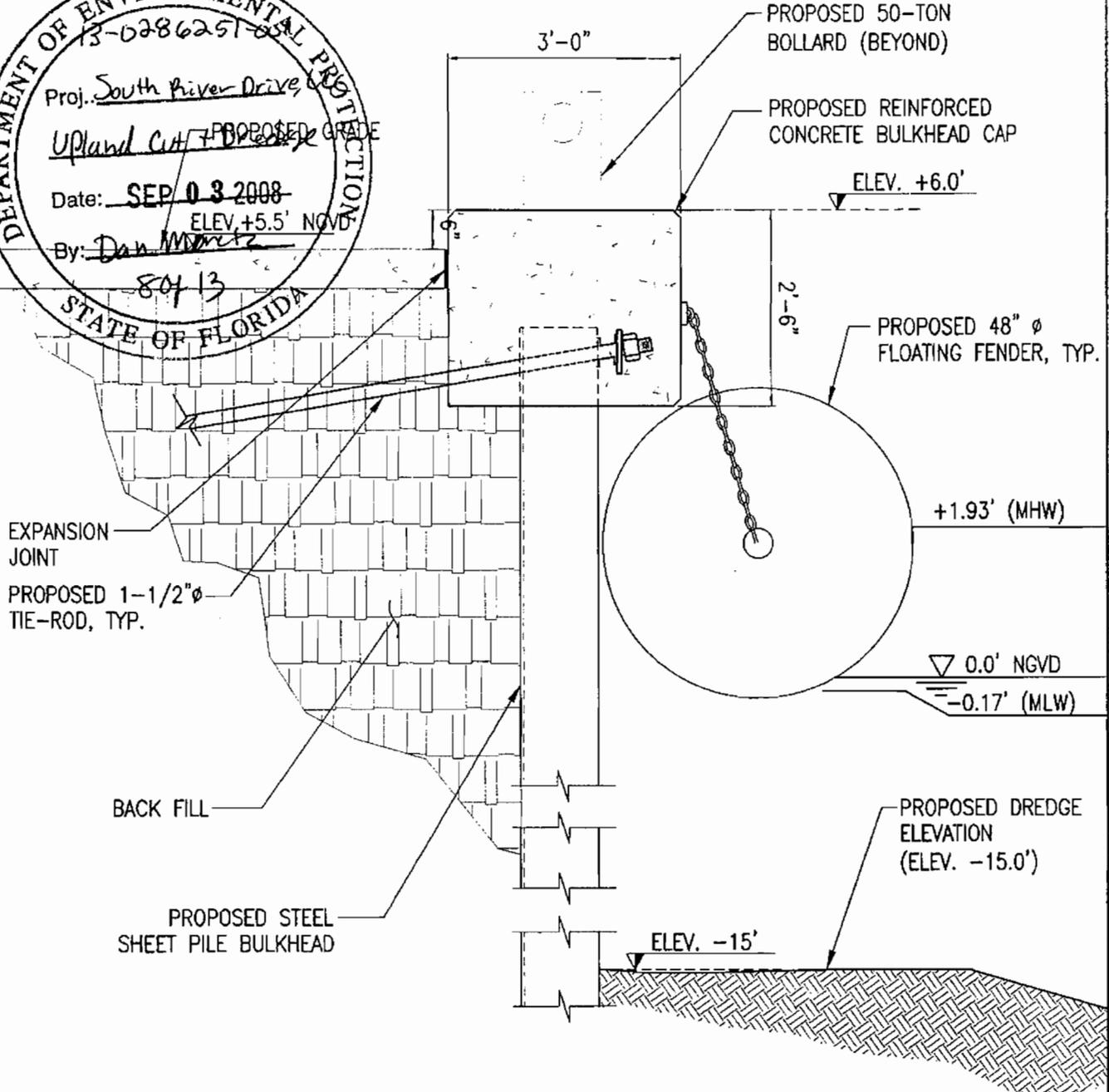
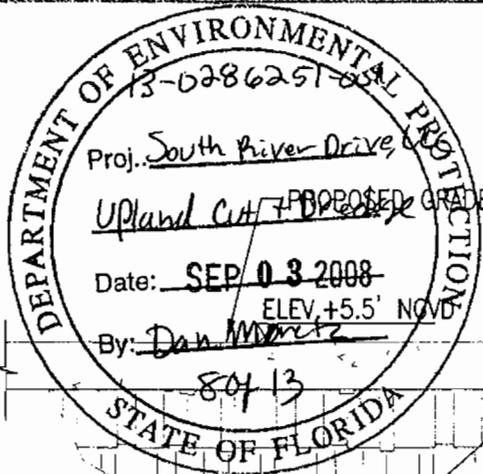
Date: SEP 03 2008

By: Dan Moretz
7 of 13

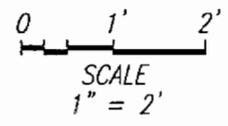
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 AUG 28 2008 <small>PLANNING REG. 56914</small>	08/27/08 REVISED BULKHEAD 07/23/08 UPDATED AREAS 04/23/08 UPDATED DREDGING INFO. 01/29/08 PERMIT APPLICATION	APP. NO. 3600 PROJECT INFO. DATUM: NGVD DRAWN BY: BH CHECKED BY: TB	CLIENT: ISLAND CARGO SYSTEMS 3293 3301, 3315, 3333 NW SO. RIVER DRIVE MIAMI, FLORIDA
	SUBMITTED BY: COASTAL SYSTEMS INTERNATIONAL, INC. 464 South Dixie Highway, Coral Gables, Florida 33146 Tel: 305-661-3655 Fax: 305-661-1914 www.CoastalSystemIntl.com STATE OF FLORIDA EB #7067 Coastal, Environmental, Civil Engineering and Management		ISLAND CARGO SYSTEMS SHORELINE IMPROVEMENTS
			PROPOSED BULKHEAD PLAN
			SHEET 7 OF 13

62



(A) BULKHEAD SECTION
1" = 2'



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JUN 11
T.A. ELANKESHIF
FL REG. 68910

APP. NO:	App. No.	CLIENT:
PROJECT NO:	3600	ISLAND CARGO SYSTEMS
DATUM:	NGVD	3293 3301, 3315, 3333 NW SO. RIVER DRIVE MIAMI, FLORIDA
04/23/08 UPDATED DREDGING INFO.	DRAWN BY: BH	ISLAND CARGO SYSTEMS
01/29/08 PERMIT APPLICATION	CHECKED BY: TB	SHORELINE IMPROVEMENTS
DATE: DESCRIPTION:	SUBMITTED BY:	BULKHEAD SECTION A

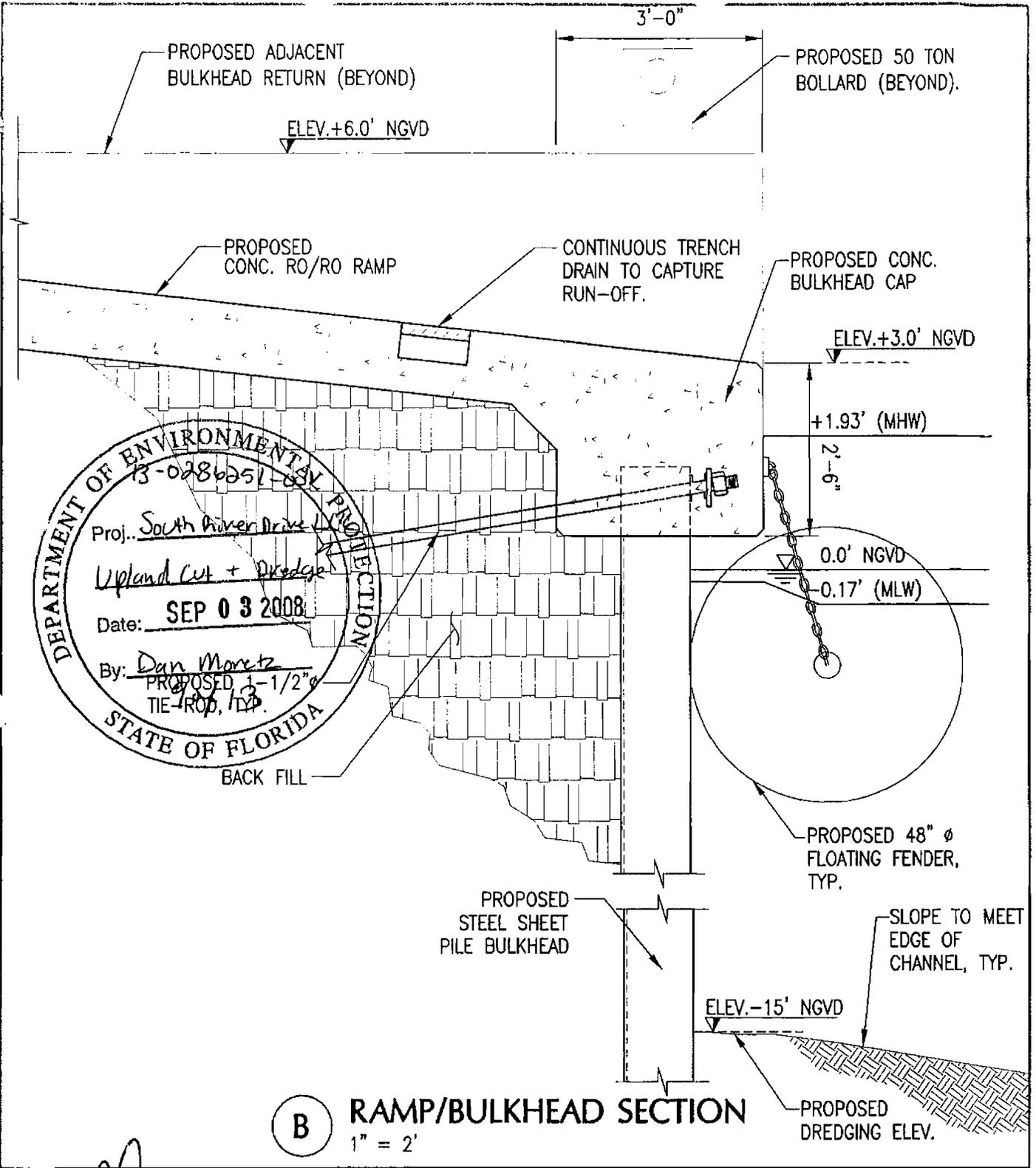


COASTAL SYSTEMS INTERNATIONAL, INC.
464 South Dixie Highway, Coral Gables, Florida 33146
Tel: 305-661-3855 Fax: 305-661-1914 www.CoastalSystemaint.com
STATE OF FLORIDA EB #7087
Coastal, Environmental, Civil Engineering and Management

CLIENT:	
ISLAND CARGO SYSTEMS	
3293 3301, 3315, 3333 NW SO. RIVER DRIVE MIAMI, FLORIDA	
ISLAND CARGO SYSTEMS	
SHORELINE IMPROVEMENTS	
BULKHEAD SECTION A	
SHEET 8 OF 13	

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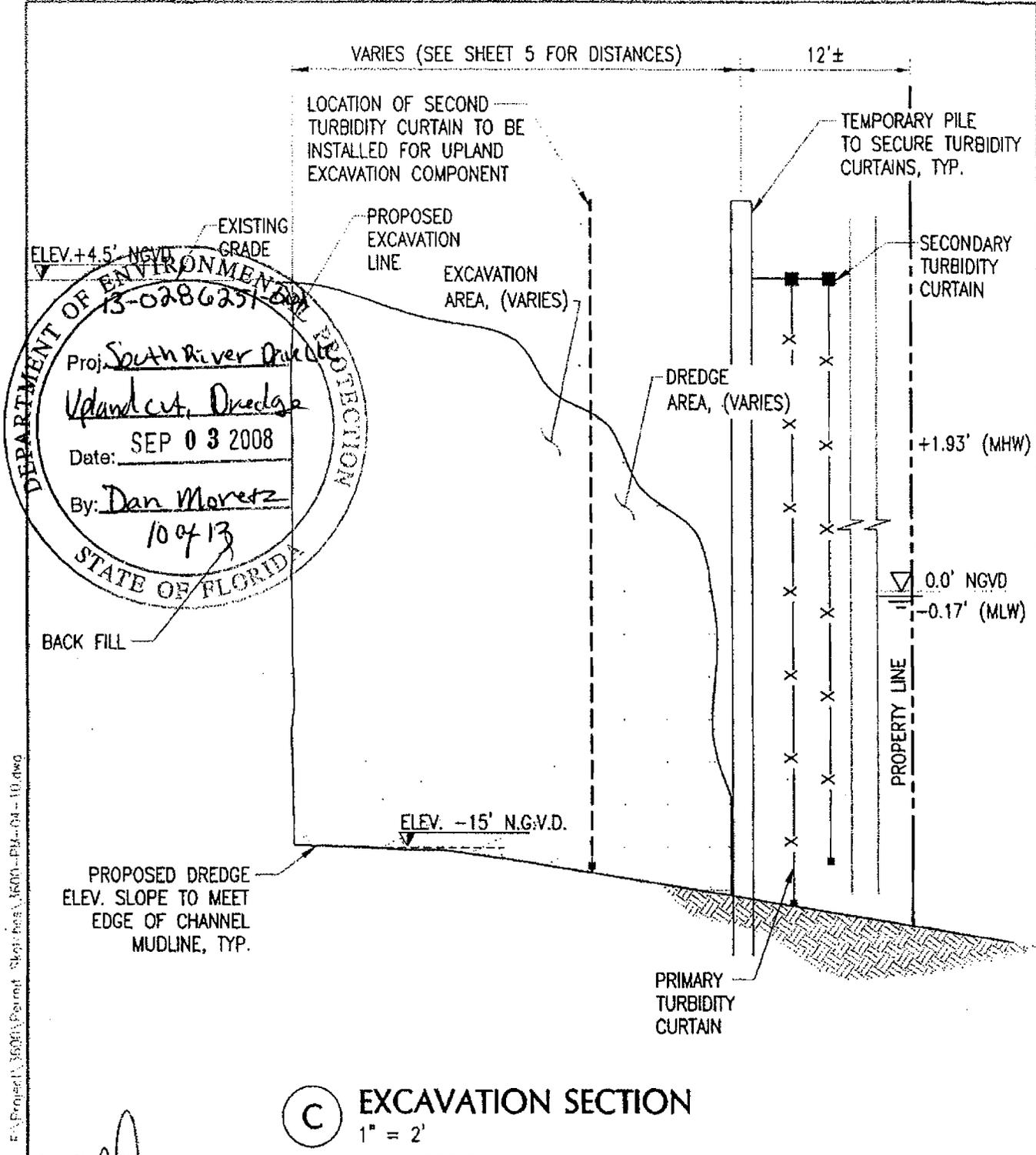
B RAMP/BULKHEAD SECTION
1" = 2'

[Handwritten Signature]
JUN 06 2008
T.M. BLANKENSHIP
FL. REG. 55670

APP. NO:	App. No.
PROJECT NO:	3600
DATUM:	NGVD
DATE:	04/23/08
DESCRIPTION:	UPDATED DREDGING INFO.
CHECKED BY:	TB
DRAWN BY:	BH
SUBMITTED BY:	
COASTAL SYSTEMS INTERNATIONAL, INC. 464 South Dixie Highway, Coral Gables, Florida 33146 Tel: 305-661-3655 Fax: 305-661-1914 www.CoastalSystemsInt.com STATE OF FLORIDA EB #7087 Coastal, Environmental, Civil Engineering and Management	

CLIENT:
ISLAND CARGO SYSTEMS 3293 3301, 3315, 3333 NW SO. RIVER DRIVE MIAMI, FLORIDA
ISLAND CARGO SYSTEMS SHORELINE IMPROVEMENTS
RAMP-BULKHEAD SECTION B
SHEET 9 OF 13

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C EXCAVATION SECTION
1" = 2'

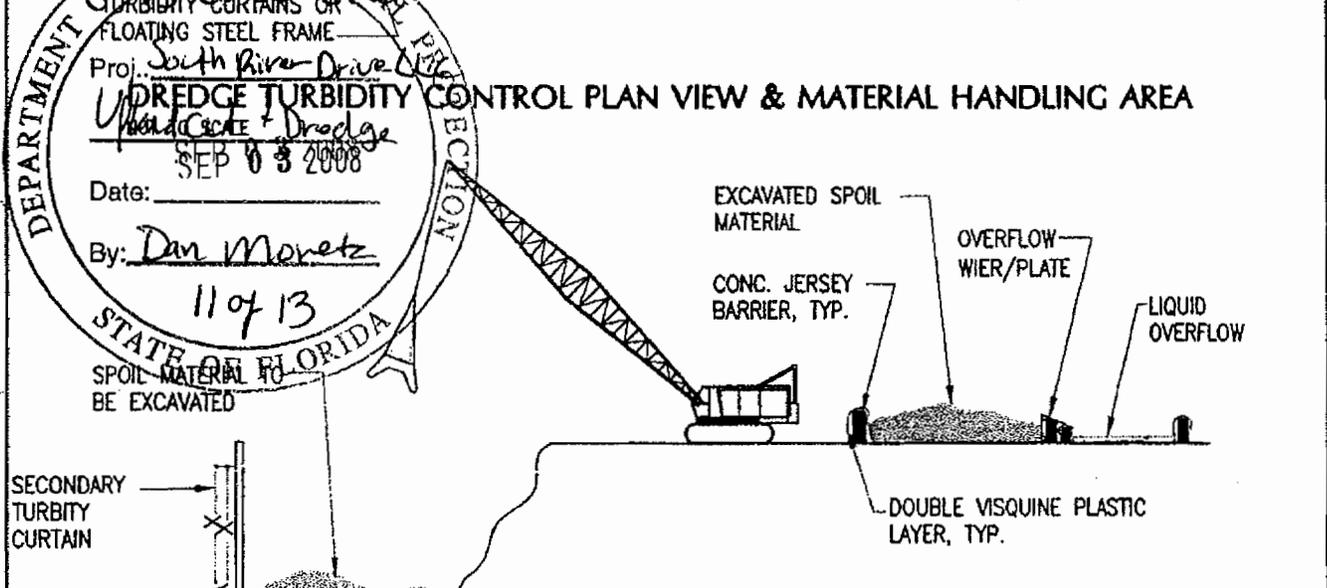
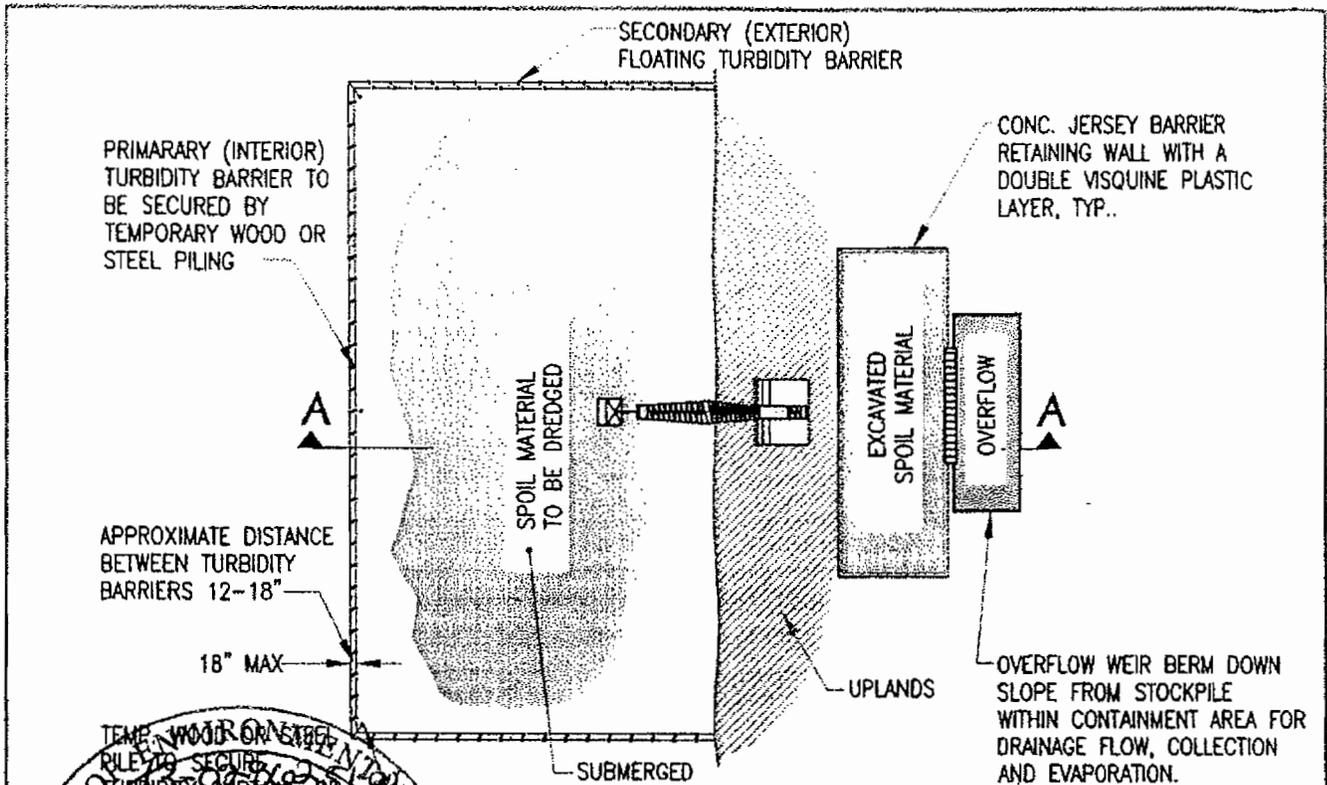
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[Signature]
AUG 28 2008
To: SUBMITTER
By: REC 5802

08/27/08	REVISED BULKHEAD	APP. NO.	App. No.
07/23/08	UPDATED AREAS	PROJECT NO.	3600
04/23/08	UPDATED DREDGING INFO.	DATUM:	NGVD
01/29/08	PERMIT APPLICATION	DRAWN BY:	BH
DATE:	DESCRIPTION:	CHECKED BY:	TB
SUBMITTED BY:			
 COASTAL SYSTEMS INTERNATIONAL, INC. 464 South Dixie Highway, Coral Gables, Florida 33146 Tel: 305-661-3635 Fax: 305-661-1914 www.CoastalSystemshd.com STATE OF FLORIDA EG #7087 Coastal, Environmental, Civil Engineering and Management			

CLIENT:	
ISLAND CARGO SYSTEMS	
3293 3301, 3315, 3333 NW SO. RIVER DRIVE MIAMI, FLORIDA	
ISLAND CARGO SYSTEMS SHORELINE IMPROVEMENTS	
EXCAVATION SECTION C	
SHEET 10 OF 13	

6.5

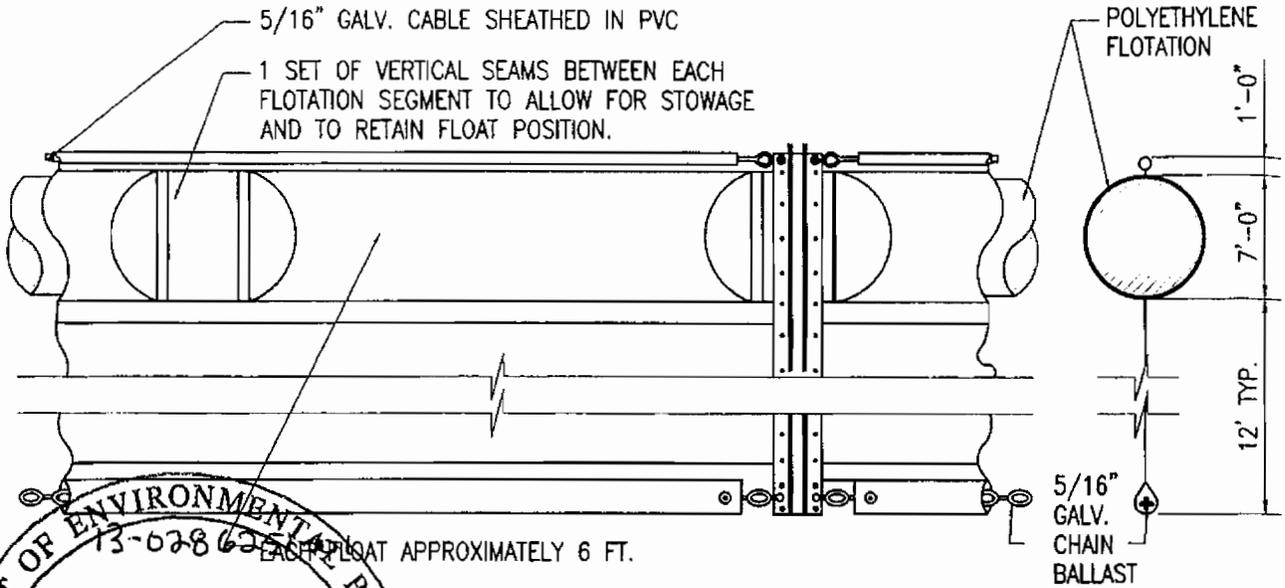


DEPARTMENT OF ENVIRONMENTAL PROTECTION
 STATE OF FLORIDA
 PROJECT: South River Drive
 DREDGE TURBIDITY CONTROL PLAN VIEW & MATERIAL HANDLING AREA
 SCALE: 1" = 20' Dredge
 Date: SEP 03 2008
 By: Dan Moretz
 11 of 13

NOTES:
 CONTRACTOR MAY ONLY CONDUCT DREDGING OPERATIONS WITHIN TURBIDITY CURTAIN AREA

 DATE: 08/27/08 07/23/08 04/23/08 01/29/08 REVISOR: [blank] DESCRIPTION: [blank]	REVISED BULKHEAD UPDATED AREAS UPDATED DREDGING INFO. PERMIT APPLICATION	APP. NO. PROJECT NO. DATUM DRAWN BY CHECKED BY	App. No. 3600 NGVD BH TB	CLIENT: ISLAND CARGO SYSTEMS 3293 3301, 3315, 3333 NW SO. RIVER DRIVE MIAMI, FLORIDA
	SUBMITTED BY: COASTAL SYSTEMS INTERNATIONAL, INC. 464 South Dixie Highway, Coral Gables, Florida 33146 Tel. 305-661-3655 Fax: 305-661-1914 www.CoastalSystemsInt.com STATE OF FLORIDA ES #7007 Coastal, Environmental, CMA Engineering and Management		ISLAND CARGO SYSTEMS SHORELINE IMPROVEMENTS TURBIDITY CONTROL DETAILS	
	SHEET 11 OF 13		SHEET 11 OF 13	
	COASTAL SYSTEMS INTERNATIONAL			

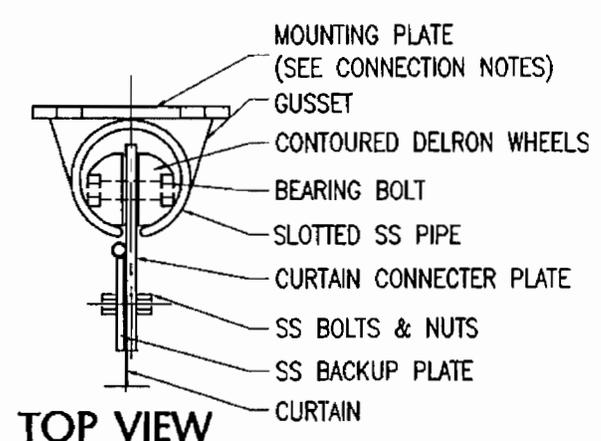
66



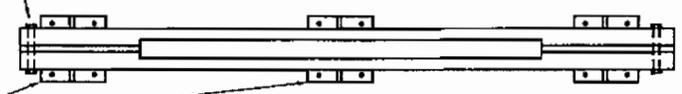
DEPARTMENT OF ENVIRONMENTAL PROTECTION
 13-62862-1
 Proj. South Pine Dr
Upland Cut + Dredge
 Date: SEP 03 2008
 By: Dan Moritz
 GUSSET 12 of 13
 STATE OF FLORIDA
 PIPE

BOOM ELEVATION
 NOTE:
 DRAWING NOT TO SCALE

BOOM SECTION



TOP VIEW



FRONT VIEW

SIDE VIEW

CONNECTION NOTES

1. WELD PLATE TO EXIST. OR NEW SHEET PILING.
2. ATTACH WITH EPOXY ANCHOR BOLTS TO EXISTING CONCRETE BULKHEAD AS APPLICABLE.

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[Signature]
 JUN 06 2008
 T.F. ELANKERSHIP
 FL REG. 55610

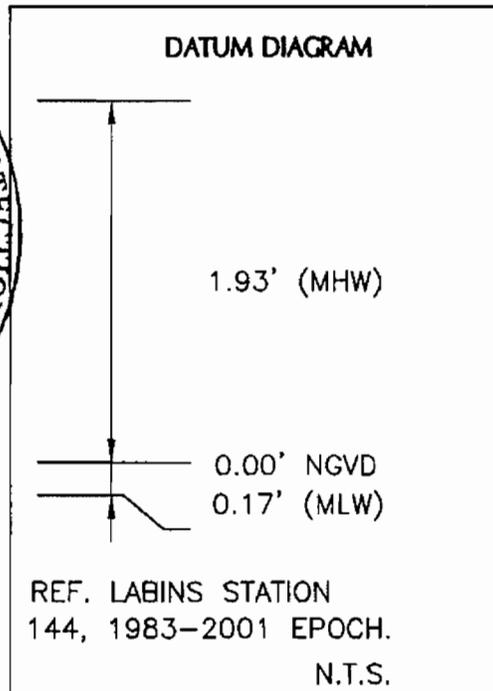
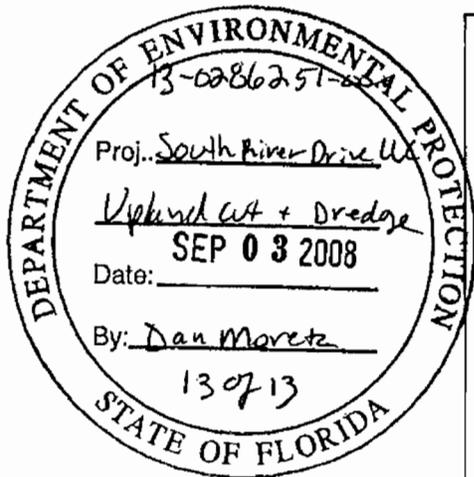
APP. NO:	App. No.
PROJECT NO:	3600
DATUM:	NGVD
DRAWN BY:	BH
CHECKED BY:	TB
SUBMITTED BY:	
COASTAL SYSTEMS INTERNATIONAL, INC. 464 South Diode Highway, Coral Gables, Florida 33146 Tel: 305-661-3655 Fax: 305-661-1914 www.CoastalSystemsInt.com STATE OF FLORIDA EB #7087 Coastal, Environmental, Civil Engineering and Management	

CLIENT:
ISLAND CARGO SYSTEMS
3293 3301, 3315, 3333 NW SO. RIVER DRIVE MIAMI, FLORIDA
ISLAND CARGO SYSTEMS
SHORELINE IMPROVEMENTS
TURBIDITY CURTAIN CONNECTION DETAILS
SHEET 12 OF 13

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GENERAL NOTES

1. ALL ELEVATIONS ARE REFERENCED TO THE NATIONAL GEODETIC VERTICAL DATUM (NGVD) OF 1929. REFER TIDAL DATUM RELATIONSHIP THIS SHEET.
2. HYDROGRAPHIC DATA COLLECTED BY COASTAL SYSTEMS INT. ON JUN 22ND, 2007.
3. UPLAND SURVEY LAND INFORMATION OBTAINED FROM SURVEY COMPLETED BY PEDRO MARTINEZ P.L.S, DATED MAY 31, 2007.
4. CONSTRUCTION MAY REQUIRE FLOATING EQUIPMENT.
5. THESE DRAWINGS ARE "PERMIT SKETCHES" INTENDED TO PROVIDE SUFFICIENT DATA FOR REVIEW AND EVALUATION BY REGULATORY AGENCIES. THESE DRAWINGS ARE NOT INTENDED FOR CONSTRUCTION.
6. FEDERAL CHANNEL INFORMATION PROVIDE BY MIAMI RIVER MAINTENANCE DREDGING PLANS, PREPARED BY THE US ACOE.



ABBREVIATIONS

- C.Y. _____ CUBIC YARDS
 TYP. _____ TYPICAL
 LF _____ LINEAR FEET
 NAD _____ NORTH AMERICAN DATUM
 _____ WATER LEVEL

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[Signature]
JUN 06 2008
 T.K. BLANKENSHIP
 FL. REG. 55910

APP. NO:	App. No.
PROJECT NO:	3600
DATUM:	NGVD
DRAWN BY:	BH
CHECKED BY:	TB
SUBMITTED BY:	
 COASTAL SYSTEMS INTERNATIONAL, INC. 464 South Dixie Highway, Coral Gables, Florida 33146 Tel: 305-661-3655 Fax: 305-661-1914 www.CoastalSystemsInt.com STATE OF FLORIDA EB #7087 Coastal, Environmental, Civil Engineering and Management	

CLIENT:	
ISLAND CARGO SYSTEMS	
3293 3301, 3315, 3333 NW SO. RIVER DRIVE MIAMI, FLORIDA	
ISLAND CARGO SYSTEMS	
SHORELINE IMPROVEMENTS	
GENERAL NOTES	
SHEET 13 OF 13	

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STANDARD MANATEE CONDITIONS FOR IN-WATER WORK

2005

The permittee shall comply with the following conditions intended to protect manatees from direct project effects:

- a. All personnel associated with the project shall be instructed about the presence of manatees and manatee speed zones, and the need to avoid collisions with and injury to manatees. The permittee shall advise all construction personnel that there are civil and criminal penalties for harming, harassing, or killing manatees which are protected under the Marine Mammal Protection Act, the Endangered Species Act, and the Florida Manatee Sanctuary Act.
- b. All vessels associated with the construction project shall operate at "Idle Speed/No Wake" at all times while in the immediate area and while in water where the draft of the vessel provides less than a four-foot clearance from the bottom. All vessels will follow routes of deep water whenever possible.
- c. Siltation or turbidity barriers shall be made of material in which manatees cannot become entangled, shall be properly secured, and shall be regularly monitored to avoid manatee entanglement or entrapment. Barriers must not impede manatee movement.
- d. All on-site project personnel are responsible for observing water-related activities for the presence of manatee(s). All in-water operations, including vessels, must be shutdown if a manatee(s) comes within 50 feet of the operation. Activities will not resume until the manatee(s) has moved beyond the 50-foot radius of the project operation, or until 30 minutes elapses if the manatee(s) has not reappeared within 50 feet of the operation. Animals must not be herded away or harassed into leaving.
- e. Any collision with or injury to a manatee shall be reported immediately to the FWC Hotline at 1-888-404-FWCC. Collision and/or injury should also be reported to the U.S. Fish and Wildlife Service in Jacksonville (1-904-232-2580) for north Florida or Vero Beach (1-561-562-3909) for south Florida.
- f. Temporary signs concerning manatees shall be posted prior to and during all in-water project activities. All signs are to be removed by the permittee upon completion of the project. Awareness signs that have already been approved for this use by the Florida Fish and Wildlife Conservation Commission (FWC) must be used. One sign measuring at least 3 ft. by 4 ft. which reads *Caution: Manatee Area* must be posted. A second sign measuring at least 8 1/2" by 11" explaining the requirements for "Idle Speed/No Wake" and the shut down of in-water operations must be posted in a location prominently visible to all personnel engaged in water-related activities.

6/1

FWC Approved Manatee Educational Sign Suppliers

ASAP Signs & Designs

624-B Pinellas Street
Clearwater, FL 33756
Phone: (727) 443-4878
Fax: (727) 442-7573

Wilderness Graphics, Inc.

P. O. Box 1635
Tallahassee, FL 32302
Phone: (850) 224-6414
Fax: (850) 561-3943
www.wildernessgraphics.com

Cape Coral Signs & Designs

1311 Del Prado Boulevard
Cape Coral, FL 33990
Phone: (239) 772-9992
Fax: (239) 772-3848

Municipal Supply & Sign Co.

1095 Fifth Avenue, North
P. O. Box 1765
Naples, FL 33939-1765
Phone: (800) 329-5366 or
(239) 262-4639
Fax: (239) 262-4645
www.municipalsigns.com

Vital Signs

104615 Overseas Highway
Key Largo, FL 33037
Phone: (305) 451-5133
Fax: (305) 451-5163

Universal Signs & Accessories

2912 Orange Avenue
Ft. Pierce, FL 34947
Phone: (800) 432-0331 or
(772) 461-0665
Fax: (772) 461-0669

New City Signs

1829 28th Street North
St. Petersburg, FL 33713
Phone: (727) 323-7897
Fax: (727) 323-1897

**United Rentals Highway
Technologies**

309 Angle Road
Ft. Pierce, FL 34947
Phone: (772) 489-8772
or (800) 489-8758 (FL only)
Fax: (772) 489-8757

CAUTION: MANATEE HABITAT

All project vessels

IDLE SPEED / NO WAKE

When a manatee is within 50 feet of work
all in-water activities must

SHUT DOWN

Report any collision or injury to:

1-888-404-FWCC (1-888-404-3922)

Florida Fish and Wildlife Conservation Commission

Form #62-343.900(3), F.A.C.
Form Title: Construction
Commencement
Notice
Date: October 3, 1995

ENVIRONMENTAL RESOURCE PERMIT
Construction Commencement Notice

PROJECT: _____ PHASE: _____

I hereby notify the Department of Environmental Protection that the construction of the surface water management system authorized by Environmental Resource Permit No. _____ has commenced / is expected to commence on _____ 200__, and will require a duration of approximately _____ months _____ weeks _____ days to complete. It is understood that should the construction term extend beyond one year, I am obligated to submit the Annual Status Report for Surface Water Management System Construction.

PLEASE NOTE: If the actual construction commencement date is not known, Department staff should be so notified in writing in order to satisfy permit conditions.

Permittee or Authorized Agent	Title and Company	Date

Phone	Address

Send to:

For projects in Palm Beach, Broward, Dade Counties:
Florida DEP
Attn: Richard Stalker
400 N. Congress Ave., Suite 200
West Palm Beach, FL 33401
Fax: 561/681-6780

For projects in Okeechobee, St. Lucie, Martin Counties:
Florida DEP
Attn: Eric Shea
1801 SE Hillmoor Drive, Suite C204
Port St. Lucie, FL 34952
Fax: 772/398-2815

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Form # 62-343.900(4), F.A.C.
Form Title: Annual Status Report
Date: October 3, 1995

ENVIRONMENTAL RESOURCE PERMIT ANNUAL STATUS REPORT FORM

Send to:

For projects in Palm Beach, Broward, Dade
Counties:
Florida DEP
Attn: Richard Stalker
400 N. Congress Ave., Suite 200
West Palm Beach, FL 33401
Fax: 561/681-6780

For projects in Okeechobee, St. Lucie, Martin
Counties:
Florida DEP
Attn: Eric Shea
1801 SE Hillmoor Drive, Suite C204
Port St. Lucie, FL 34952
Fax: 772/398-2815

Permit No. _____

County: _____

Project Name: _____

Phase: _____

The following activity has occurred at the above referenced project during the past year, between
June 1, 200__ and May 30, 200__.

Permit Condition / Activity	% of Completion	Date of anticipated Completion	Date of Completion
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

(Use Additional Sheets As Necessary)

Benchmark Description (one per major control structure): _____

Print Name

Phone

Permittee's or Authorized
Agent's Signature

Title and Company

Date

This form shall be submitted to the above referenced Department Office during June of each year for
activities whose duration of construction exceeds one year.

**ENVIRONMENTAL RESOURCE PERMIT
AS-BUILT CERTIFICATION BY A REGISTERED PROFESSIONAL**

Permit Number: _____

Project Name: _____

I hereby certify that all components of this surface water management system have been built substantially in accordance with the approved plans and specifications and are ready for inspection. Any substantial deviations (noted below) from the approved plans and specifications will not prevent the system from functioning as designed when properly maintained and operated. These determinations are based upon on-site observation of the system conducted by me or by my designee under my direct supervision and/or my review of as-built plans certified by a registered professional or other appropriate individual as authorized by law.

Name (please print)

Signature of Professional

Company Name

Florida Registration Number

Company Address

Date

City, State, Zip Code

Telephone Number

(Affix Seal)

Substantial deviations from the approved plans and specifications:

(Note: attach two copies of as-built plans when there are substantial deviations)

Within 30 days of completion of the system, submit two copies of the form to:

For projects in Palm Beach, Broward, Dade
Counties:

Florida DEP
Attn: Richard Stalker
400 N. Congress Ave., Suite 200
West Palm Beach, FL 33401
Fax: 561/681-6780

For projects in Okeechobee, St. Lucie, Martin
Counties:

Florida DEP
Attn: Eric Shea
1801 SE Hillmoor Drive, Suite C204
Port St. Lucie, FL 34952
Fax: 772/398-2815

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**REQUEST FOR TRANSFER OF
ENVIRONMENTAL RESOURCE PERMIT
CONSTRUCTION PHASE TO OPERATION PHASE**

Send to:

For projects in Palm Beach, Broward, Dade
Counties:
Florida DEP
Attn: Richard Stalker
400 N. Congress Ave., Suite 200
West Palm Beach, FL 33401
Fax: 561/681-6780

For projects in Okeechobee, St. Lucie, Martin
Counties:
Florida DEP
Attn: Eric Shea
1801 SE Hillmoor Drive, Suite C204
Port St. Lucie, FL 34952
Fax: 772/398-2815

It is requested that Department Permit No. _____ authorizing the construction and operation of a surface water management system for the below mentioned project be transferred from the construction phase permittee to the operation phase operating entity.

PROJECT: _____

FROM: Name: _____
Address: _____
City: _____ State: _____
Zipcode: _____

TO: Name: _____
Address: _____
City: _____ State: _____
Zipcode: _____

The surface water management facilities are hereby accepted for operation and maintenance in accordance with the engineers certification and as outlined in the restrictive covenants and articles of incorporation for the operating entity. Enclosed is a copy of the document transferring title of the operating entity for the common areas on which the surface water management system is located. Note that if the operating entity has not been previously approved, the applicant should contact the Department staff prior to filing for a permit transfer.

The undersigned hereby agrees that all terms and conditions of the permit and subsequent modifications, if any, have been reviewed, are understood and are hereby accepted. Any proposed modifications shall be applied for and obtained prior to such modification.

Operating Entity

Name _____ Title _____

Telephone _____

Enclosure:

- Copy of recorded transfer of title surface water management system
- Copy of plat(s)
- Copy of recorded restrictive covenants, articles of incorporation, and certificate of incorporation

Attachment J
Project Report

PROJECT REPORT

CLASS I PERMIT APPLICATION NO. 2008-CLIPER-00037

SOUTH RIVER DRIVE, LLC TO CONSTRUCT 334 LINEAR FEET OF BULKHEAD ALONG THE EXISTING NATURAL SHORELINE, A CONCRETE RAMP, EXCAVATE APPROXIMATELY 4,460 CUBIC YARDS OF UPLANDS AND DREDGE APPROXIMATELY 1,077 CUBIC YARDS OF SUBMERGED LANDS TO FACILITATE THE MOORING OF A 250-FOOT VESSEL AT 3293 NW SOUTH RIVER DRIVE

OCTOBER 21, 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 for any adverse environmental impact associated with the upland excavation, maintenance dredging and bulkhead is minimal. The Class I Permit shall include conditions to minimize turbidity and protect rare, threaten 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 may affect surface water quality on a temporary basis during the excavation and dredging activities. In order to minimize these impacts to the maximum extent possible, the Class I Permit will require that turbidity control devices such as, but not limited to, turbidity curtains, be utilized during all phases of construction to ensure compliance with the County's water quality standard for turbidity (see attachment H).
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 machinery with equipment in association with the construction activities.
9. **Navigation** – The proposed project is not reasonably expected to adversely affect navigation (see attachment G).
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 located in an area of potential archaeological significance. The Class I Permit will require that the work be reviewed by the Miami-Dade County Archaeologist prior to commencement in order to ensure that work is adequately monitored and that adverse impacts to archaeological resources, if any, are avoided. If archaeological artifacts or features are discovered during the project, the contractor and permittee shall cease and desist all activities, and perform whatever remedial or avoidance measures are deemed appropriate by the County Archaeologist.

13. **Air Quality** – The proposed project is not reasonably expected to adversely affect air quality.
14. **Marine and Wildlife Habitats** – The proposed project involves the excavation of approximately 4,460 cubic yards of uplands and of approximately 1,077 cubic yards (4,667 square feet) of marine soils below the mean high water line in order to create a bulkheaded notch for the mooring of a 250-foot vessel. 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 therefore, impacts to marine and wildlife habitat are not anticipated. The Class I Permit will require the applicant to employ appropriate turbidity control devices such as, but not limited to, turbidity curtains during all phases of construction. Furthermore, the Miami River is designated as critical habitat for the West Indian Manatee (*Trichechus manatus*). Therefore, the Class I Permit will require that all standard manatee construction permit conditions shall be followed during all in-water construction operations.

As mitigation for impacts associated with the installation of the new bulkhead and the maintenance dredging, 380.67 cubic yards of limerock riprap are required. As it may not be feasible to place the riprap at the site due to site conditions and to the proximity of the work to the federal channel, the Department has agreed to accept a contribution to the Biscayne Bay Environmental Enhancement Trust Fund (BBEETF) in an amount equal to \$90.00 per cubic yard of riprap required.
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 impact any significant marine flora.
17. **Fauna Values** – The proposed project may cause temporary adverse impacts to marine fauna resulting from turbidity as a result of the construction operations. 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 applicant to employ appropriate turbidity control devices such as, but not limited to, turbidity curtains during all phases of construction. Furthermore, the Miami River is designated as critical habitat for the West Indian Manatee (*Trichechus manatus*). Therefore, the Class I Permit will require that all standard manatee construction permit conditions shall be followed during all in-water construction operations.
18. **Rare, Threatened and Endangered Species** – The proposed project is not reasonably expected to result in adverse effects to rare, threatened or endangered species provided that standard manatee protection measures are implemented. The proposed project is located within an area identified by the Miami-Dade County Manatee Protection Plan (MDCMPP) as essential manatee habitat for the West Indian Manatee (*Trichechus manatus*). Pursuant to the MDCMPP, freight terminals may be permitted in the Miami River in conjunction with fendering requirements. For mooring of vessels 100 feet or larger, fender systems are required which extend a minimum of 4 feet off the bulkhead at maximum compression. The applicant has proposed to install a fendering system that meets this requirement. In addition, the Class I Permit will require that all standard manatee construction permit conditions 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 will not result in the net gain or loss of wetland values.
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 shall 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 elements of the Miami-Dade County Comprehensive Development Master Plan and the Biscayne Bay Management Plan.
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:
 - Miami-Dade County Public Works Manual
 - Biscayne Bay Management Plan (Section 33D-1 through 33-D-4 of the Code of Miami-Dade County)
 - 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) Biscayne Bay Management Plan
 - b) Biscayne Bay Aquatic Preserve Act
 - c) United States Clean Water Act (US Army Corps of Engineers permit is required)
 - d) Federal Endangered Species Act (US Fish & Wildlife Service)
 - e) Florida Department of Environmental Protection Regulations (permit is required)
 - f) Chapter 24 of the Code of Miami-Dade County
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 proposed 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 is located within the Miami River and will result in minimal impacts to estuarine water quality and marine resources. Any temporary water quality impacts will be minimized through the use of turbidity controls.

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 – Protection of habitat critical to Federal or State-designated threatened or endangered species. – The proposed project is located within an area identified by the Miami-Dade County Manatee Protection Plan (MDCMPP) as essential manatee habitat for the West Indian Manatee (*Trichechus manatus*). Pursuant to the MDCMPP, freight terminals may be permitted in the Miami River in conjunction with fendering requirements. For mooring of vessels 100 feet or larger, fender systems are required which extend a minimum of 4 feet off the bulkhead at maximum compression. The applicant has proposed to install a fendering system that meets this requirement. In addition, the Class I Permit will require that all standard manatee construction permit conditions shall be followed during all in-water construction operations.

COASTAL MANAGEMENT ELEMENT VII:

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 proposed project will not affect natural surface flow into and through coastal wetlands.

Objective 1/ Policy 1C – Elevated boardwalk access through mangroves. – The proposed project does not involve the installation of an elevated boardwalk.

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 proposed 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 5/Policy 5B – Existing and new areas for water-dependent uses. – The proposed project involves the creation of a boat notch in order to facilitate the mooring of a 250-foot commercial vessel and will enhance existing water-dependent uses associated with the existing property.

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 in conformance with the Biscayne Bay Management Plan.

30. **Conformance with the Miami-Dade County Manatee Protection Plan** – The proposed project is located within the Miami River, an area identified by the Miami-Dade County Manatee Protection Plan (MDCMPP) as critical habitat for the West Indian Manatee (*Trichechus manatus*). Pursuant to the MDCMPP, freight terminals may be permitted in the Miami River in conjunction with fendering requirements. For mooring of vessels 100 feet or larger, fender systems are required which extend a minimum of 4 feet off the bulkhead at maximum compression. The applicant has proposed to install a fendering system that meets this requirement. In addition, 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 shall 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:

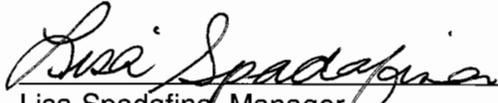
24-48.3 (2) Dredging and Filling for Class I Permit – The proposed project complies with the following criteria:

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

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

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

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



Lisa Spadafina, Manager
Coastal Resources Section



Elaine Pietryak, Biologist II
Coastal Resources Section