OFFICIAL FILE COPY
CLERK OF THE BOARD
OF COUNTY COMMISSIONERS
MIAMI-DADE COUNTY, FLORIDA

Memorandum

MIAMI-DADE COUNTY

Date: July 20, 2010

Agenda Item No. 5(C)

To: Honorable Chairman Dennis Moss and Members, Board of County Commissioners

From: George M. Burgess
County Manager

Resolution No. R-797-10

Subject: Class I Permit Application by the University of Miami for the Placement of a Bulkhead Waterward of the Mean High Water Line and for the Filling of Tidal Waters within Lake Osceola on the University of Miami Campus

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Attached, please find for your consideration an application by the University of Miami 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

MIAMI-DADE COUNTY

Date: July 20, 2010

To: George M. Burgess
County Manager

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

Subject: Class I Permit Application by the University of Miami for the Placement of a Bulkhead Waterward of the Mean High Water Line and for the Filling of Tidal Waters within Lake Osceola on the University of Miami Campus

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Recommendation
I have reviewed the attached Class I permit application by the University of Miami. Based upon the applicable evaluation factors set forth in Chapter 24-48.3 of the Code of Miami-Dade County (Code), Florida, I recommend that the Miami-Dade County Board of County Commissioners (Board) approve the issuance of a Class I permit for the reasons set forth below.

Scope
The project site is at 1330 Miller Drive, Coral Gables, Miami-Dade County, in Commission District 7.

Fiscal Impact/Funding Source
Not applicable.

Track Record/Monitor
Not applicable.

Background
The subject Class I permit application by the University of Miami (University) involves the placement of a bulkhead and the filling of three thousand seven hundred seventy-five (3,775) square feet of tidal waters within Lake Osceola, a tidally connected lake located on the University of Miami main campus. The subject property is located at 1330 Miller Drive, Coral Gables, Miami-Dade County, Florida. The proposed project is required to be reviewed and approved by the Board at a public hearing because the scope of work includes the installation of a bulkhead waterward of the mean high water line (MHWL) and the filling of tidal waters. Said work is not specifically referenced in Section 24-48.2 of the Code as work that can be processed administratively with a short form application. Therefore, a standard form application including a public hearing is required.

Lake Osceola is situated near the center of the University's main campus, adjacent to the student center. A review of historical aerial photographs indicates that Lake Osceola was created through the widening of an existing narrow waterway by dredging of the surrounding upland area at the site. The University is proposing to redevelop the existing student center and perform improvements to the stormwater system as part of the redevelopment. These upland improvements will result in the loss of the upland passive recreational area located along the north shoreline of Lake Osceola. To maintain the recreational value of the shoreline, the University is proposing to extend the passive recreation area into the lake by installing four hundred sixteen (416) linear feet of vinyl sheet pile bulkhead a distance of fourteen (14) feet waterward of the existing north shoreline and backfill three thousand seven hundred seventy-five (3,775) square feet of tidal waters between the existing uplands and the new bulkhead.

Section 24-48.3(2) of the Code requires that any dredging or filling work proposed in a Class I permit application comply with at least one of six specific criteria contained therein. The proposed project is not consistent with the aforesaid criteria; therefore, a variance from this Code section was requested by the University. Requests for variances of this type are considered then approved or denied at a public hearing by the Miami-Dade County Environmental Quality Control Board (EQCB). On January 19, 2010,

the EQCB granted approval of a variance from Section 24-48.3(2) of the Code for the proposed project subject to conditions, which shall be incorporated into the Class I permit (see Attachment D).

Pursuant to Section 24-48.4 of the Code, potential adverse environmental impacts and cumulative adverse environmental impacts for a proposed project must be avoided and minimized. Mitigation is required to compensate for all unavoidable, adverse environmental impacts. The existing shoreline does not provide significant habitat value, as no wetland vegetation or submerged aquatic vegetation was documented in the vicinity of the proposed work during the site inspection conducted by the Department of Environmental Resources Management (DERM). To mitigate for water quality impacts associated with the installation of the new bulkhead and the filling of tidal waters, 453.75 cubic yards of limerock riprap boulders are required. A mitigation bond will be posted in an amount equivalent to 453.7 cubic yards of limerock riprap boulders prior to permit issuance.

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

Attachments

Attachment A: Class I Permit Application
Attachment B: Owner/Agent Letter, Engineer Certification Letter and Project Sketches
Attachment C: Zoning Memorandum
Attachment D: EQCB Board Order No. 10-8
Attachment E: DERM Project Report

NOTICE OF PUBLIC HEARING ON AN APPLICATION BY THE UNIVERSITY OF MIAMI FOR A CLASS I PERMIT FOR THE PLACEMENT OF A BULKHEAD WATERWARD OF THE MEAN HIGH WATER LINE AND FOR THE FILLING OF TIDAL WATERS WITHIN LAKE OSCEOLA ON THE UNIVERSITY OF MIAMI CAMPUS AT 1330 MILLER DRIVE, CORAL GABLES, 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 the University of Miami for a Class I permit for the placement of a bulkhead waterward of the mean high water line and for the filling of tidal waters within Lake Osceola on the University of Miami campus at 1330 Miller Drive, Coral Gables, Miami-Dade County. Such public hearing will be held on the 20th day of July, 2010, at 9:30 AM, in the County Commission Chambers on the 2nd Floor of the Stephen P. Clark Center at 111 NW 1st Street 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, 4th Floor, 701 NW 1st Court, Miami, FL 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 (Diane Collins, 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, 4th Floor, 701 NW 1st Court, Miami, FL 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: _____
Diane Collins, Deputy Clerk

MEMORANDUM

(Revised)

TO: Honorable Chairman Dennis C. Moss and Members, Board of County Commissioners

DATE: July 20, 2010

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

SUBJECT: Agenda Item No. 5(C)

Please note any items checked.

_____ **"3-Day Rule" for committees applicable if raised**

_____ **6 weeks required between first reading and public hearing**

_____ **4 weeks notification to municipal officials required prior to public hearing**

_____ **Decreases revenues or increases expenditures without balancing budget**

_____ **Budget required**

_____ **Statement of fiscal impact required**

✓ **Ordinance creating a new board requires detailed County Manager's report for public hearing**

_____ **No committee review**

_____ **Applicable legislation requires more than a majority vote (i.e., 2/3's ____, 3/5's ____, unanimous_____) to approve**

_____ **Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required**

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 5(C)
7-20-10

RESOLUTION NO. R-797-10

RESOLUTION RELATING TO AN APPLICATION BY THE UNIVERSITY OF MIAMI FOR A CLASS I PERMIT FOR THE PLACEMENT OF A BULKHEAD WATERWARD OF THE MEAN HIGH WATER LINE AND FOR THE FILLING OF TIDAL WATERS WITHIN LAKE OSCEOLA ON THE UNIVERSITY OF MIAMI CAMPUS AT 1330 MILLER DRIVE, CORAL GABLES, MIAMI-DADE COUNTY, FLORIDA

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

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that this Board having considered all the applicable factors contained within Section 24-48.3 of the Code of Miami-Dade County, hereby approves the application by the University of Miami for a Class I permit for the placement of a bulkhead waterward of the mean high water line and for the filling of tidal waters within Lake Osceola on the University of Miami campus at 1330 Miller Drive, Coral Gables, 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 Katy Sorenson, 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:

Dennis C. Moss, Chairman aye
Jose "Pepe" Diaz, Vice-Chairman absent

Bruno A. Barreiro	absent	Audrey M. Edmonson	aye
Carlos A. Gimenez	aye	Sally A. Heyman	aye
Barbara J. Jordan	aye	Joe A. Martinez	aye
Dorrin D. Rolle	aye	Natacha Seijas	aye
Katy Sorenson	aye	Rebeca Sosa	absent
Sen. Javier D. Souto	aye		

The Chairperson thereupon declared the resolution duly passed and adopted this 20th day of July, 2010. 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: DIANE COLLINS
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

Peter S. Tell

Attachment A

Class I Permit Application

MIAMI-DADE COUNTY

Class I Permit Application

FOR DEPARTMENTAL USE ONLY

Date Received:

Application Number: 2009-CLIPER-00049

Application Fee:

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

1. Applicant Information:

Name: University of Miami

Address: 1252 Memorial Drive, Room 230

Coral Gables, FL Zip Code: 33124

Phone #: (305) 284-6749 Fax#: (305) 376-3108

Email: g.tarbe@miami.edu

* This should be the applicant's information for contact purposes.

2. Applicant's Authorized Permit Agent:

Agent is allowed to process the application, furnish supplemental information relating to the application and bind the applicant to all requirements of the application.

Name: Coastal Systems International, Inc.

Address: 464 S. Dixie Highway

Coral Gables, FL Zip Code: 33146

Phone #: (305) 661-3655 Fax #: (305) 661-1914

Email: alyew-ayee@coastalsystemsint.com

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

Folio #(s): 03-4130-015-0010 Latitude: 25 43'08.72" Longitude: 80 16'45.25"

Street Address: 1330 Miller Drive Section: 19 & 30 Township: 54S Range: 41E

In City or Town: Coral Gables, FL 33124 Near City or Town:

Name of waterway at location of the activity: Lake Osceola

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

- ☒ Seawall
  - ☒ New/Replacement Seawall
  - ☐ Seawall Cap
  - ☐ Batter Piles
  - ☐ King Piles
  - ☐ Footer/Toe Wall
  - ☒ Riprap
- ☐ Dock(s)
- ☐ Pier(s)
- ☐ Viewing Platform
- ☐ Boatlift
- ☐ Mooring Piles
- ☐ Fender Piles
- ☐ Davits
- ☐ Dredging
  - ☐ Maintenance
  - ☐ New
- ☒ Filling
- ☐ Mangrove Trimming
- ☐ Mangrove Removal

☐ Other:

Estimated project cost = $ 78,800.00

Are you seeking an after-the-fact approval (ATF)? ☐Yes ☒No If "Yes", describe the ATF work:

5. Proposed Use (check all that apply):

- ☐ Single Family
- ☐ Multi-Family
- ☒ Private
- ☐ Public
- ☐ Commercial
- ☐ Industrial
- ☐ Utility

6. If the proposed work relates to the mooring of vessels provide the following information (please also indicate if the applicant does not have a vessel): N/A

Proposed Vessel Type (s):

Vessel Make/Model (If known):

Draft (s)(range in inches.): Length (s)(range in feet.):

Total Number of Slips:

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

Issuing Agency	Type of Approval	Identification Number	Application Date	Approval Date
USACE	IP	SAJ-2009-00770	3/4/2009	5/26/2009
SFWMD	ERP	13-04616-P	3/4/2009	6/25/2009

Revised 11/16/09

8. Contractor Information (If known): TBD

Name: _____ License # (County/State): _____

Address: _____ Zip Code: _____

Phone #: _____ Fax #: _____ E-mail: _____

9. IMPORTANT NOTICE TO APPLICANTS: The written consent of the property owner is required for all applications to be considered complete. Your application WILL NOT BE PROCESSED unless the Applicant and Owner Consent portion of the application is completed below. You have the obligation to apprise the Department of any changes to information provided in this application.

Application is hereby made for a Miami-Dade County Class I permit to authorize the activities described herein. I agree to or affirm the following:

- I possess the authority to authorize the proposed activities at the subject property, and
- I am familiar with the information, data and plans contained in this application, and
- To the best of my knowledge and belief, the information, data and plans submitted are true, complete and accurate, and
- I will provide any additional information, evidence or data necessary to provide reasonable assurance that the proposed project will comply with the applicable State and County water quality standards both during construction and after the project is completed, and
- I am authorizing the permit agent listed in Section 2 of this application to process the application, furnish supplemental information relating to this application and bind the applicant to all requirements of this application, and
- I agree to provide access and allow entry to the project site to inspectors and authorized representatives of Miami-Dade County for the purpose of making the preliminary analyses of the site and to monitor permitted activities and adherence to all permit conditions.

A. IF APPLICANT IS AN INDIVIDUAL

Signature of Applicant | Print Applicant's Name | Date

B. IF APPLICANT IS OTHER THAN AN INDIVIDUAL OR NATURAL PERSON
(Examples: Corporation, Partnership, Trust, LLC, LLP, etc.)

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

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

	Joseph Natoli	Vice President	
Signature of Authorized Representative	Print Authorized Representative's Name	Title	Date

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

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

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

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

Signature of Authorized Representative | Print Authorized Representative's Name | Title | Date

Signature of Authorized Representative | Print Authorized Representative's Name | Title | Date

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

I/We are the fee simple owner(s) of the real property located at 1330 Miller Drive Miami-Dade County, Florida, otherwise identified in the public records of Miami-Dade County as Folio No. 03-4130-015-0010. I am aware and familiar with the contents of this application for a Miami-Dade County Class I Permit to perform the work on or adjacent to the subject property, as described in Section 4 of this application. I possess the riparian rights to the area of the proposed work (if applicable) and hereby consent to the work identified in this Class I Permit application.

A. IF THE OWNER(S) IS AN INDIVIDUAL

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

B. IF THE OWNER IS OTHER THAN AN INDIVIDUAL OR NATURAL PERSON

(Examples: Corporation, Partnership, Joint Venture, Trust, LLC, LLP, etc.)

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

1252 Memorial Drive, Room 230, Coral Gables, FL 33124
Address of Owner

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

Signature of Authorized Representative	Print Authorized Representative's Name	Title	Date
	Joseph Natoli	Vice President	
Signature of Authorized Representative	Print Authorized Representative's Name	Title	Date

Please Review Above

Appropriate signature(s) must be included in:

Box 9: either A, B or C

AND

Box 10: either A or B

Revised 11/16/09

Attachment B

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

UNIVERSITY
OF MIAMI

June 24, 2010

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

RE: CLASS I STANDARD FORM PERMIT APPLICATION NUMBER, 2009-CLI-PER-00049

By the attached Class I Standard Form permit application with supporting documents, I, **Joseph Natoli,** am the permit applicant / applicant's authorized agent and hereby request permission to perform the work associated with Class I permit application 2009-CLI-PER-00049. 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,

Mr. Joseph Natoli,
Vice-President of University of Miami, Inc.
Permit Applicant

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

RECEIVED
JUN 22 2010
DERM Coastal Resources Section
Natural Resources Regulation & Restoration
Division (NRRRD)

June 11, 2010

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

RE: CLASS I STANDARD FORM PERMIT APPLICATION NUMBER 2009-CLI-PER-00049

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).

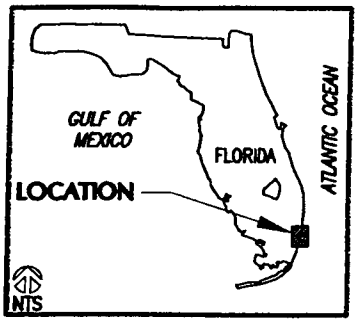
c. Material injury to adjacent property.

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,

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



Sheet List Table

1 LOCATION MAP
2 EXISTING CONDITIONS
3 PROPOSED MARINE WORKS
4 EXIST. SITE & PROPOSED WORK
5 DETAILED VIEW & SECTION
6 CONNECTION DETAIL
7 TURBIDITY CONTROL
8 TURBIDITY CONTROL DETAILS
9 SECTION – A
10 SECTION – B
11 GENERAL NOTES

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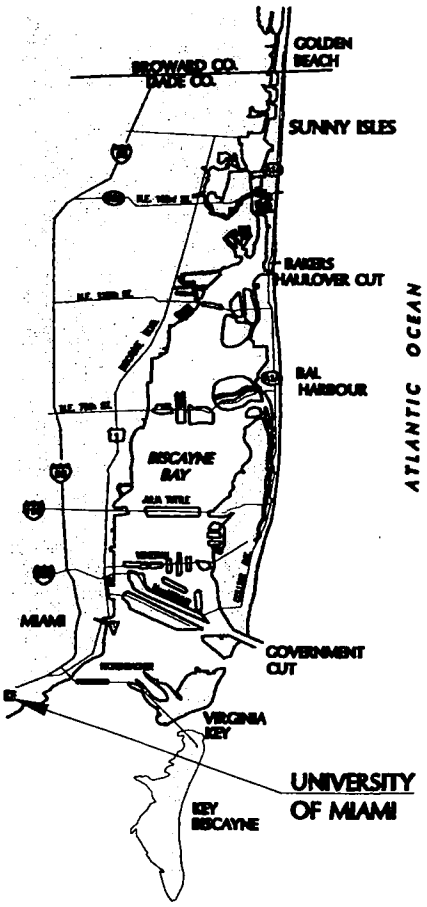
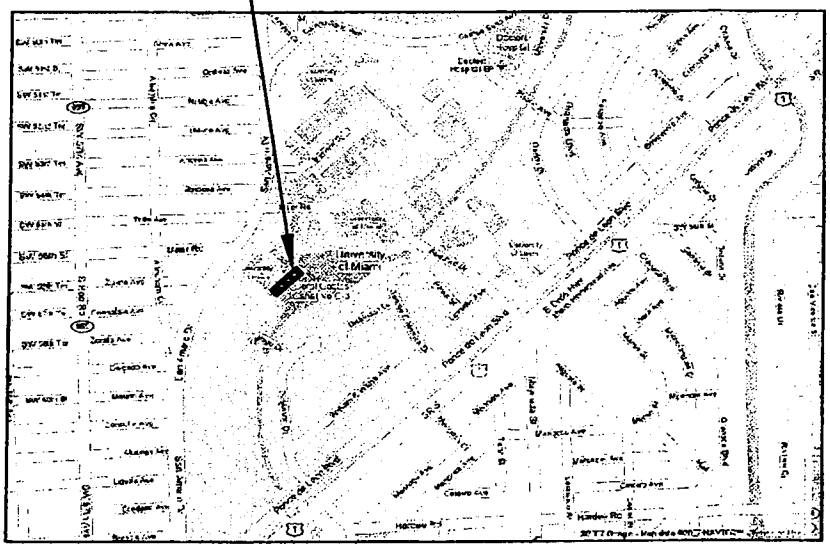
APR 14 2010
DERM Coastal Resources Section
Natural Resources Regulation & Restoration
Division (NRRRD)



VICINITY MAP

PROJECT SITE



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		APP. NO:	
		PROJECT NO:	279500
4/13/10	DERM REVIEW	DATUM:	NGVD 29
03/16/10	DERM REVIEW	DRAWN BY:	SV
07/23/09	PERMIT SET	CHECKED BY:	TKB
DATE:	DESCRIPTION:		

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

T.K. BLANKENSHIP
FL. REG. 55910

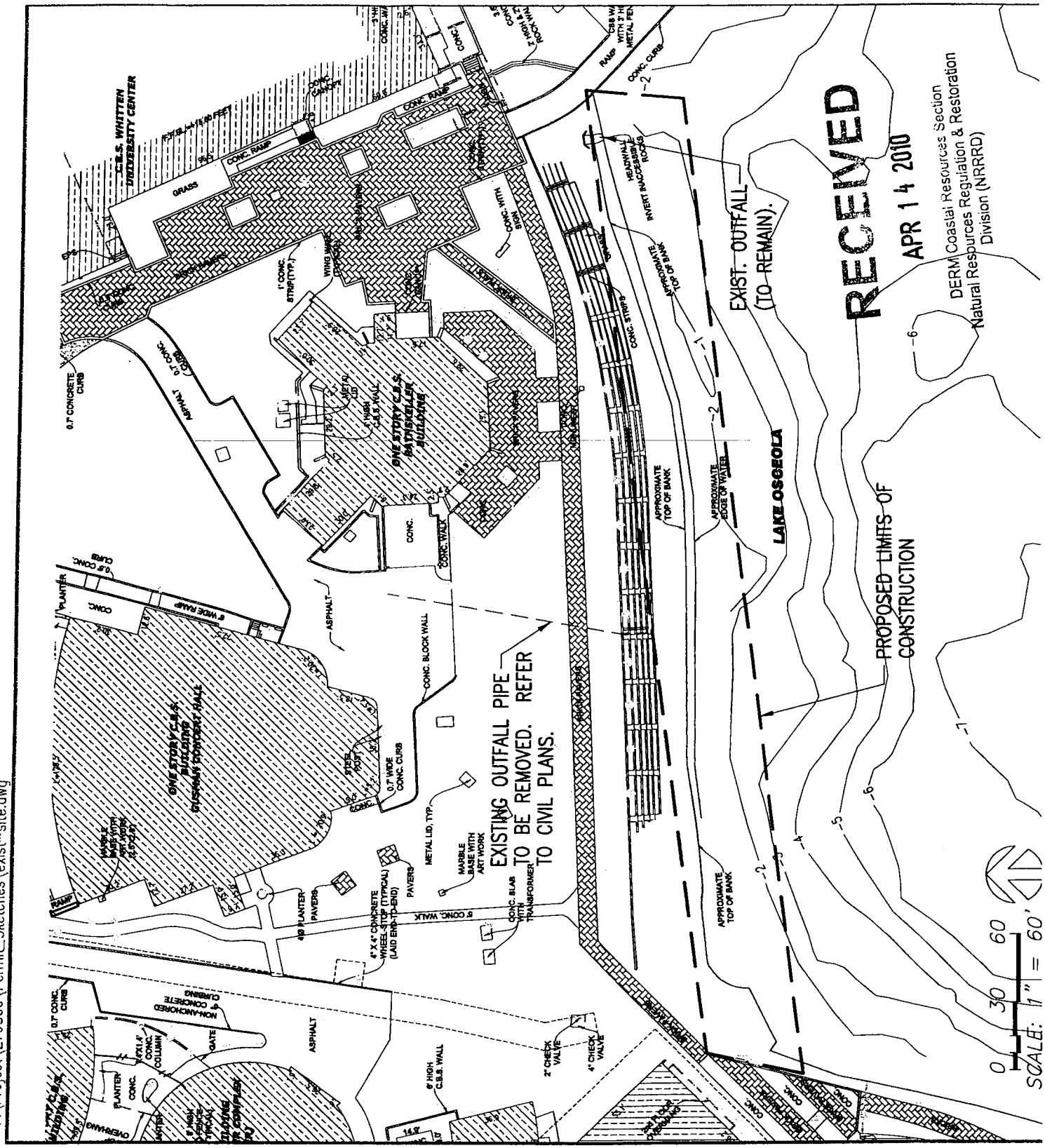
CLIENT:

U of M - FACILITIES DESIGN & CONST. DEPT.
1535 LEVANTE AVE. SUITE 205,
CORAL GABLES, FL. 33146

STUDENT ACTIVITY CENTER
SHORELINE STABILIZATION & ENHANCEMENT PROJECT

LOCATION MAP

SHEET 1 OF 11



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APR 14 2010
DERM Coastal Resources Section
Natural Resources Regulation & Restoration Division (NRRRD)

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DATE:	DESCRIPTION:
4/13/10	DERM REVIEW
03/16/10	DERM REVIEW
07/23/09	PERMIT SET

APP. NO:	
PROJECT NO:	279500
DATUM:	NGVD 29
DRAWN BY:	SV
CHECKED BY:	TKB

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

T.K. BLANKENSHIP
FL. REG. 55910

CLIENT:

U of M - FACILITIES DESIGN & CONST. DEPT.
1535 LEVANTE AVE. SUITE 205,
CORAL GABLES, FL. 33146

STUDENT ACTIVITY CENTER
SHORELINE STABILIZATION & ENHANCEMENT PROJECT

EXISTING CONDITIONS

SHEET 2 OF 11

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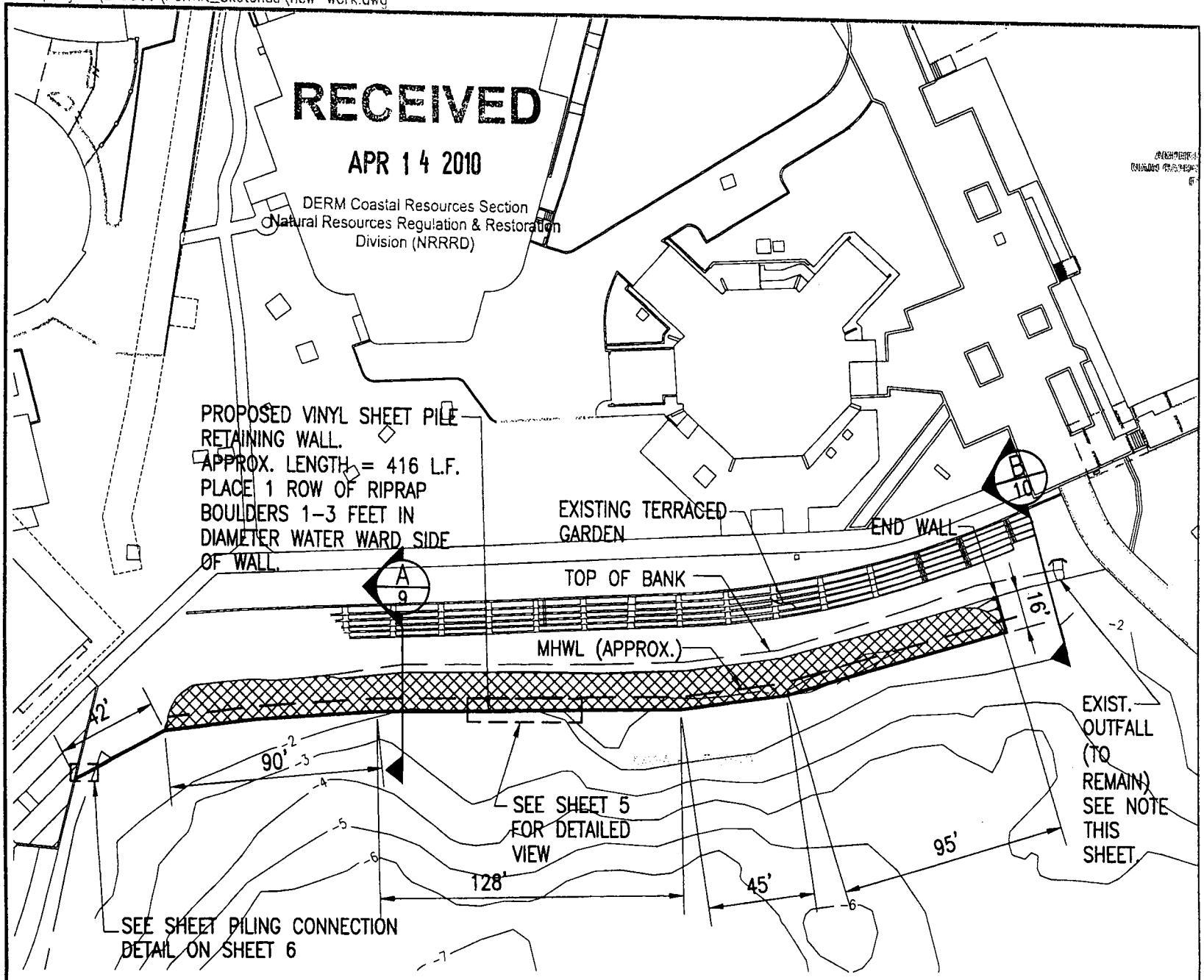


RECEIVED
APR 14 2010
DERM Coastal Resources Section
Natural Resources Regulation & Restoration Division (NRRRD)

NOTE:
MANATEE EXCLUSION GRATE TO BE INSTALLED. SEE CONSUL-TECH DEVELOPMENT SRVCS, INC., CIVIL PLANS.

FILL AREA = 6,633 S.F.
(FILL AREA TO +0.69' (MHWL) = 3,775 S.F.)

0 30 60
SCALE: 1" = 60'

DATE:	DESCRIPTION:
4/13/10	DERM REVIEW
03/16/10	DERM REVIEW
07/23/09	PERMIT SET

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

T.K. BLANKENSHIP
FL. REG. 55910

APP. NO:
PROJECT NO: 279500
DATUM: NGVD 29
DRAWN BY: SV
CHECKED BY: TKB

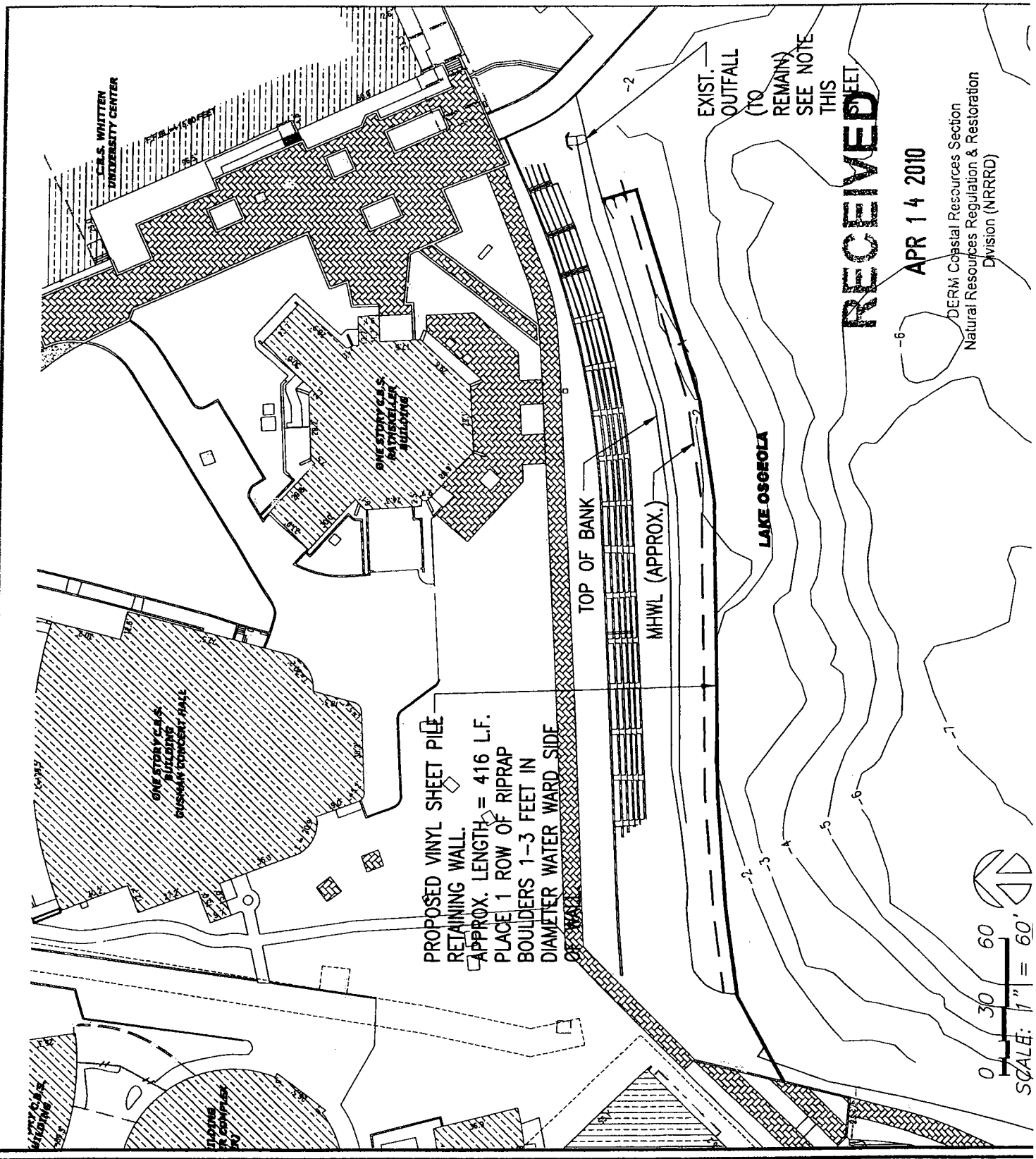
CLIENT:

U of M - FACILITIES DESIGN & CONST. DEPT.
1535 LEVANTE AVE. SUITE 205,
CORAL GABLES, FL. 33146

STUDENT ACTIVITY CENTER
SHORELINE STABILIZATION & ENHANCEMENT PROJECT

PROPOSED MARINE WORKS

SHEET 3 OF 11



RECEIVED
APR 14 2010
DERM Coastal Resources Section
Natural Resources Regulation & Restoration Division (NRRRD)

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DATE:	DESCRIPTION:
4/13/10	DERM REVIEW
03/16/10	DERM REVIEW
07/23/09	PERMIT SET

APP. NO:	
PROJECT NO:	279500
DATUM:	NGVD 29
DRAWN BY:	SV
CHECKED BY:	TKB

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

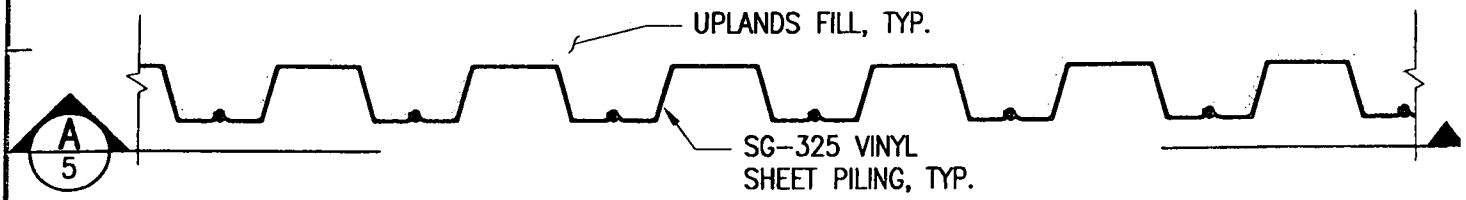
T.K. BLANKENSHIP
FL. REG. 55910

CLIENT:
U of M - FACILITIES DESIGN & CONST. DEPT.
1535 LEVANTE AVE. SUITE 205,
CORAL GABLES, FL. 33146

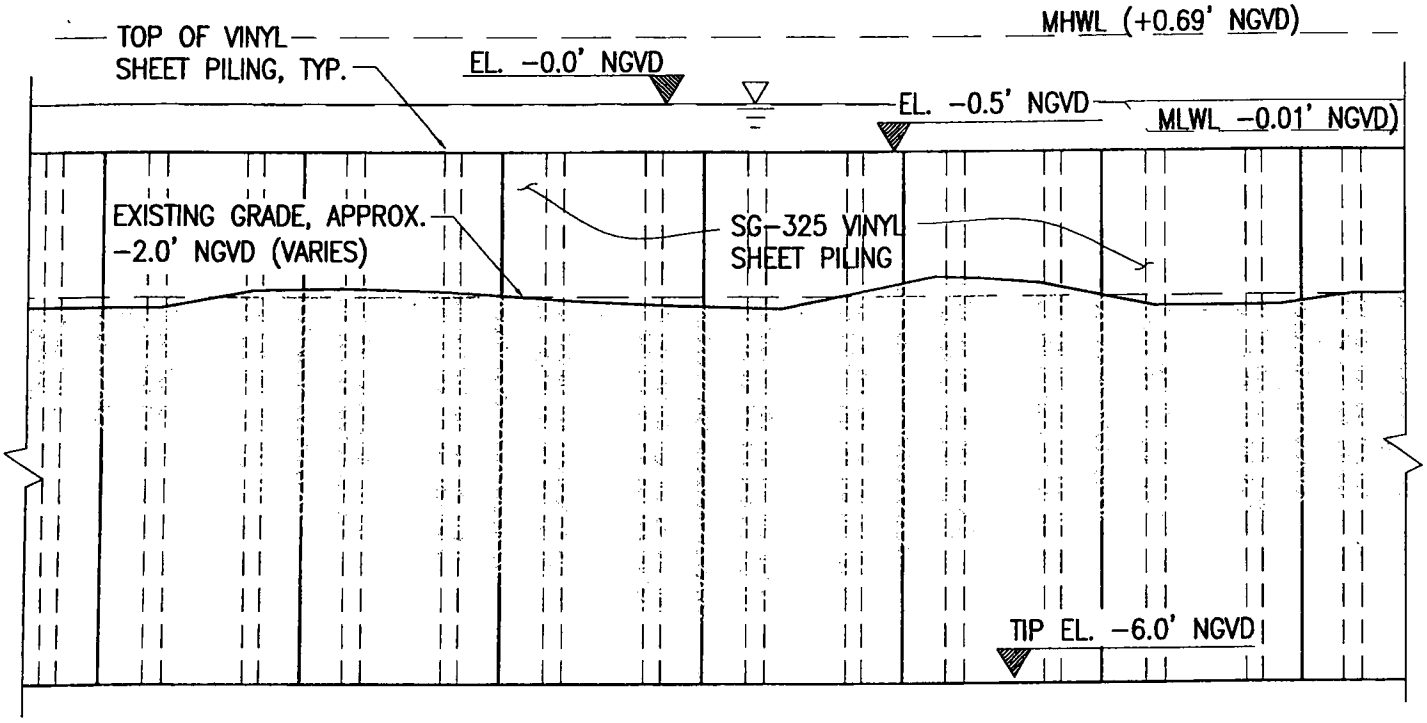
STUDENT ACTIVITY CENTER
SHORELINE STABILIZATION & ENHANCEMENT PROJECT

EXIST. SITE & PROPOSED WORK

SHEET 4 OF 11



TYPICAL DETAILED VIEW OF WALL
1" = 2'



A TYPICAL ELEVATION VIEW OF WALL
1" = 2'

RECEIVED

APR 14 2010

DERM Coastal Resources Section
Natural Resources Regulation & Restoration
Division (NRRRD)

0 1 2
SCALE: 1" = 2'

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DATE:	DESCRIPTION:
4/13/10	DERM REVIEW
03/16/10	DERM REVIEW
07/23/09	PERMIT SET

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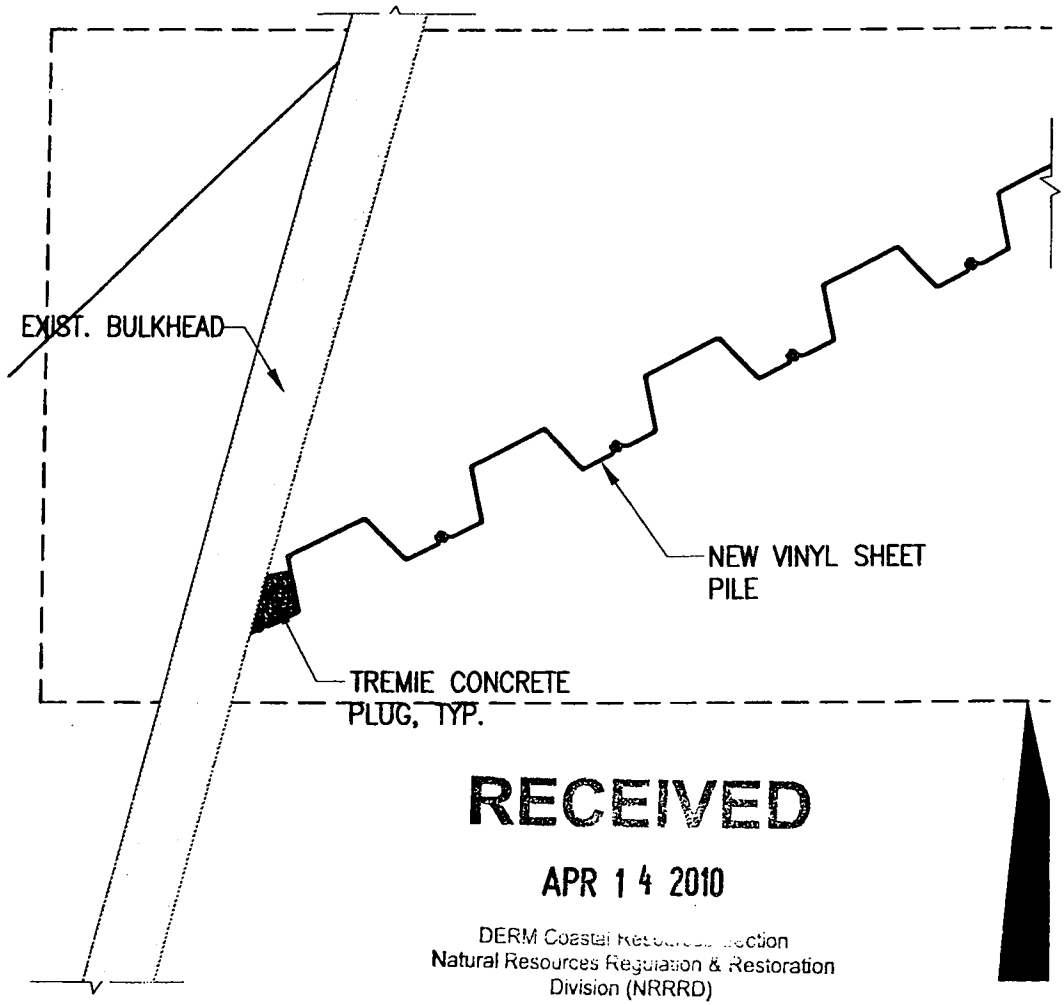
STUDENT ACTIVITY CENTER
SHORELINE STABILIZATION & ENHANCEMENT PROJECT

DETAILED VIEW & SECTION

SHEET 5 OF 11



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Division (NRRRD)

CONNECTION DETAIL
1" = 2'

0 1 2
SCALE: 1" = 2'

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		APP. NO:	
		PROJECT NO:	279500
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03/16/10	DERM REVIEW	DRAWN BY:	SV
07/23/09	PERMIT SET	CHECKED BY:	TKB
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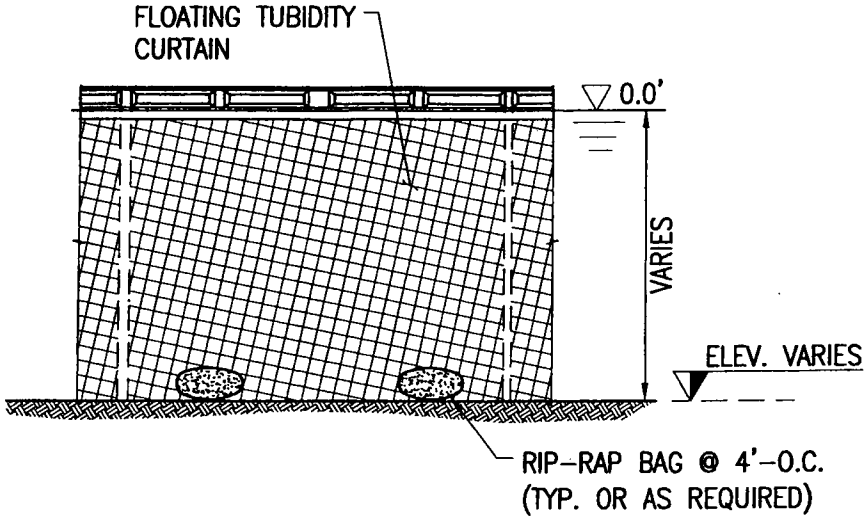
SHORELINE STABILIZATION & ENHANCEMENT PROJECT

CONNECTION DETAIL

SHEET 6 OF 11



TURBIDITY CURTAIN

N.T.S.

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DERM Coastal Resources Section
Natural Resources Regulation & Restoration
Division (NRRRD)

TURBIDITY CONTROL NOTES:

1. REFER TO ENVIRONMENTAL PERMITS FOR TURBIDITY CONTROL REQUIREMENTS.
2. TURBIDITY CURTAINS SHALL BE OF SUFFICIENT LENGTH TO CONTROL TUBIDITY YET OF SUCH LENGTH TO PRECLUDE SCOURING OF SUBMERGED BOTTOM, WHETHER WEIGHTED OR STAKED IN PLACE.
3. CONTRACTOR SHALL DEPLOY SUFFICIENT SECTION LENGTH OF TURBIDITY CURTAIN FOR EFFICIENT TURBIDITY CONTROL. SECTIONS OF CURTAIN ARE TO BE RELOCATED ALONG SHORELINE FILL AS CONSTRUCTION PROGRESSES.

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DATE:	DESCRIPTION:
4/13/10	DERM REVIEW
03/16/10	DERM REVIEW
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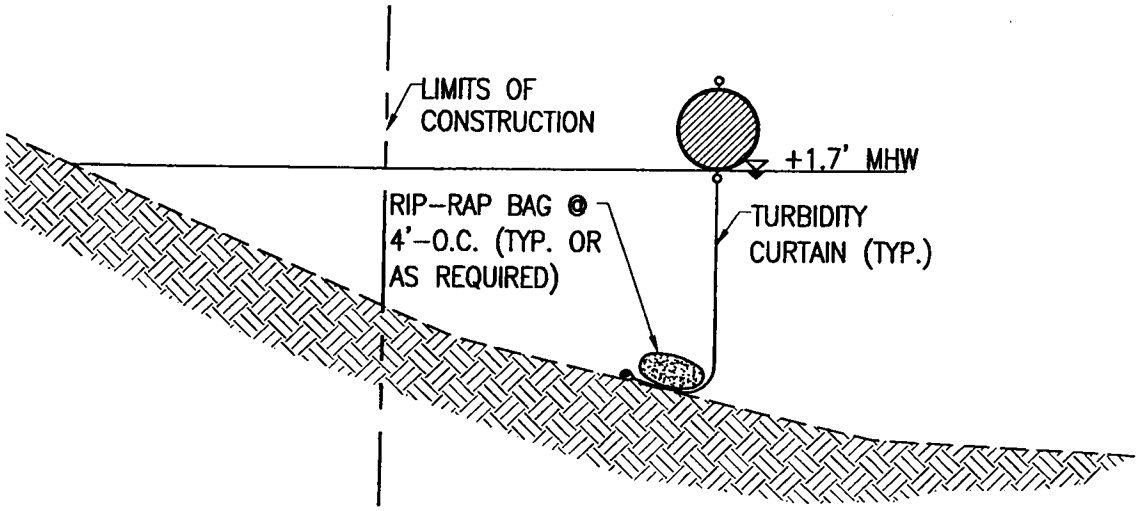
SHORELINE STABILIZATION & ENHANCEMENT PROJECT

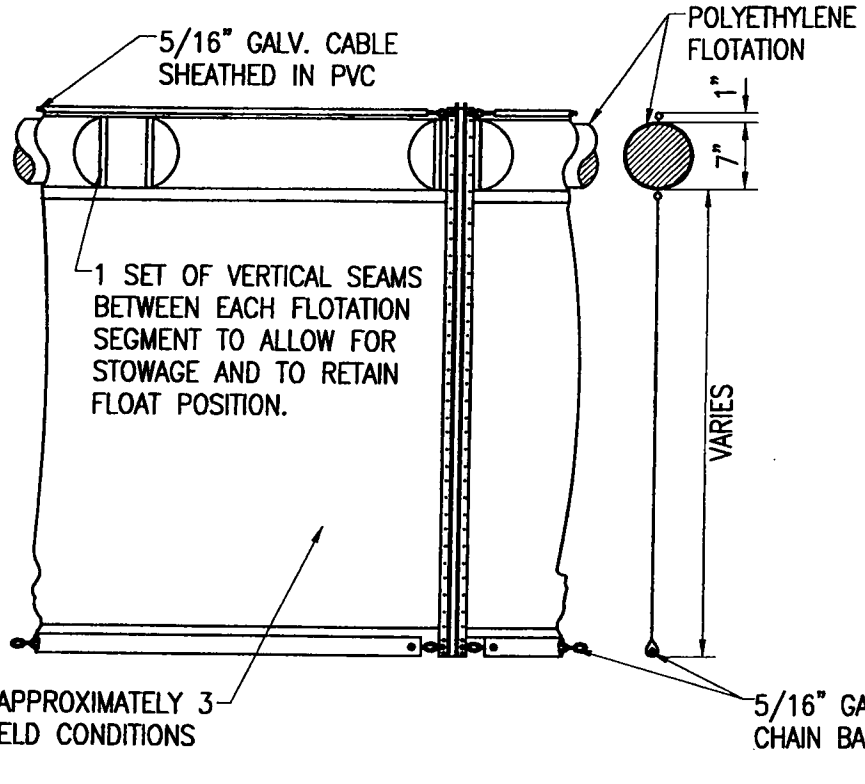
TURBIDITY CONTROL

SHEET 7 OF 11



TYPICAL SECTION

N.T.S.



CURTAIN BOOM DETAIL

N.T.S.

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APR 14 2010
DERM Coastal Resources Section
Natural Resources Regulation & Restoration Division (NRRRD)

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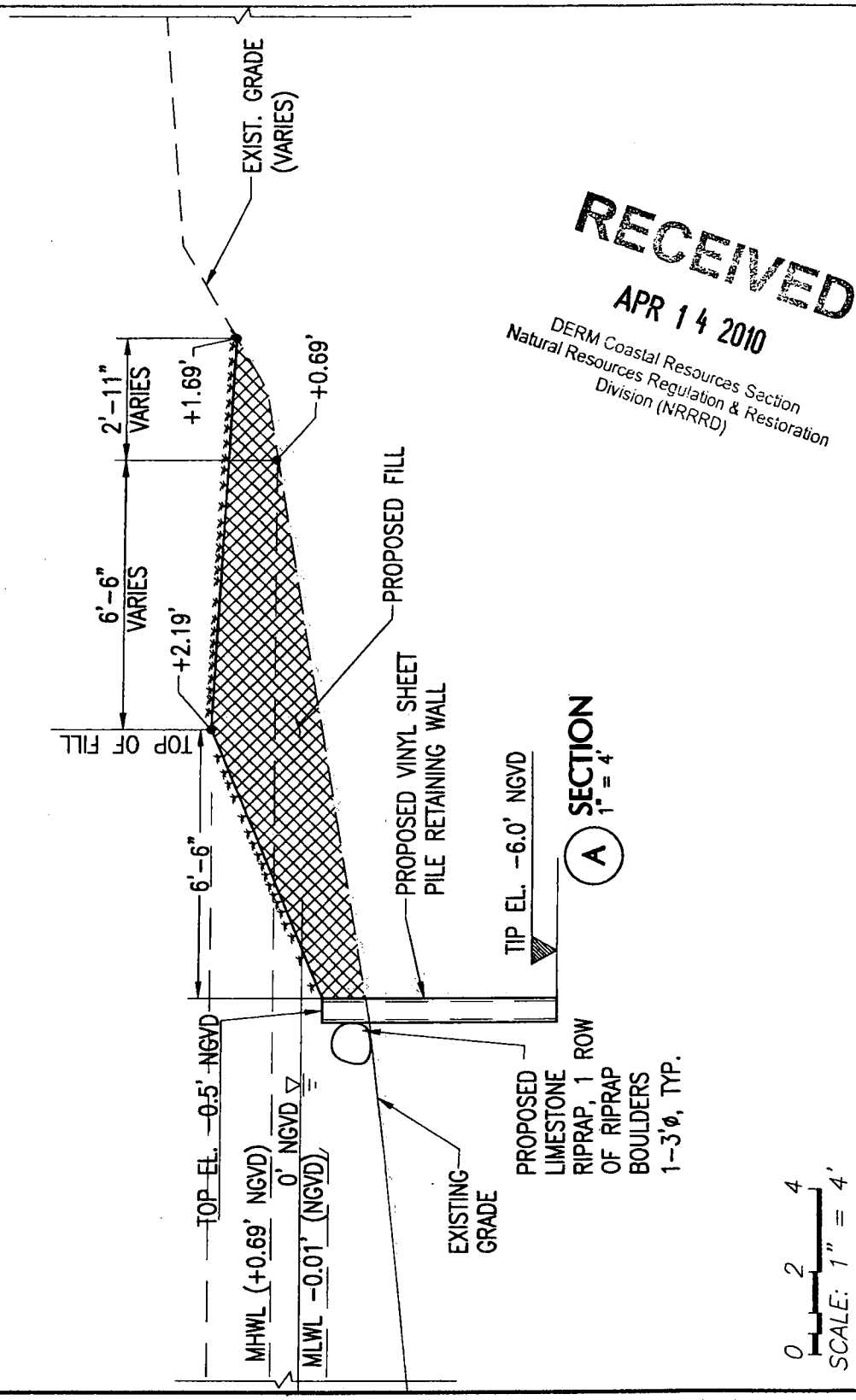
STUDENT ACTIVITY CENTER
SHORELINE STABILIZATION & ENHANCEMENT PROJECT

TURBIDITY CONTROL DETAILS

SHEET 8 OF 11



NOTE:
TOTAL FILL VOLUME = 290± C.Y.
FILL VOLUME TO +0.69 (MHWL) = 75± C.Y.

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Natural Resources Regulation & Restoration Division (NRRRD)

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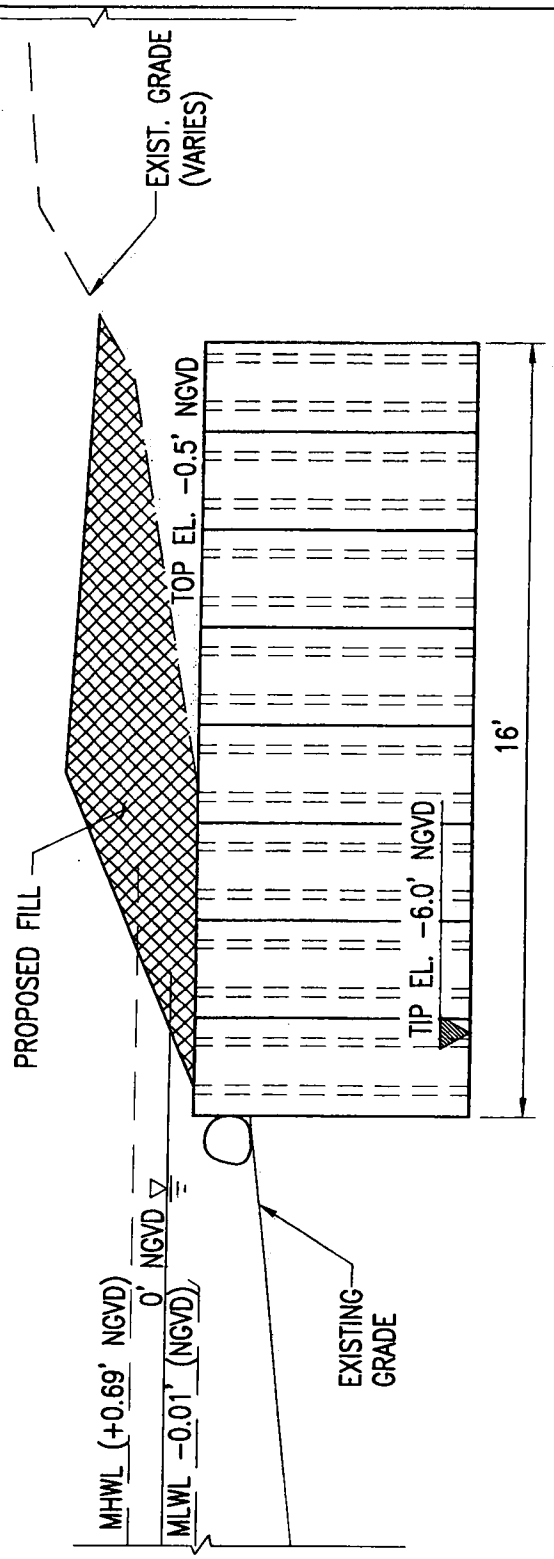
STUDENT ACTIVITY CENTER
SHORELINE STABILIZATION & ENHANCEMENT PROJECT

SECTION - A

SHEET 9 OF 11



B SECTION
1" = 4'

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APR 14 2010
DERM Coastal Resources Section
Natural Resources Regulation & Restoration Division (NRRRD)

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SCALE: 1" = 4'

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SHORELINE STABILIZATION & ENHANCEMENT PROJECT

SECTION - B

SHEET 10 OF 11

GENERAL NOTES

1. TOPOGRAPHIC, BOUNDARY INFORMATION PROVIDED BY PBS&J SURVEYORS DATED DECEMBER 14, 2007.

2. HYDROGRAPHIC DATA COLLECTED BY COASTAL SYSTEMS INTERNATIONAL, INC. ON SEPTEMBER 11, 2008.

3. ELEVATIONS REFERENCED TO NATIONAL GEODETIC VERTICAL DATUM, (NGVD) 1929. TIDAL VARIATION IS APPROXIMATELY 0.6' BASED ON TIDAL MEASUREMENTS FROM 1/27/09 TO 1/28/09.

4. HORIZONTAL CONTROL COORDINATES ARE IN FEET AND REFERENCED TO THE NORTH AMERICAN DATUM 1983 (NAD83), FLORIDA EAST ZONE.

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.

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Natural Resources Regulation & Restoration
Division (NRRRD)

ABBREVIATIONS

MHW_____MEAN HIGH WATER
MLW _____MEAN LOW WATER
NOS _____NATIONAL OCEAN SERVICE
NGVD_____NATIONAL GEODETIC VERTICAL DATUM
NAVD_____NORTH AMERICAN VERTICAL DATUM
TYP. _____TYPICAL
▽ ——— WATER LEVEL

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STUDENT ACTIVITY CENTER
SHORELINE STABILIZATION & ENHANCEMENT PROJECT

GENERAL NOTES

SHEET 11 OF 11

Attachment C

Zoning Memorandum

Memorandum

MIAMI-DADE COUNTY

Date: June 28, 2010

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 the University of Miami for the Placement of a Bulkhead Waterward of the Mean High Water Line and for the Filling of Tidal Waters Within Lake Osceola

---

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 Miami-Dade County Board of County Commissioners and prior to issuance of the Class I permit.

Attachment D

EQCB Board Order

CFN 2010R0078659
OR Bk 27172 Pgs 1527 - 1530; (4
RECORDED 02/04/2010 12:02:59
HARVEY RUVIN, CLERK OF COURT
MIAMI-DADE COUNTY, FLORIDA

BEFORE THE MIAMI-DADE COUNTY
ENVIRONMENTAL QUALITY CONTROL BOARD

IN RE	:	**Board Order No.** 10-8
	:	
University of Miami	:	

THIS MATTER came before the Board as a request by Petitioner, University of Miami, for a variance from the requirements of Section 24-48.3(2) of the Code of Miami-Dade County, Florida. Said Code section requires in pertinent part that any dredging or filling work proposed in a Class I Permit application shall comply with at least one of six specific criteria contained therein. The request stems from a redevelopment project involving the implementation of a stormwater management system within the University of Miami campus, which requires that approximately 75 cubic yards of fill to be placed below the mean high water line (MHWL) to extend the shoreline approx. 14.8 feet waterward of the existing MHWL and to fill approximately 0.087 acre of tidal waters. The proposed filling is not consistent with any of the aforesaid criteria. The subject property is located at 1239 Dickinson Drive, Coral Gables, Florida and is more particularly described in Exhibit "A" attached hereto and incorporated herein by reference.

Section 24-48.3 of the Code, requires that the Miami-Dade County Department of Environmental Resources Management (DERM), evaluate environmental and related impacts including but not limited to aesthetics, navigation, marine resources and any other environmental values affecting the public interest when deciding whether to approve or deny a proposed project. Section 24-48.3(2) of the Code requires that in addition to the applicable evaluation factors found in Section 24-48.3(1)(a) through (i), dredging or filling work proposed in Class I permit applications shall comply with at least one of the following criteria:

a) Minimum dredging and spoiling for public navigation or public necessity.
b) An alteration of physical conditions as may be necessary to enhance the quality or utility of adjacent waters.
c) Minimum dredging and filling for the creation and maintenance of marinas, piers, docks and attendant navigational channels.

d) Minimum dredging and filling as is necessary for the elimination of conditions hazardous to the public health or for the elimination of stagnant waters.
e) Minimum dredging and filling as is necessary to enhance the biological, chemical or physical characteristics of adjacent waters.
f) A physical modification necessary to protect public or private property.

The work proposed in the subject Class I permit application does not meet any of the criteria of Section 24-48.3(2) of the Code of Miami-Dade County.

The Board finds that Lake Osceola is situated near the center of the University of Miami's main campus, adjacent to the student center. A review of historical aerial photographs indicates that Lake Osceola was created through the widening of an existing narrow waterway by dredging of the surrounding upland area of the site. The Board finds that the Petitioner is proposing to redevelop the existing student center and perform improvements to the stormwater system as part of the redevelopment. The Board finds that in order to complete these improvements, the Petitioner proposes to fill 3,775 square feet of Lake Osceola and extend the existing lawn area adjacent to the lake in order to maintain the recreational value of the shoreline. To accomplish this, the Petitioner proposes to install 416 linear feet of vinyl sheet pile bulkhead 14 feet waterward of the existing shoreline and backfill 3,775 square feet of tidal waters along the north shoreline of the lake.

The Board finds that the existing shoreline does not provide significant habitat value, as no wetland vegetation or submerged aquatic vegetation was documented during the site inspection conducted by the DERM staff.

Finally, the Board finds that, based upon the evidence and testimony presented and the foregoing findings, granting the Petitioner's request for a variance to allow the Petitioner to seek approval from the Board of County Commissioners to bulkhead and backfill the north shoreline of Lake Osceola, will not be detrimental to the public health, welfare and safety, will not create a nuisance, and will not materially increase the level of pollution in this County.

ACCORDINGLY, IT IS

ORDERED AND ADJUDGED that, based upon the evidence and testimony presented and the foregoing findings, Petitioner's request for a variance from the requirements of Section 24-48.3(2) of the Code be and the same is hereby granted subject to the following conditions:

1. There shall be no filling or impacts to tidal waters or coastal wetlands beyond the footprint of the area permitted under the Class I permit.

2. The Petitioner shall submit revised project plans as directed by DERM that comply with the storm drainage standards set forth in Chapter 24 of the Code. The top of fill shall be located a minimum of 1.5 feet above the mean high water line. Additionally, the project must be constructed so that the uplands are graded away from the lake such that a

minimum of 6 inches of slope is maintained to prevent positive drainage of stormwater into the lake.

3. A DERM Class II Permit is required for the construction, installation, and/or alteration of any outfall or overflow system in, on, under or upon any water body of Miami-Dade County. The Petitioner shall obtain a Class II Permit prior to the construction and alteration of any outfall or overflow system.

Done and Ordered this 19 day of January, 2010 in Miami-Dade County, Florida.

Claire Bradshaw-Sidran

Claire Bradshaw-Sidran, Ph.D.
Chairperson

FILING AND ACKNOWLEDGEMENT

Filed on this 19 day of January, 2010 with the Secretary of the Board as Clerk of the Environmental Quality Control Board, receipt of which is hereby acknowledged and the seal of the Board affixed below.

Carlos Espinosa, P.E.
Secretary and Clerk

SEAL

Approved as to form and legal sufficiency:

R. A. CUEVAS, JR.
Miami-Dade County Attorney
Attorney for the Board

Peter S. Tell
Assistant County Attorney

Exhibit "A"

All that lot, piece or parcel of land, situate, lying and being in Sections 19 and 30, Township 54 South, Range 41 East, City of Coral Gables, Florida, being a portion of Tract 1, of "Amended Plat Portion of Main Campus University of Miami", according to the Plat thereof, as recorded June 30, 1948 in Plat Book 46 at Page 81 of the Public Records of Dade County (now Miami-Dade County,) Florida, the same being more particularly described by Metes and Bounds as follows, VIZ:

Commence at the most westerly corner of tract "A" (identified as "P.T.") as shown on the plat of "Second Amended Plat Portion of Main Campus University of Miami", according to the Plat thereof, as recorded February 20, 1964 in Plat Book 77 at Page 66 of the Public Records of Dade County, (now Miami-Dade County), Florida; thence S87°08'45"W (N89°40'22"E by Plat) along the southerly right of way line of Miller Drive (as vacated by Coral Gables City Ordinance No. 3392 and Recorded April 14, 2003 in Official Records Book 21174 at Page 5014 of the Public Records of Miami-Dade County, Florida) and the northerly line of said Tract 1 for 44.08 feet; thence departing said southerly right of way line of the vacated right of Miller Drive and the northerly line of said Tract 1, S02°51'15"E at right angles to the last described course for 51.63 feet to the point of beginning of the hereinafter described parcel of land; from said point of beginning, thence S20°47'56"E for 247.66 feet; thence S79°45'46"W for 166.11 feet; thence N84°03'12"W for 169.02 feet; thence N00°07'06"W for 75.31 feet; thence N87°54'556"E for 150.68 feet; thence N12°06'46"E for 148.13 feet; thence N73°55'20"E for 64.67 feet to the point of beginning.

Attachment E

Project Report

PROJECT REPORT
CLASS I PERMIT APPLICATION NO. 2009-CLI-PER-00049

APPLICATION BY THE UNIVERSITY OF MIAMI FOR THE PLACEMENT OF A BULKHEAD WATERWARD OF THE MEAN HIGH WATER LINE AND FOR THE FILLING OF TIDAL WATERS WITHIN LAKE OSCEOLA

DATE: JUNE 11, 2010

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 bulkhead installation and filling of tidal waters within Lake Osceola is minimal. The existing shoreline does not provide significant habitat value, as no wetland vegetation or submerged aquatic vegetation was documented in the vicinity of the proposed work during the site inspection conducted by the Department. Additionally, the Class I permit shall include conditions to minimize turbidity during construction operations and protect rare, threatened and endangered species.

2. **Potential Cumulative Adverse Environmental Impact** – The proposed project is not reasonably expected to have cumulative adverse environmental impacts.

3. **Hydrology** - The proposed project, as designed, is not reasonably expected to adversely affect surface water drainage or retention of stormwater. Conditions stipulated by the Environmental Quality Control Board (EQCB) through Board Order No. 10-8 for the proposed work require that the applicant comply with the storm drainage standards set forth in Chapter 24 of the Code of Miami-Dade County (Code) and obtain a Class II permit prior to the construction and alteration of any outfall or overflow system (see Attachment D). Additionally, the South Florida Water Management District (SFWMD) has reviewed and issued approval for the proposed work.

4. **Water Quality** – The proposed project is expected to temporarily affect surface water quality during the construction phase of the project. However, these impacts will be minimized by the implementation of proper turbidity control devices To mitigate for water quality impacts associated with the installation of the new bulkhead and the filling of tidal waters, 453.75 cubic yards of limerock riprap boulders are required. A mitigation bond will be posted in an amount equivalent to 453.7 cubic yards of limerock riprap boulders prior to permit issuance. The applicant will place as much riprap as can be accommodated onsite to stabilize the new bulkhead and the remaining balance of the mitigation required will be in the form of a contribution to the Biscayne Bay Environmental Enhancement Trust Fund. Additionally, 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.

5. **Wellfields** – Not applicable.

6. **Water Supply** – Not applicable.

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

8. **Aesthetics** – The proposed project has been designed to recreate the existing upland shoreline, and 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 and equipment associated with the construction activities.

9. **Navigation** – The proposed project is not reasonably expected to adversely affect navigation.

10. **Public Health** - The proposed project is not reasonably expected to adversely affect public health.

11. **Historic Values** - The proposed project has been designed to maintain the historic, aesthetic, and recreational value of the existing shoreline.

12. **Archaeological Values** - The proposed project is not reasonably expected to adversely affect archaeological values.

13. **Air Quality** – The proposed project is not reasonably expected to adversely affect air quality.

14. **Marine and Wildlife Habitats** – The proposed project will not result in impacts to marine and wildlife habitats. The existing shoreline does not provide significant habitat value, as no wetland vegetation or submerged aquatic vegetation was documented in the vicinity of the proposed work during the site inspection conducted by the Department. Additionally, the Class I permit shall include conditions to minimize turbidity during construction operations and protect rare, threatened and endangered species.

15. **Wetland Soils Suitable for Habitat** – The proposed project does not involve any work in wetland soils.

16. **Floral Values** – The proposed project is not reasonably expected to adversely affect floral values. No wetland vegetation or submerged aquatic vegetation was documented in the vicinity of the proposed work during the site inspection.

17. **Fauna Values** – The proposed project is not reasonably expected to adversely affect marine fauna.

18. **Rare, Threatened and Endangered Species** – The proposed work is not reasonably expected to adversely affect rare, threatened and endangered species. The proposed project is located within an area designated by the Miami-Dade County Manatee Protection Plan (MPP) as essential manatee habitat for *Trichechus manatus* (West Indian Manatee). No submerged aquatic vegetation providing manatee feeding habitat was documented in the vicinity of the proposed work. Additionally, the proposed work will be performed from the uplands, thus reducing potential manatee impacts. The Class I permit will require that all standard manatee construction permit conditions shall be followed during construction operations. The subject site has the potential to be utilized by *Crocodylus acutus* (American Crocodile). As such, the Class I permit shall include conditions to minimize turbidity during construction operations and protect rare, threatened and endangered species.

19. **Natural Flood Damage Protection** - The proposed project is not reasonably expected to adversely affect surface water drainage or retention of stormwater. Conditions stipulated by the EQCB through Board Order No. 10-8 for the proposed work require that the applicant comply with the storm drainage standards set forth in Chapter 24 of the Code and obtain a Class II permit prior to the construction and alteration of any outfall or overflow system (see Attachment D). Additionally, the South Florida Water Management District (SFWMD) has reviewed and issued approval for the proposed work.

20. **Wetland Values** – The proposed project does not involve dredging or filling of wetlands.

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

22. **Recreation** - The proposed project does not conflict with the recreation element of the Miami-Dade County Comprehensive Development Master Plan and recreation element of the Biscayne Bay Management Plan.

23. **Other Environmental Values Affecting the Public Interest** – The proposed project has been designed to maintain the passive use and recreational value provided by the existing shoreline. The proposed work will occur on submerged lands owned by the applicant.

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

    a) Miami-Dade County Public Works Manual
    b) Chapter 33B of the Code of Miami-Dade County

25. **Comprehensive Environmental Impact Statement (CEIS)** - In the opinion of the Director, the proposed project is not reasonably expected to result in significant adverse environmental impacts or cumulative adverse environmental impacts. Therefore, a CEIS was not required by DERM to evaluate the project.

26. **Conformance with All Applicable Federal, State and Local Laws and Regulations** The proposed project is in conformance with the following applicable State, Federal and local laws and regulations:

    A) Chapter 24 of the Code of Miami-Dade County
    B) Rules of the South Florida Water Management District
    C) United States Clean Water Act (Army Corps of Engineers permit is required)

27. **Conformance with the Miami-Dade County Comprehensive Development Master Plan (CDMP)** - In the opinion of the Director, the proposed project is in conformance with the CDMP. The following is a summary of the proposed project as it relates to the CDMP:

LAND USE ELEMENT I:

Objective 2/Policy 2A - Level of Service. The proposed project does not involve new or significant expansion of existing urban land uses.

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

TRANSPORTATION ELEMENT II

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

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

CONSERVATION, AQUIFER RECHARGES AND DRAINAGE ELEMENT IV:

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

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

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

Objective 5/Policies 5A, 5B, 5F - Flood protection and cut and fill criteria. – The proposed project does not compromise flood protection, involve filling for development purposes outside the Urban Development Boundary, and is not related to cut and fill activities located in the North Trail basin, Bird Drive basin, Basin B, or the Western C-9 basin.

Ojective 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 does not involve the dredging of a rock quarry.

Objective 6/Policy 6D - Suitable fill material for the support of development. – The proposed project does not involve the removal of any fill 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 designated by the MPP as essential manatee habitat for the West Indian Manatee and has the potential to be utilized by the American Crocodile. No submerged aquatic vegetation providing manatee feeding habitat was documented in the vicinity of the proposed work and the work will be performed from the uplands, thus reducing potential manatee impacts. Temporary impacts due to machinery and equipment may be anticipated during construction operations; however, the Class I permit will include conditions to minimize turbidity and protect rare, threatened and endangered species, and require that all standard manatee construction permit conditions shall be followed during construction operations.

COASTAL MANAGEMENT ELEMENT VII:

Objective 1/Policy 1A - Tidally connected mangroves in mangrove protection areas – The project is not located within a designated "Mangrove Protection Area."

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

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

Objective 1/Policy 1D - Protection and maintenance of mangrove forests and related natural vegetational communities. - The proposed project does not involve work in mangrove forests, coastal hammock, or other natural vegetational communities.

Objective 1/Policy 1E - Mitigation for the degradation and destruction of coastal wetlands. Monitoring and maintenance of mitigation areas. – The proposed project does not involve the degradation and destruction of coastal wetlands and therefore does not involve monitoring of mitigation for impacts to coastal wetlands.

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

Objective 2/Policies 2A, 2B - Beach restoration and renourishment objectives. - The proposed project does not involve beach restoration or renourishment.

Objective 3/Policies 3E, 3F - Location of new cut and spoil areas for proper stabilization and minimization of damages. - The proposed project does not involve the development or identification of new cut or spoil areas.

Objective 5/Policy 5B - Existing and new areas for water-dependent uses. - The proposed project does not create or eliminate any water dependent uses.

Objective 5/Policy 5D - Consistency with Chapter 33D, Miami-Dade County Code (shoreline access, environmental compatibility of shoreline development) – The Shoreline Development Review Committee has evaluated the proposed project and determined that the thresholds for review under the Shoreline Ordinance do not apply and the proposed project is not subject to shoreline development review.

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, Code of Miami-Dade County** (East Everglades Zoning Overlay Ordinance) – The proposed project is not located within the East Everglades Area.

29. **Conformance with Miami-Dade County Ordinance 81-19** (Biscayne Bay Management Plan Sections 33D-1 through 33D-4 of the Code of Miami-Dade County) - The proposed project is not located in Biscayne Bay.

30. **Conformance with the Miami-Dade County Manatee Protection Plan** - The proposed project is located within an area designated by the MPP as essential manatee habitat for the West Indian Manatee. No submerged aquatic vegetation providing manatee feeding habitat was documented in the vicinity of the proposed work. Additionally, the proposed work will be performed from the uplands, thus reducing potential manatee impacts. The Class I permit will require that all standard manatee construction permit conditions shall be followed during all in-water construction operations.

31. **Consistency with Miami-Dade County Criteria for Lake Excavation** – The proposed project does not involve lake excavation.

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

33. **Coastal Resources Management Line** - A coastal resources management line was not required for the proposed project, pursuant to Section 24-48.2(II)(A)(10)(b) of the Code of Miami-Dade County, Florida.

34. **Maximum Protection of a Wetland's Hydrological and Biological Functions** – The proposed project is not expected to negatively 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** – Not applicable.

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

24-48.3 (2) Dredging and Filling for Class I Permit – The proposed project involves the filling of tidal waters for the purpose of development. Although the proposed project does not comply with the dredge and fill criteria in Section 24-48.3(2) of the Code, a variance from said section was granted by the EQCB through Board Order No. 10-8 on January 19, 2010 (see Attachment D).

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

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

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

Lisa Spadafina

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Elaine Pietryak

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