

Memorandum



Date: April 8, 2014

To: Honorable Chairman Rebeca Sosa
and Members, Board of County Commissioners

From: Carlos A. Gimenez
Mayor

Agenda Item No. 5(J)

Subject: Application by Seybold Canal, LLC for a Class I Permit to Perform Non-Maintenance Dredging within the Miami River at 129 SW 4 Avenue in the City of Miami, Florida

Resolution No. R-309-14

Attached, please find for your consideration an application by Seybold Canal, LLC for a Class I permit. Also attached is the recommendation of the Director of the Department of Regulatory and Economic Resources and a proposed resolution approving the issuance of the Class I permit.

Jack Osterholt, Deputy Mayor

Date: March 21, 2014

To: Carlos A. Gimenez
Mayor

From: Jack Osterholt, Deputy Mayor / Director
Department of Regulatory and Economic Resources

Subject: Application by Seybold Canal, LLC for a Class I Permit to Perform Non-Maintenance Dredging within the Miami River at 129 SW 4 Avenue in the City of Miami, Florida

Recommendation

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

Scope

The project site is located on the Miami River at 129 SW 4 Avenue, in the City of Miami, in Commission District 5 (Commissioner Barreiro).

Fiscal Impact/Funding Source

This resolution is for consideration of a Class I permit application as required by Chapter 24 of the Code, the County's Environmental Protection Ordinance. Approval of this resolution is a regulatory action and does not have a fiscal impact as contemplated by Resolution No. R-530-10.

Track Record/Monitor

The Coastal and Wetlands Resources Section Manager, Lisa Spadafina, within the Department of Regulatory and Economic Resources, Division of Environmental Resources Management (RER-DERM), will be responsible for monitoring the terms of the proposed permit.

Background

The subject Class I permit application requests authorization to perform non-maintenance dredging at a marine facility located on the Miami River at 129 SW 4 Avenue, Miami. The proposed project is required to be reviewed and approved by the Board at a public hearing because the scope of work is specifically referenced in Section 24-48.2 of the Code as work that shall be processed as a standard form application. Therefore, a standard form application including a public hearing is required.

The proposed project includes the non-maintenance dredging of 1,437 square feet of unvegetated submerged bottom material to provide adequate water depth for the mooring of vessels along the seawall at the subject property and includes the installation of 133 linear feet of new seawall. The submerged bottom in the area of the proposed work is currently covered with rubble and concrete debris and does not provide significant marine habitat.

In order to minimize impacts to surface water quality, the Class I permit will require that a water quality monitoring plan and proper turbidity controls be used during the dredging and the installation of the new seawall. Section 24-48.3 of the Code requires mitigation for permissible projects that result in adverse environmental impacts. Mitigation for temporary water quality impacts associated with the construction will be satisfied through a contribution to the Biscayne Bay Environmental Enhancement Trust Fund in the amount of \$13,713.30.

The proposed project is located within an area designated as essential habitat for the West Indian Manatee by the Miami-Dade County Manatee Protection Plan. Therefore, the Class I permit will require that all standard manatee construction permit conditions be followed during all in-water construction operations.

The proposed project complies with Section 24-48.3(2) of the Code as it relates to the criteria for the minimum dredging and spoiling for the creation and maintenance of marinas, piers, docks and attendant navigational channels. The 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.

Section 24-48.2 of the Code requires that an applicant for a Class I permit provide evidence of a lease for the submerged lands upon which work is proposed. The submerged lands at this site are owned by the State of Florida and the State has declared their intent to issue the submerged lands lease to the applicant. However, the Class I permit will not be issued unless the applicant receives their submerged lands lease for the submerged lands, as indicated on the diagram labeled S-3 (Attachment B), from the State and a copy of the submerged lands lease is provided to RER-DERM.

Please find attached a Project Report which sets forth the reasons the proposed project is recommended for approval by the Department 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 Memo

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

Attachment E: Sovereign Submerged Lands Authorization

Attachment F: RER-DERM Project Report



MEMORANDUM
(Revised)

TO: Honorable Chairwoman Rebeca Sosa
and Members, Board of County Commissioners

DATE: April 8, 2014

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

SUBJECT: Agenda Item No. 5(J)

Please note any items checked.

- "3-Day Rule" for committees applicable if raised
- 6 weeks required between first reading and public hearing
- 4 weeks notification to municipal officials required prior to public hearing
- Decreases revenues or increases expenditures without balancing budget
- Budget required
- Statement of fiscal impact required
- Ordinance creating a new board requires detailed County Mayor's report for public hearing
- No committee review
- Applicable legislation requires more than a majority vote (i.e., 2/3's ____, 3/5's ____, unanimous ____) to approve
- Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 5(J)
4-8-14

RESOLUTION NO. R-309-14

RESOLUTION APPROVING A CLASS I PERMIT APPLICATION BY SEYBOLD CANAL, LLC TO PERFORM NON-MAINTENANCE DREDGING WITHIN THE MIAMI RIVER AT 129 S.W. 4 AVENUE, 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 Seybold Canal, LLC to perform non-maintenance dredging within the Miami River at 129 S.W. 4 Avenue, Miami, Miami-Dade County, Florida, subject to the conditions set forth in the memorandum from the Miami-Dade County Department of Regulatory and Economic Resources, a copy of which is attached hereto and made a part hereof. This approval, however, shall not be effective unless the appropriate submerged lands authorization from the State of Florida is obtained, as discussed in the above-referenced memorandum. 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 **Barbara J. Jordan**, who moved its adoption. The motion was seconded by Commissioner **Audrey Edmonson** and upon being put to a vote, the vote was as follows:

	Rebeca Sosa, Chairwoman	aye
	Lynda Bell, Vice Chair	aye
Bruno A. Barreiro	aye	Esteban L. Bovo, Jr. aye
Jose "Pepe" Diaz	aye	Audrey M. Edmonson aye
Sally A. Heyman	aye	Barbara J. Jordan aye
Jean Monestime	aye	Dennis C. Moss aye
Sen. Javier D. Souto	aye	Xavier L. Suarez aye
Juan C. Zapata	aye	

The Chairperson thereupon declared the resolution duly passed and adopted this 8th day of April, 2014. 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

Christopher Agrippa

By: _____
Deputy Clerk



Approved by County Attorney as to form and legal sufficiency.

Abbie Schwaderer-Raurell

Attachment A
Class I Permit Application



Class I Permit Application

FOR DEPARTMENTAL USE ONLY	
Date Received: October 28, 2013	Application Number: CEI-2013-0370
	Application Fee: \$2,720.00

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

1. Applicant Information: Name: <u>Seybold Canal, LLC</u> Address: <u>4000 Malaga Avenue</u> <u>Miami, Florida</u> Zip Code: <u>33133</u> Phone #: <u>(305) 345-9070</u> Fax#: _____ Email: _____ <small>* This should be the applicant's information for contact purposes.</small>	2. Applicant's Authorized Permit Agent: <small>Agent is allowed to process the application, furnish supplemental information relating to the application and bind the applicant to all requirements of the application.</small> Name: <u>Kirk Lofgren, Managing Member, Ocean Consulting, LLC</u> Address: <u>340 Minorca Avenue, Suite 5</u> <u>Miami, Florida</u> Zip Code: <u>33134</u> Phone #: <u>(305) 921-9344</u> Fax #: <u>(305) 667-3254</u> Email: <u>kirk@oceanconsultingfl.com</u>
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3. Location where proposed activity exists or will occur (latitude and longitude are only necessary for properties without address or folio #):

Folio #(s): 01-0201-080-1010 Latitude: _____ Longitude: _____
 Street Address: 129 Southwest 4th Avenue Section: 01 Township: 54N Range: 41E
 In City or Town: Miami Near City or Town: _____
 Name of waterway at location of the activity: Miami River

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

<input checked="" type="checkbox"/> Seawall	<input type="checkbox"/> Dock(s)	<input type="checkbox"/> Boatlift	<input checked="" type="checkbox"/> Dredging	<input type="checkbox"/> Mangrove Trimming
<input type="checkbox"/> New/Replacement Seawall	<input type="checkbox"/> Pier(s)	<input type="checkbox"/> Mooring Piles	<input checked="" type="checkbox"/> Maintenance	<input type="checkbox"/> Mangrove Removal
<input type="checkbox"/> Seawall Cap	<input type="checkbox"/> Viewing Platform	<input type="checkbox"/> Fender Piles	<input checked="" type="checkbox"/> New	
<input type="checkbox"/> Batter Piles	<input type="checkbox"/> Davits	<input type="checkbox"/> Filling		
<input type="checkbox"/> King Piles				
<input type="checkbox"/> Footer/Toe Wall				
<input type="checkbox"/> Riprap				

Other: _____

Estimated project cost = **\$100,000.00**

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

5. Proposed Use (check all that apply): <input type="checkbox"/> Single Family <input type="checkbox"/> Multi-Family <input checked="" type="checkbox"/> Private <input type="checkbox"/> Public <input type="checkbox"/> Commercial <input type="checkbox"/> Industrial <input type="checkbox"/> Utility	6. If the proposed work relates to the mooring of vessels provide the following information (please also indicate if the applicant does not have a vessel): Proposed Vessel Type (s): <u>Various</u> Vessel Make/Model (If known): <u>Various</u> Draft (s)(range in inches.): <u>3' max</u> Length (s)(range in feet.): <u>28-35'</u> Total Number of Slips: <u>5</u>
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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

8. Contractor Information (If known):

Name: Kearns Construction, Inc. License # (County/State): CGC060194
Address: 4101 Braganza Avenue, Miami Zip Code: 33133
Phone #: 305-461-0310 Fax #: 305-461-1892 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

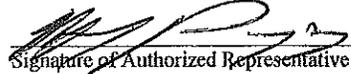
Signature of Applicant _____ Print Applicant's Name _____ Date _____

B. IF APPLICANT IS OTHER THAN AN INDIVIDUAL OR NATURAL PERSON

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

Seybold Canal, LLC _____ LLC _____ 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.*****

 _____ Manuel Prieguez _____ Manager _____ 2-27-14 _____
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 2130 South Bayshore Drive, Miami, Miami-Dade County, Florida, otherwise identified in the public records of Miami-Dade County as Folio Numbers 01-4115-011-0370, 01-4115-011-0380, and 01-4115-010-0090. 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 _____

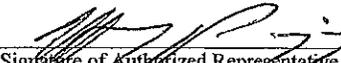
B. IF THE OWNER IS OTHER THAN AN INDIVIDUAL OR NATURAL PERSON

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

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

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.*****

 _____ Manuel Prieguz _____ Manager _____ 2.27.14
Signature of Authorized Representative Print Authorized Representative's Name Title Date

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

Attachment B

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

PERMIT APPLICANT / AUTHORIZED AGENT STATEMENT

Feb 27, 2014

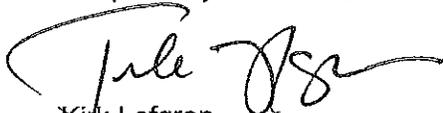
Miami Dade County Department of Regulatory and Economic Resources
Class I Permitting Program
701 NW 1st Court
Miami, FL 33136

Re: Class I Standard Form Permit Application Number CLI-2013-0370

By the attached Class I Standard Form permit application with supporting documents, I, Kirk Lofgren, Managing Member, Ocean Consulting, LLC, am the permit applicant's authorized agent, and hereby request permission to perform the work associated with Class I permit Application CLI-2013-0370. I understand that a Miami-Dade County Class I Standard Form permit is required to perform this work.

If approval is granted for the proposed work by the Board of County Commissioners, complete and detailed plans and calculations of the proposed work shall be prepared by an engineer licensed in the State of Florida in accordance with the minimum requirements of Chapter 24 of the Code of Miami-Dade County, Florida. Said plans and calculations shall be subject to the review and approval of the Department. The permit applicant will secure the services of an engineer licensed in the State of Florida to conduct inspections throughout the construction period, and said engineer shall prepare all required drawings of record. In the event that the proposed work which is the subject of this Class I permit application involves the cutting or trimming of a mangrove tree(s), a detailed plan of the proposed cutting or trimming shall be prepared by a licensed landscape architect and submitted to the Department for review and approval, and the permit applicant will secure the services of a licensed landscape architect to supervise the trimming or cutting.

Respectfully submitted,



Kirk Lofgren,
Managing Member
Ocean Consulting, LLC

ENGINEER LETTER OF CERTIFICATION

FEB 27 2014

Miami-Dade County Department of Regulatory and Economic Resources
Class I Permitting Program
701 NW 1st Court
Miami, Florida 33136

RE: Class I Permit Application Number CLI-2013-0370

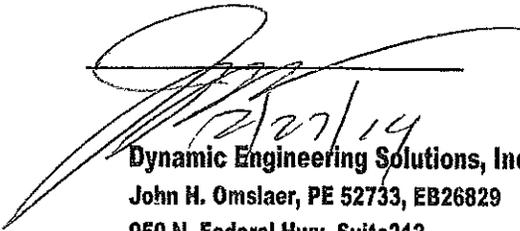
Ladies and Gentlemen:

This letter will certify that I am an engineer licensed in the State of Florida, qualified by education and experience in the area of engineering design and inspection, and that to the best of my knowledge and belief, the proposed work does not violate any laws, rules, or regulations of the State of Florida or any provisions of the Code of Miami-Dade County which may be applicable; that diligence and recognized standard practices of the engineering profession have been exercised in the engineer's design of the proposed work; and in my opinion based upon my knowledge and belief, the following will not occur:

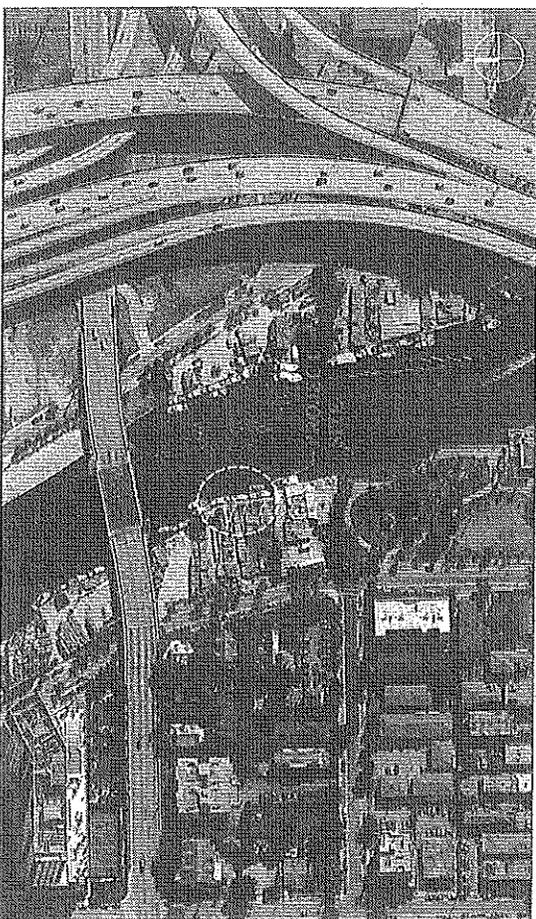
- a. Harmful obstruction or undesirable alteration of the natural flow of the water within the area of the proposed work.
- b. Harmful or increased erosion, shoaling of channels or stagnant areas of water. (Not applicable to class IV permits)
- c. Material injury to adjacent property.
- d. Adverse environmental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

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

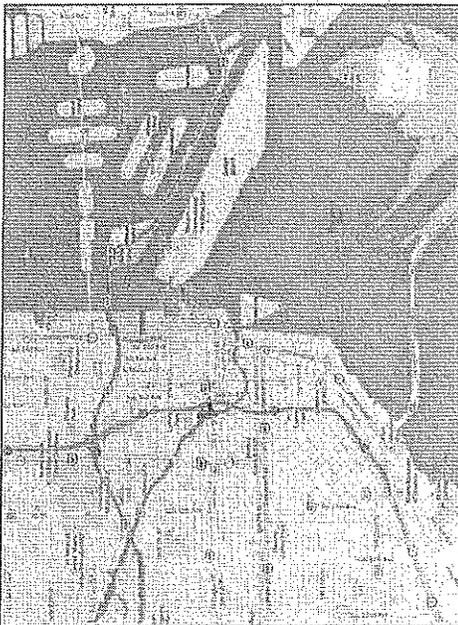
Sincerely,



Dynamic Engineering Solutions, Inc.
John H. Omslaer, PE 52733, EB26829
950 N. Federal Hwy. Suite 212
Pompano Beach, FL 33062



LOCATION MAP AND LEGAL DESCRIPTION



PROJECT SITE LOCATION:
 129 SW 4th Ave
 Miami, FL 33132

LATITUDE: 25 DEG 40'30.62"N
LONGITUDE: 80 DEG 12'2.17"W

FOLIO No.: 01-0201-080-1010

PROJECT SITE LEGAL DESCRIPTION:
 CITY OF MIAMI SOUTH PB 8-41
 TRACT LYG BET E/L OF SW SO RIVER
 DR & MIAMI RIV & BET N/L OF S1/2
 OF LOT 2 PRODUCED E & S/L OF LOT
 18 PRODUCED E & R/P RTS BLK 18
 LOT SIZE 19350 SQUARE FEET
 OR 18472-0876 0199 1



GENERAL NOTES:

- ELEVATIONS SHOWN REFER TO THE NATIONAL GEODETIC VERTICAL DATUM (NGVD) OF 1929.
- ALL DIMENSIONS ON PLANS ARE SUBJECT TO VERIFICATION IN THE FIELD.
- IT IS THE INTENT OF THESE PLANS TO BE IN ACCORDANCE WITH APPLICABLE CODES AND AUTHORITIES HAVING JURISDICTION. ANY DISCREPANCIES BETWEEN THESE PLANS AND APPLICABLE CODES SHALL BE IMMEDIATELY BROUGHT TO THE ATTENTION OF ENGINEER BEFORE PROCEEDING WITH WORK. CONTRACTOR AND ALL SUBCONTRACTORS ARE RESPONSIBLE FOR ALL LINES, ELEVATIONS, AND MEASUREMENTS IN CONNECTION WITH THEIR WORK.
- IT IS THE INTENT OF THESE PLANS AND THE RESPONSIBILITY OF THE CONTRACTOR TO COMPLY WITH LOCAL, STATE, AND FEDERAL ENVIRONMENTAL PERMITS ISSUED FOR THIS PROJECT. IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO FAMILIARIZE AND GOVERN HIMSELF BY ALL PROVISIONS OF THESE PERMITS.
- APPLICABLE BUILDING CODE: FLORIDA BUILDING CODE, 2010 EDITION (AND CURRENT ADDENDUMS).
- APPROVED CONTRACTOR TO DETERMINE THE SUITABILITY OF EXISTING STRUCTURES AND VERIFY ALL DIMENSIONS. THE APPROVED CONTRACTOR IS RESPONSIBLE FOR ALL METHODS, MEANS, SEQUENCES AND PROCEDURES OF WORK.
- 610 NOT SCALE DRAWING.
- CONTRACTOR TO VERIFY LOCATION AND DEPTH OF EXISTING UTILITIES PRIOR TO COMMENCING WORK.
- CONTRACTOR TO PROPERLY FENCE AND SECURE THE WORK AREA.
- ANY DEVIATION AND/OR SUBSTITUTION FROM THE INFORMATION PROVIDED HEREIN SHALL BE SUBMITTED TO THE ENGINEER FOR APPROVAL PRIOR TO COMMENCEMENT OF WORK. EXISTING MATERIALS AND/OR ADJOINING WORK, WHERE PRACTICAL EXCEPT AS SPECIFICALLY NOTED HEREIN.
- LICENSED CONTRACTOR SHALL USE ALL POSSIBLE CARE TO PROTECT ALL EXISTING MATERIALS, SURFACES, AND FURNISHINGS FROM DAMAGE DURING ALL PHASES OF CONSTRUCTION.
- THE LICENSED CONTRACTOR TO INSTALL AND REMOVE ALL SHORING AND BRACING AS REQUIRED FOR THE PROPER EXECUTION OF THE WORK.
- ALL NEW WORK AND/OR MATERIALS SHALL CONFORM TO ALL REQUIREMENTS OF EACH ADMINISTRATIVE BODY HAVING JURISDICTION IN EACH PERTAINING CIRCUMSTANCE.

CONCRETE

- CONCRETE SHALL CONFORM TO ACI 318 (LATEST ED.) AND SHALL BE REGULAR WEIGHT, SULFATE RESISTANT, WITH A DESIGN STRENGTH OF 5,000 PSI AT 28 DAYS WITH A MAX. WATER-CEMENTIOUS MATERIALS RATIO, BY WEIGHT, NORMAL WEIGHT AGGREGATE CONCRETE OF 0.40.
- OWNER SHALL EMPLOY AND PAY FOR TESTING SERVICES FROM AN INDEPENDENT TESTING LABORATORY FOR CONCRETE SAMPLING AND TESTING IN ACCORDANCE WITH ASTM.
- LICENSED CONTRACTOR IS RESPONSIBLE FOR THE ADEQUACY OF FORMS AND SHORING AND FOR SAFE PRACTICE IN THEIR USE AND REMOVAL.
- CONCRETE COVER SHALL BE 3" UNLESS OTHERWISE NOTED ON APPROVED DRAWINGS.
- REINFORCING STEEL SHALL BE IN CONFORMANCE WITH THE LATEST VERSION OF ASTM A615 GRADE 60 SPECIFICATIONS. ALL REINFORCEMENT SHALL BE PLACED IN ACCORDANCE WITH ACI 315 AND ACI MANUAL OF STANDARD PRACTICE.
- SPLICES IN REINFORCING BARS SHALL NOT BE LESS THAN 48 BAR DIAMETERS AND REINFORCING SHALL BE CONTINUOUS AROUND ALL CORNERS AND CHANGES IN DIRECTION. CONTINUITY SHALL BE PROVIDED AT CORNERS OR CHANGES IN DIRECTION BY BENDING THE LONGITUDINAL STEEL AROUND THE CORNER 48 BAR DIAMETERS.

RECEIVED

MAR 11 2014

BOLTS
 1. ALL BOLTS SHALL BE HOT-DIPPED GALVANIZED, UNLESS OTHERWISE NOTED.
 DERM Coastal Resources Section
 Natural Resources Regulation & Restoration
 1600 N.W. 27th Ave., Ft. Lauderdale, FL 33309

SHEET PILING NOTES:

- STEEL SHEET PILING SHALL BE OF THE SECTIONS INDICATED, AND SHALL BE ASTM A572 GRADE 50.
- SHEET PILING SHALL BE COATED WITH TNEVEC VAR (464-413) COAL TAR EPOXY, TOP 30", BOTH SIDES EXCEPT AS NOTED.
- COATING SHALL BE 16 MILS DRY FILM THICKNESS, AND APPLIED IN STRICT ACCORDANCE WITH MANUFACTURER INSTRUCTIONS.
- DRIVE SHEET PILING IN ACCORDANCE WITH FOOT 455-9.
- CONTRACTOR SHALL BE PREPARED TO DRIVE SHEET PILING THROUGH LIMESTONE LAYERS; REFER TO GEOTECHNICAL REPORT.
- ANY DAMAGED COATING DUE TO HANDLING, DRIVING, ETC. SHALL BE REPAIRED IN STRICT ACCORDANCE WITH COATING MANUFACTURER INSTRUCTIONS.

STEEL PILE NOTES

- STEEL PILING SHALL BE OF THE SECTIONS INDICATED, AND SHALL BE ASTM A572 GRADE 50.

SEYBOLD CANAL SEAWALL PROJECT
 Miami, Florida

CLIENT:
 MR. MANNY PRIEGUEZ
 SEYBOLD CANAL, LLC
 129 SW 4th Ave
 Miami, FL 33130
 Tel: (305) 345-9070
 ENVIRONMENTAL CONSULTANT:

OCEAN CONSULTING, LLC
 340 Milner Avenue, Suite 7
 Coral Gables, Florida 33134
 Tel: (305) 921-9344
 Fax: (305) 677-3254
 CONTRACTOR:

PROJECT ENGINEER:
DYNAMIC ENGINEERING SOLUTIONS, INC.
 950 N. Federal Highway, Suite 212
 Pompano Beach, FL 33062
 Tel: (954) 545-1740
 Fax: (954) 545-1721

SEAL / SIGNATURE / DATE

John Omsdier
 PE 37331, EB 28829

PERMIT SKETCHES

Issue #	Issue Date
③	January 3, 2014
④	February 12, 2014
⑤	February 27, 2014
⑥	March 4, 2014

PROJECT: 15-9590

PROJECT LOCATION & NOTES
 SCALE: AS SHOWN
 SHEET NO.

S-1

**SEYBOLD CANAL
SEAWALL PROJECT**

CLIENT:
MR. MANNY PRIEGUEZ
SEYBOLD CANAL, LLC
Miami, FL 33136
Tel: (305) 345-0970

ENVIRONMENTAL CONSULTANT:
OCEAN
CONSULTING, LLC
340 Minerva Avenue, Suite 7
Coral Gables, Florida 33134
Tel: (305) 921-9244
Fax: (305) 677-3234

CONTRACTOR:

PROJECT ENGINEER:
DYNAMIC ENGINEERING
SOLUTIONS, INC.
930 N. Federal Highway, Suite 212
Pompano Beach, FL 33062
Tel: (954) 845-1740
Fax: (954) 543-1721

SEAL / SIGNATURE / DATE

John Onstair
PE 57733, EB 26829

PERMIT SKETCHES

Issue #	Issue Date
①	January 3, 2014
②	February 12, 2014
③	February 27, 2014
④	March 4, 2014

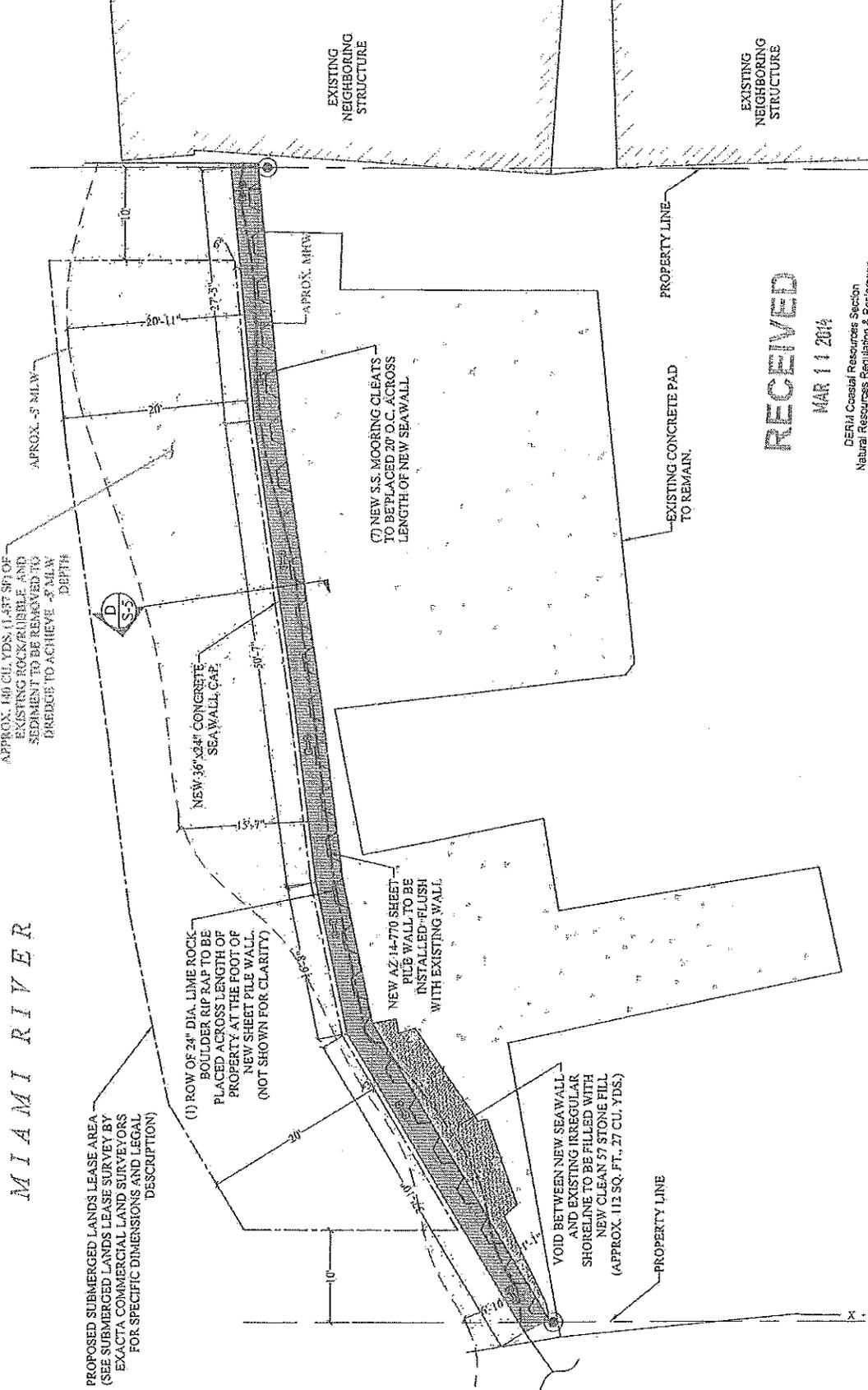
PROJECT: 13-3950

PROPOSED CONDITIONS

SITE (A)

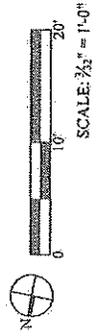
SCALE: AS SHOWN
SHEET NO.

S-3



RECEIVED
MAR 11 2014

DERM Coastal Resources Section
Natural Resources Regulation & Restoration
Division (N-RRSD)



PROPOSED CONDITIONS

**SEYBOLD CANAL
SEAWALL PROJECT**
Miami, Florida

CLIENT:

MR. MANNY PRIEGUEZ
SEYBOLD CANAL, LLC
129 SW 4th Ave
Miami, FL 33136
Tel: (305) 345-9070

ENVIRONMENTAL CONSULTANT:

OCEAN
CONSULTING, LLC
340 Minoreca Avenue, Suite 7
Coral Gables, Florida 33134
Tel: (305) 921-9344
Fax: (305) 677-3254

CONTRACTOR:

PROJECT ENGINEER:

DYNAMIC ENGINEERING
SOLUTIONS, INC.
950 N. Federal Highway, Suite 212
Pompano Beach, FL 33062
Tel: (954) 345-1740
Fax: (954) 345-1721

SEAL / SIGNATURE / DATE

John Ormisher
PE 52733, EB 26829

PERMIT SKETCHES

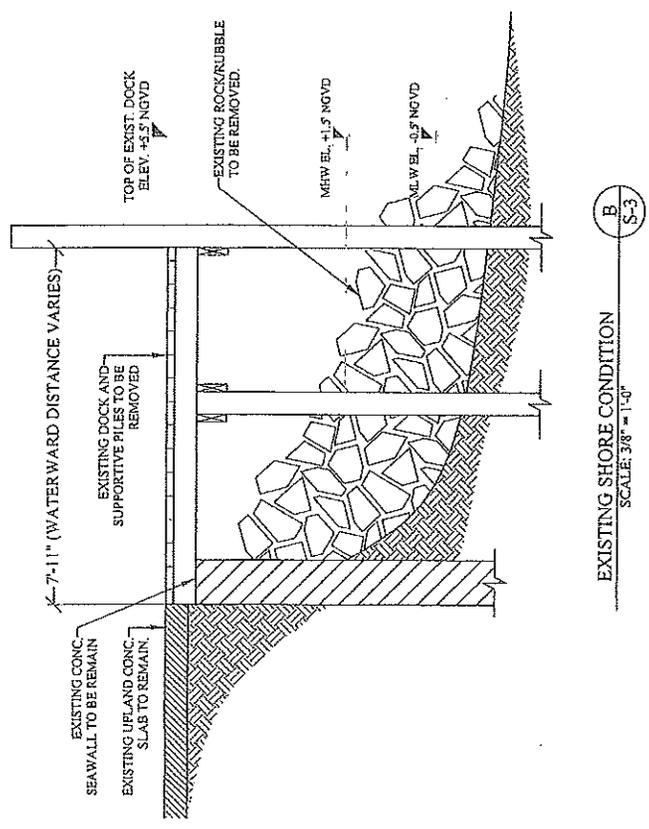
Issue #	Issue Date
③	January 3, 2014
④	February 12, 2014
⑤	February 27, 2014
⑥	March 4, 2014

PROJECT: 13-3950

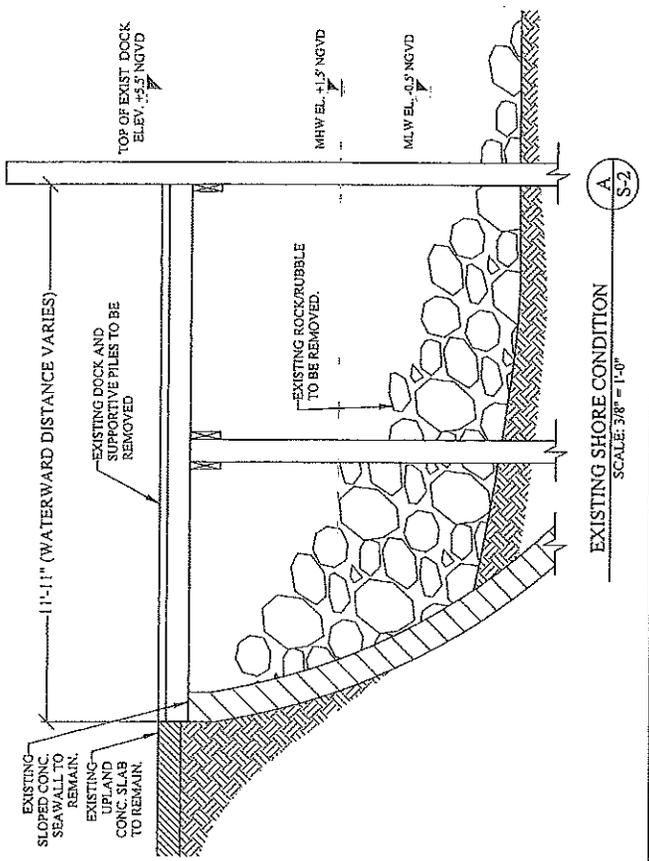
**EXISTING SHORE
CONDITION SECTIONS**

SCALE: AS SHOWN
SHEET NO.

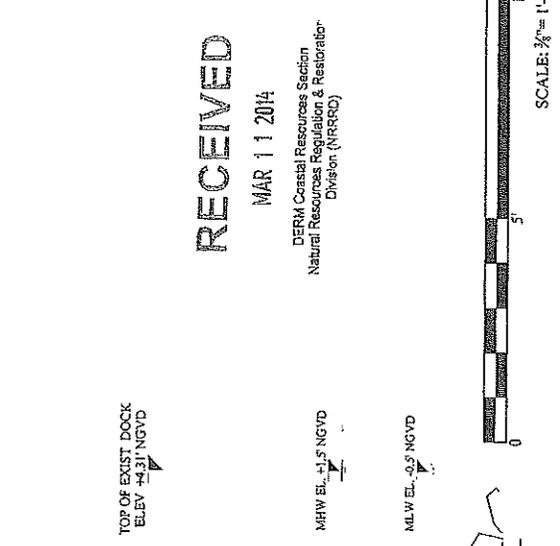
S-4



EXISTING SHORE CONDITION
SCALE: 3/8" = 1'-0"



EXISTING SHORE CONDITION
SCALE: 3/8" = 1'-0"



EXISTING SHORE CONDITION
SCALE: 3/8" = 1'-0"

RECEIVED

MAR 11 2014

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



**SEYBOLD CANAL
SEAWALL PROJECT**

CLIENT:
 MR. MANNY PRIEGUEZ
 SEYBOLD CANAL, LLC
 129 SW 40th AVE
 Miami, FL 33136
 Tel: (305) 343-9070

ENVIRONMENTAL CONSULTANT:
 OCEAN
 CONSULTING, LLC
 340 Miramar Avenue, Suite 7
 Coral Gables, Florida 33134
 Tel: (305) 921-9344
 Fax: (305) 677-3254

CONTRACTOR:

PROJECT ENGINEER:
 DYNAMIC ENGINEERING
 SOLUTIONS, INC.
 950 N. Federal Highway, Suite 212
 Pompano Beach, FL 33062
 Tel: (954) 545-1740
 Fax: (954) 545-1721

SEAL / SIGNATURE / DATE

John Onofri
 PE 52753, EB 26829

PERMIT SKETCHES

Issue #	Issue Date
①	January 3, 2014
④	February 12, 2014
⑤	February 27, 2014
⑥	March 4, 2014

PROJECT: 13-3950

**PROPOSED SEAWALL
AND CAP SECTION**

SCALE: AS SHOWN
 SHEET NO.

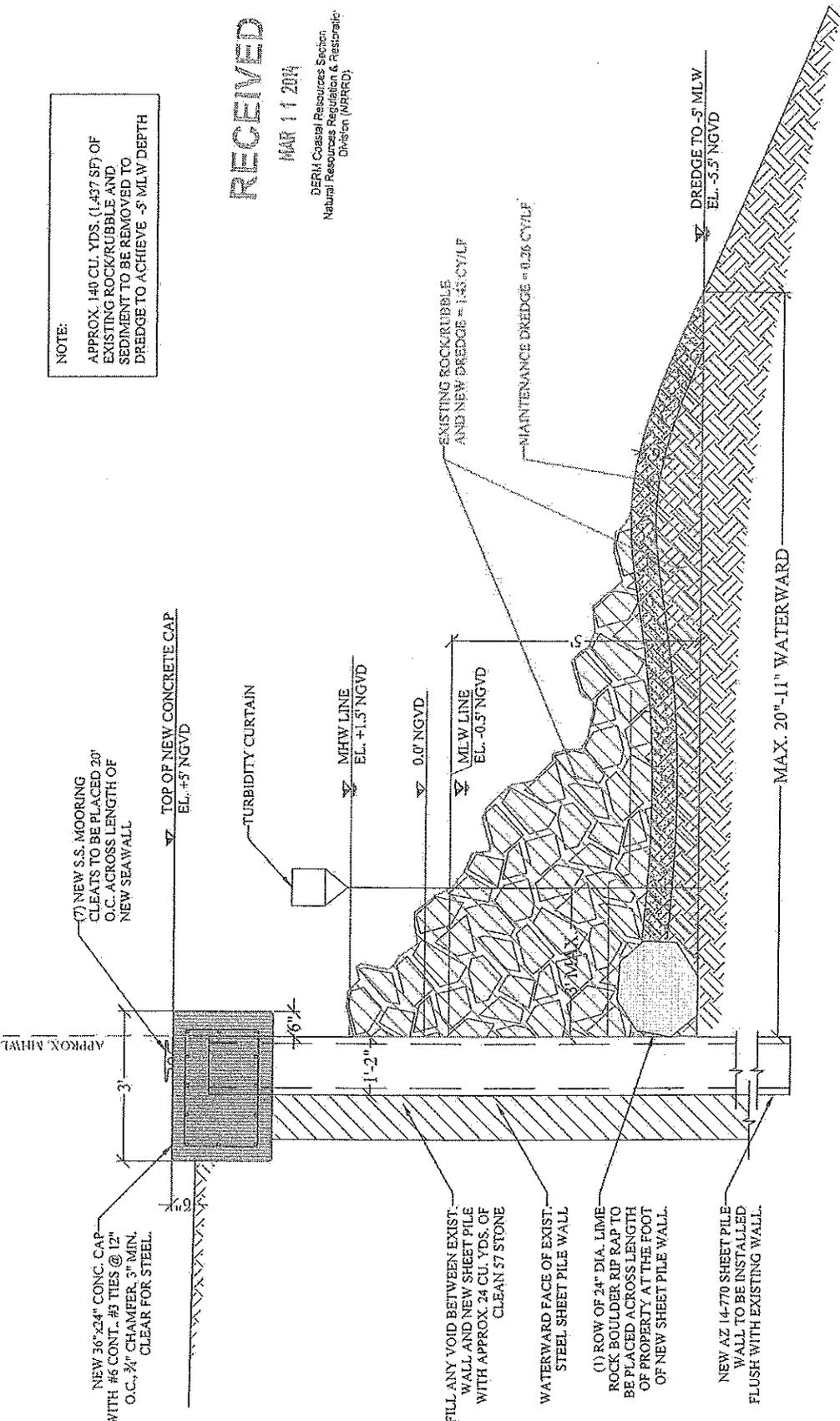
S-5

NOTE:
 APPROX. 140 CU. YDS. (1,437 SF) OF
 EXISTING ROCK/RUBBLE AND
 SEDIMENT TO BE REMOVED TO
 DREDGE TO ACHIEVE -5' MLW DEPTH

RECEIVED

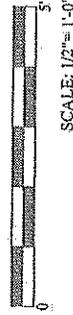
MAR 11 2014

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



D
S-5

PROPOSED SEAWALL SECTION (TYP)
 SCALE: 1/2" = 1'-0"



(7) NEW S.S. MOORING
 CLEATS TO BE PLACED 20'
 O.C. ACROSS LENGTH OF
 NEW SEAWALL

TOP OF NEW CONCRETE CAP
 EL. +5' NGVD

TURBIDITY CURTAIN

MHW LINE
 EL. +1.3' NGVD

0.0' NGVD

MLW LINE
 EL. -0.5' NGVD

EXISTING ROCK/RUBBLE
 AND NEW DREDGE = 1.43 CY/LF

MAINTENANCE DREDGE = 0.25 CY/LF

DREDGE TO -5' MLW
 EL. -5.5' NGVD

MAX. 20"-11" WATERWARD

APPROX. MHW

NEW 36"x24" CONC. CAP
 WITH #6 CONT. #5 TIES @ 12"
 O.C., 3/4" CHAMFER, 3" MIN.
 CLEAR FOR STEEL

FILL ANY VOID BETWEEN EXIST.
 WALL AND NEW SHEET PILE
 WITH APPROX. 24 CU. YDS. OF
 CLEAN S7 STONE

WATERWARD FACE OF EXIST.
 STEEL SHEET PILE WALL

(1) ROW OF 24" DIA. LIME
 ROCK BOULDER RIP RAP TO
 BE PLACED ACROSS LENGTH
 OF PROPERTY AT THE FOOT
 OF NEW SHEET PILE WALL

NEW AZ 14-770 SHEET PILE
 WALL TO BE INSTALLED
 FLUSH WITH EXISTING WALL

Attachment C
Zoning Memorandum

Memorandum



Date: March 19, 2014

To: Lisa Spadafina, Manager *CLW-fov*
Coastal and Wetlands Resources Section
Department of Regulatory and Economic Resources

From: Lourdes Barrelli, Biologist II *LB*
Coastal and Wetlands Resources Section
Department of Regulatory and Economic Resources

Subject: Class I Permit Application by Seybold Canal, LLC to Perform Non-Maintenance Dredging within the Miami River at 129 SW 4 Avenue, Miami, Miami-Dade County, Florida

Pursuant to Section 24-48.2(II)(B)(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

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

March 12, 2014
CLI-2013-0370

Riparian Owners
300-ft radius around 129 SW 4th Avenue
Folio No. 01-0201-080-1010

Folio No.: 01-0201-010-1111
Property: 40 SW SOUTH RIVER DR
MANNY SEAFOOD CORP
1365 SW 19TH ST MIAMI FL
33145-

Folio No.: 01-0201-010-1120
Property: 401 SW 1 ST
CITY OF MIAMI-DEPT OF P&D
ASSET MANAGEMENT DIVISION
444 SW 2 AVE STE #325 MIAMI FL
33130-1910

Folio No.: 01-0201-010-1160
Property: 25 SW S RIVER DR
CITY OF MIAMI-DEPT OF P&D
ASSET MANAGEMENT DIVISION
444 SW 2 AVE STE #325 MIAMI FL
33130-1910

Folio No.: 01-0201-080-1040
Property: 109 SW S RIVER DR
MANNY SEAFOOD CORPORATION
1365 SW 19 ST MIAMI FL
33145-

Folio No.: 01-0200-010-6010
Property: 135 SW SOUTH RIVER DR
MANNY SEAFOOD CORP
135 SW S RIVER DR MIAMI FL
33130-1418

Folio No.: 01-4138-049-0010
Property: 201 SW 4 AVE
CITY OF MIAMI-DEPT OF P&D
ASSET MANAGEMENT DIVISION
444 SW 2 AVE STE #325 MIAMI FL
33130-1910

Folio No.: 01-4137-036-0080
Property: 40 SW N RIVER DR
RIVER PLAZA CORP
250 NE 25 ST #201 MIAMI FL
33137-

Folio No.: 01-0113-080-3130
Property: 19 SW N RIVER DR
CITY OF MIAMI-DEPT OF P&D
ASSET MANAGEMENT DIVISION
444 SW 2 AVE STE #325 MIAMI FL
33130-1910

Folio No.: 01-0113-090-1141
Property:
CITY OF MIAMI-DEPT OF P&D
ASSET MANAGEMENT DIVISION
444 SW 2 AVE STE #325 MIAMI FL
33130-1910

Folio No.: 01-0113-090-1160
Property: 114 SW N RIVER DR
MV REAL ESTATE HOLDINGS LLC TRS
13943 SW 140 ST MIAMI FL
33186-

Folio No.: 01-0113-090-1280
Property: 300 SW 2 ST
MV REAL ESTATE HOLDINGS LLC TRS
13943 SW 140 ST MIAMI FL
33186-

Attachment E

Sovereign Submerged Lands Authorization



**FLORIDA DEPARTMENT OF
ENVIRONMENTAL PROTECTION**
SOUTHEAST DISTRICT OFFICE
400 NORTH CONGRESS AVE., THIRD FLOOR
WEST PALM BEACH, FL 33401
561-681-6600

RICK SCOTT
GOVERNOR

CARLOS LOPEZ-CANTERA
LT. GOVERNOR

HERSCHEL T. VINYARD JR.
SECRETARY

Permittee/Authorized Entity:

Seybold Canal, LLC
c/o Manuel Prieguez, Manager
4000 Malaga Ave
Coral Gables, FL 33133

Sent via e-mail: Manny@prieguezsolutions.com

Project Name:

Seybold Canal, LLC

Authorized Agent:

Ocean Consulting, LLC
c/o Kirk Lofgren, President
Phone: 305-921-9344; E-mail: kirk@oceanconsultingfl.com

Compliance Project Manager:

Don Keirn, Environmental Specialist III
Phone: (561) 681-6644; E-mail: Don.Keirn@dep.state.fl.us

Environmental Resource Permit - Granted

State-owned Submerged Lands Authorization –Granted, Pending Document Execution

U.S. Army Corps of Engineers Authorization –Separate Corps Authorization Required

Permit No.: 13-0322211-001

BOT No.: 130350416

Permit Issuance Date: 3-10-2014

Permit Construction Phase Expiration Date: 3-10-19

**Consolidated Environmental Resource Permit
and
Recommended Intent to Grant State-owned Submerged Lands Authorization**

Permittee /Grantee: Seybold Canal, LLC
Permit No: 13-0322211-001

PROJECT LOCATION

The activities authorized by this Permit and state-owned submerged lands authorization are located in the Miami River, within the Biscayne Bay Aquatic Preserve, Outstanding Florida Waters, Class III Waters, adjacent to 129 SW 4th Ave, Miami (Section 01, Township 50 South, Range 42 East), in Miami-Dade County (Latitude N 25° 46' 21.08", Longitude W 80° 12' 2.01").

PROJECT DESCRIPTION

The permittee is authorized to perform the following activities: (1) remove an existing wooden marginal dock and existing fender piles; (2) install a 132.48-linear foot seawall, whereas, portions shall be installed immediately waterward of the existing seawall and other portions installed at the approximate mean high water line; (3) install a single bead of riprap along the toe of the seawall; and (4) dredge approximately 140 yd³ (1,437 ft²) of submerged lands to a depth of minus five feet below mean low water, within the Miami River, a Class III, Outstanding Florida Waterbody, Biscayne Bay Aquatic Preserve. Authorized activities are depicted on the attached exhibits.

The shoreline consists of unconsolidated concrete and portions of seawall with a dilapidated irregular-shaped marginal dock. The submerged bottom consists of debris and rock rubble. There are no seagrasses or mangroves located within the proposed project footprint; therefore, this permit does not authorize any impacts to these resources. The pre-dredge water depths are between -1-foot and -4.9-feet at mean low water and increase in depth towards the center of the Miami River. Construction shall be conducted by shallow draft boats with a fully loaded draft of no more than 24-inches. The boats shall operate within waters of sufficient depth to preclude bottom scouring and prop dredging. All construction equipment/tools and materials shall be transported to and from the site via barge and upland roadways and all equipment/tools and materials shall be stored on the barge and uplands.

Staked and/or weighted floating turbidity curtains, extending to within one foot from the bottom shall be utilized around the project area to ensure that any turbidity resulting from construction activities will be contained within the project boundaries. All waterbodies, including the adjacent submerged aquatic vegetation outside the specific limits of construction authorized by this permit shall be protected from erosion, siltation, sedimentation, and/or scouring. The standard manatee conditions shall be adhered to during all in water work.

The project described above may be conducted only in accordance with the terms, conditions and attachments contained in this permit. The issuance of this permit does not infer, nor guarantee, nor imply that future permits or modifications will be granted by the Department.

AUTHORIZATIONS

Environmental Resource Permit

The Department has determined that the activity qualifies for an Environmental Resource Permit. Therefore, the Environmental Resource Permit is hereby granted, pursuant to Part IV of Chapter 373, Florida Statutes (F.S.), and Chapter 62-330, Florida Administrative Code (F.A.C.).

Sovereignty Submerged Lands Authorization

The activity is located on sovereignty submerged lands owned by the State of Florida. It therefore also requires authorization from the Board of Trustees of the Internal Improvement Trust Fund (Board of Trustees), pursuant to Article X, Section 11 of the Florida Constitution, and Section 253.77, F.S., and Chapter 258, F.S. As staff to the Board of Trustees under Sections 253.002, F.S., the Department has determined that the activity qualifies for and requires a lease, as long as the work performed is located within the boundaries as described and is consistent with the terms and conditions herein.

The final documents required to execute the lease will be sent to the lessee by the Department's Division of State Lands for execution. The Department intends to issue the lease, upon satisfactory execution of those documents, including payment of required fees and compliance with the conditions in the attached permit. **You may not begin construction of the activities described until you receive a copy of the executed lease from the Department.** Pursuant to Chapter 18-21.011(3)(a), F.A.C., severance fees were collected for removal of 140 yd³ of sovereign material.

Federal Authorization

Authority for review - an agreement with the USACOE entitled "Coordination Agreement Between the U. S. Army Corps of Engineers (Jacksonville District) and the Florida Department of Environmental Protection, or Duly Authorized Designee, State Programmatic General Permit", Section 10 of the Rivers and Harbor Act of 1899, and Section 404 of the Clean Water Act.

Your proposed activity as outlined on your application and attached drawings **does not qualify** for Federal authorization pursuant to the State Programmatic General Permit and a **SEPARATE permit** or authorization **may be required** from the Corps. A copy of your permit application has been forwarded to the Corps for their review. The Corps will issue their authorization directly to you or contact you if additional information is needed. If you have not heard from the Corps within 30 days from the date your application was received at the local FDEP Office, contact the Corps at Miami-Dade County Section 305-526-7181, for status and further information. **Failure to obtain Corps authorization prior to construction could subject you to federal enforcement action by that agency.**

Coastal Zone Management

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

Water Quality Certification

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

Other Authorizations

You are advised that authorizations or permits for this activity may be required by other federal, state, regional, or local entities including but not limited to local governments or municipalities. This permit does not relieve you from the requirements to obtain all other required permits or authorizations.

The activity described may be conducted only in accordance with the terms, conditions and attachments contained in this document. Issuance and granting of the permit and authorizations herein do not infer, nor guarantee, nor imply that future permits, authorizations, or modifications will be granted by the Department.

PERMIT /SOVEREIGNTY SUBMERGED LANDS CONDITIONS

The activities described must be conducted in accordance with:

- **The Specific Conditions**
- **The General Conditions**
- **The General Conditions for Sovereignty Submerged Lands Authorization**
- **The limits, conditions and locations of work shown in the attached drawings**
- **The term limits of this authorization**

You are advised to read and understand these conditions and drawings prior to beginning the authorized activities, and to ensure the work is conducted in conformance with all the terms, conditions, and drawings herein. If you are using a contractor, the contractor also should read and understand these conditions and drawings prior to beginning any activity. Failure to comply with these conditions, including any mitigation requirements, shall be grounds for the Department to revoke the permit and authorization and to take appropriate enforcement action.

Operation of the facility is not authorized except when determined to be in conformance with all applicable rules and this permit and sovereignty submerged lands authorization, as described.

SPECIFIC CONDITIONS – EXECUTION OF PROPRIETARY DOCUMENTS

(1) The terms, conditions, and provisions of the required lease shall be met. **Construction of this activity shall not commence on sovereign submerged lands, title to which is held by the Board of Trustees of the Internal Improvement Trust Fund, until all required lease agreement documents have been executed to the satisfaction of the Department.**

SPECIFIC CONDITIONS- PROJECT FORMS & ATTACHMENTS

(2) The attached 1-page permit checklist; the attached project drawings (sheets 1 through 5); the attached 1-page “Standard Manatee Conditions for In-Water Work, 2011” (Exhibit A); and DEP forms 62-330.310(3), 62-330.310(1); 62-330.310(2); 62-330.340(1); and 62-330.350(1), which may be downloaded at <http://www.dep.state.fl.us/water/wetlands/erp/forms.htm> become part of this permit. If the permittee does not have access to the Internet, please contact the Department at (561) 681-6656 to request the aforementioned forms and/or document(s).

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

SPECIFIC CONDITIONS - PRIOR TO CONSTRUCTION

(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. It shall be the responsibility of the permittee to contact this project's compliance project manager, Don Keirn, by email Don.Keirn@dep.state.fl.us, or by phone (561) 681-6644, to schedule the pre-construction conference.

(5) The permittee shall ensure 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 the authorized work begins.

(6) Prior to the initiation of any dredging authorized by this permit, floating turbidity curtains with weighted skirts that extend to within one foot of the bottom shall be placed around the project site, when feasible. Additionally, staked erosion control devices shall also be installed around the perimeter of the proposed spoil management area to ensure that turbid discharges into wetlands or surface waters do not occur.

SPECIFIC CONDITIONS – CONSTRUCTION ACTIVITIES

(7) Impacts to emergent or submerged aquatic vegetation are not authorized by this permit.

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

(9) All storage or stockpiling of tools or materials (i.e. lumber, pilings, debris, etc.) shall be limited to uplands. All construction equipment/tools and materials shall be transported to and from the site via upland roadways and all equipment/tools and materials shall be stored on the uplands.

(10) Best management practices shall be employed during all phases of this project. All water bodies, adjacent submerged aquatic vegetation, and/or adjacent wetland resources outside the specific limits of construction authorized by this permit shall be protected from erosion, siltation, sedimentation, and/or scouring.

(11) Dredging shall be conducted from a shallow draft barge with a fully loaded draft of no more than 2 feet. 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 top of submerged resources) so as to preclude bottom scouring, prop dredging, or damage to submerged resources.

(12) 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.

(13) A fully enclosed truck shall transport the excavated materials to an approved landfill. Within 30 days, receipts shall be scanned and sent to the Department's compliance project manager at the email address listed in Specific Condition No. 4. The subject line of the email shall include the project name, permit number, and the title "Landfill Receipts."

Permittee: Seybold Canal, LLC

Permit No.: 13-032211-001

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(14) The seawall and riprap shall be fully constructed, prior to the placement of any back fill material. Any fill material used behind the bulkhead shall be clean fill and free of vegetative matter, trash, rebar, garbage, toxic or hazardous waste, or any other unsuitable materials.

(15) The installation of the seawall and riprap will be performed as per the attached permit drawings.

(16) Riprap shall consist of unconsolidated boulders, rocks, or clean concrete rubble without exposed reinforcing rods or similar protrusions. The riprap shall be free of sediment, debris, and toxic or otherwise deleterious substance. The riprap shall have a diameter of 12 to 36 inches.

SPECIFIC CONDITIONS – MONITORING/REPORTING REQUIREMENTS

(17) Turbidity levels outside the construction area shall not exceed 0 NTU's above background levels. The following measures shall be taken immediately by the permittee whenever turbidity levels within waters of the State surrounding the project site exceed 0 NTUs above background:

- a. Notify the Department at (561) 681-6644 at the time the violation is first detected.
- b. Immediately cease all work contributing to the water quality violation.
- 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.
- d. As required, perform turbidity monitoring per Specific Conditions.
- e. Resume construction activities once turbidity levels outside turbidity curtains fall below 0 NTUs.

(18) Turbidity Monitoring. Water turbidity levels shall be monitored if a turbidity plume is observed outside the limits of the required turbidity control devices. Samples shall be taken every four hours, one foot above the bottom, mid-depth, and one-foot below the surface at monitoring stations located as follows:

- a. Approximately 100 feet 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. Directly outside the turbidity curtains surrounding the work sites and within the densest portion of any visible turbidity plume. (This sample shall serve as the compliance sample.)

(19) Turbidity Monitoring Reports. During dredging activities, the permittee or permittee's contractor shall collect the following turbidity monitoring data at the frequency and water depths directed by Specific Condition #18:

- a. Date and time of sampling event
- b. Turbidity sampling results (background NTUs, compliance NTUs, and the difference between them)

Permittee: Seybold Canal, LLC

Permit No.: 13-032211-001

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- c. Description of data collection methods
- d. An aerial map indicating the sampling locations
- e. Depth of sample(s)
- f. Weather conditions at times of sampling
- g. Tidal stage and direction of flow

Data shall be collected in a turbidity log and 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. The turbidity log shall be scanned and sent on a weekly basis to the Department's compliance project manager, Don Keirn, by email at Don.Keirn@dep.state.fl.us. The subject line of the email shall include the project name, permit number, and the title "Turbidity Monitoring Reports."

SPECIFIC CONDITIONS- OPERATIONAL REQUIREMENTS

(20) Vessels utilizing this structure shall maintain a minimum of one foot clearance between the deepest draft of the vessel with the engine in the down position and the top of the submerged bottom so as to preclude bottom scouring or prop dredging.

SPECIFIC CONDITIONS – MANATEE CONDITIONS

(21) During all in-water work, the permittee shall comply with the standard manatee protection construction conditions listed in the attached 1-page "Standard Manatee Conditions for In-Water Work, 2011".

GENERAL CONDITIONS FOR INDIVIDUAL PERMITS

The following general conditions are binding on all individual permits issued under chapter 62-330, F.A.C., except where the conditions are not applicable to the authorized activity, or where the conditions must be modified to accommodate project-specific conditions.

(1) All activities shall be implemented following the plans, specifications and performance criteria approved by this permit. Any deviations must be authorized in a permit modification in accordance with Rule 62-330.315, F.A.C. Any deviations that are not so authorized may subject the permittee to enforcement action and revocation of the permit under Chapter 373, F.S.

(2) A complete copy of this permit shall be kept at the work site of the permitted activity during the construction phase, and shall be available for review at the work site upon request by the Agency staff. The permittee shall require the contractor to review the complete permit prior to beginning construction.

(3) Activities shall be conducted in a manner that does not cause or contribute to violations of state water quality standards. Performance-based erosion and sediment control best management practices shall be installed immediately prior to, and be maintained during and after construction as needed, to prevent adverse impacts to the water resources and adjacent lands. Such practices shall be in accordance with the State of Florida Erosion and Sediment Control Designer and Reviewer Manual (Florida Department of Environmental Protection and Florida Department of Transportation June 2007), and the Florida Stormwater Erosion and Sedimentation Control Inspector's Manual (Florida Department of Environmental Protection, Nonpoint Source

Management Section, Tallahassee, Florida, July 2008), which are both incorporated by reference in subparagraph 62-330.050(9)(b)5., F.A.C., unless a project-specific erosion and sediment control plan is approved or other water quality control measures are required as part of the permit.

(4) At least 48 hours prior to beginning the authorized activities, the permittee shall submit to the Agency a fully executed Form 62-330.350(1), "Construction Commencement Notice," [October 1, 2013], which is incorporated by reference in paragraph 62-330.350(1)(d), F.A.C., indicating the expected start and completion dates. A copy of this form may be obtained from the Agency, as described in subsection 62-330.010(5), F.A.C. If available, an Agency website that fulfills this notification requirement may be used in lieu of the form.

(5) Unless the permit is transferred under Rule 62-330.340, F.A.C., or transferred to an operating entity under Rule 62-330.310, F.A.C., the permittee is liable to comply with the plans, terms and conditions of the permit for the life of the project or activity.

(6) Within 30 days after completing construction of the entire project, or any independent portion of the project, the permittee shall provide the following to the Agency, as applicable:

- a. For an individual, private single-family residential dwelling unit, duplex, triplex, or quadruplex – "Construction Completion and Inspection Certification for Activities Associated With a Private Single-Family Dwelling Unit" [Form 62-330.310(3)]; or
- b. For all other activities – "As-Built Certification and Request for Conversion to Operational Phase" [Form 62-330.310(1)].
- c. If available, an Agency website that fulfills this certification requirement may be used in lieu of the form.

(7) If the final operation and maintenance entity is a third party:

- a. Prior to sales of any lot or unit served by the activity and within one year of permit issuance, or within 30 days of as- built certification, whichever comes first, the permittee shall submit, as applicable, a copy of the operation and maintenance documents (see sections 12.3 thru 12.3.3 of Volume I) as filed with the Department of State, Division of Corporations and a copy of any easement, plat, or deed restriction needed to operate or maintain the project, as recorded with the Clerk of the Court in the County in which the activity is located.
- b. Within 30 days of submittal of the as- built certification, the permittee shall submit "Request for Transfer of Environmental Resource Permit to the Perpetual Operation Entity" [Form 62-330.310(2)] to transfer the permit to the operation and maintenance entity, along with the documentation requested in the form. If available, an Agency website that fulfills this transfer requirement may be used in lieu of the form.

(8) The permittee shall notify the Agency in writing of changes required by any other regulatory agency that require changes to the permitted activity, and any required modification of this permit must be obtained prior to implementing the changes.

(9) This permit does not:

- a. Convey to the permittee any property rights or privileges, or any other rights or privileges other than those specified herein or in Chapter 62-330, F.A.C.;
- b. Convey to the permittee or create in the permittee any interest in real property;

Permittee: Seybold Canal, LLC

Permit No.: 13-032211-001

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- c. Relieve the permittee from the need to obtain and comply with any other required federal, state, and local authorization, law, rule, or ordinance; or
- d. Authorize any entrance upon or work on property that is not owned, held in easement, or controlled by the permittee.

(10) Prior to conducting any activities on state-owned submerged lands or other lands of the state, title to which is vested in the Board of Trustees of the Internal Improvement Trust Fund, the permittee must receive all necessary approvals and authorizations under Chapters 253 and 258, F.S. Written authorization that requires formal execution by the Board of Trustees of the Internal Improvement Trust Fund shall not be considered received until it has been fully executed.

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

- (12) The permittee shall notify the Agency in writing:
- a. Immediately if any previously submitted information is discovered to be inaccurate; and
 - b. Within 30 days of any conveyance or division of ownership or control of the property or the system, other than conveyance via a long-term lease, and the new owner shall request transfer of the permit in accordance with Rule 62-330.340, F.A.C. This does not apply to the sale of lots or units in residential or commercial subdivisions or condominiums where the stormwater management system has been completed and converted to the operation phase.

(13) Upon reasonable notice to the permittee, Agency staff with proper identification shall have permission to enter, inspect, sample and test the project or activities to ensure conformity with the plans and specifications authorized in the permit.

(14) If any prehistoric or historic artifacts, such as pottery or ceramics, stone tools or metal implements, dugout canoes, or any other physical remains that could be associated with Native American cultures, or early colonial or American settlement are encountered at any time within the project site area, work involving subsurface disturbance in the immediate vicinity of such discoveries shall cease. The permittee or other designee shall contact the Florida Department of State, Division of Historical Resources, Compliance and Review Section, at (850) 245-6333 or (800) 847-7278, as well as the appropriate permitting agency office. Such subsurface work shall not resume without verbal or written authorization from the Division of Historical Resources. If unmarked human remains are encountered, all work shall stop immediately and notification shall be provided in accordance with Section 872.05, F.S.

(15) 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 Rule 62-330.201, F.A.C., provides otherwise.

(16) The permittee shall provide routine maintenance of all components of the stormwater management system to remove trapped sediments and debris. Removed materials shall be disposed of in a landfill or other uplands in a manner that does not require a permit under Chapter 62-330, F.A.C., or cause violations of state water quality standards.

(17) This permit is issued based on the applicant's submitted information that reasonably demonstrates that adverse water resource-related impacts will not be caused by the completed permit activity. If any adverse impacts result, the Agency will require the permittee to eliminate the cause, obtain any necessary permit modification, and take any necessary corrective actions to resolve the adverse impacts.

(18) A Recorded Notice of Environmental Resource Permit may be recorded in the county public records in accordance with subsection 62-330.090(7), F.A.C. Such notice is not an encumbrance upon the property.

GENERAL CONDITIONS FOR SOVEREIGNTY SUBMERGED LANDS AUTHORIZATION

Any use of sovereignty submerged lands is subject to the following general conditions are binding upon the applicant and are enforceable under Chapter 253, F.S. and Chapter 258, F.S.

(1) Sovereignty submerged lands may be used only for the specified activity or use. Any unauthorized deviation from the specified activity or use and the conditions for undertaking that activity or use will constitute a violation. Violation of the authorization will result in suspension or revocation of the applicant's use of the sovereignty submerged lands unless cured to the satisfaction of the Board of Trustees.

(2) Authorization under Rule 18-21.005, F.A.C., conveys no title to sovereignty submerged lands or water column, nor does it constitute recognition or acknowledgment of any other person's title to such land or water.

(3) Authorizations under Rule 18-21.005, F.A.C., may be modified, suspended or revoked in accordance with its terms or the remedies provided in Sections 253.04, F.S. and Chapter 18-14, F.A.C.

(4) Structures or activities will be constructed and used to avoid or minimize adverse impacts to resources.

(5) Construction, use, or operation of the structure or activity will not adversely affect any species which is endangered, threatened or of special concern, as listed in Rules 68A-27.003, 68A-27.004, and 68A-27.005, F.A.C.

(6) Structures or activities will not unreasonably interfere with riparian rights. When a court of competent jurisdiction determines that riparian rights have been unlawfully affected, the structure or activity will be modified in accordance with the court's decision.

(7) Structures or activities will not create a navigational hazard.

(8) Structures will be maintained in a functional condition and will be repaired or removed if they become dilapidated to such an extent that they are no longer functional.

(9) Structures or activities will be constructed, operated, and maintained solely for water dependent purposes.

(10) The applicant agrees to indemnify, defend and hold harmless the Board of Trustees and the State of Florida from all claims, actions, lawsuits and demands in any form arising out of the authorization to use sovereignty submerged lands or the applicant's use and construction of structures on sovereignty submerged lands. This duty to indemnify and hold harmless will include any and all liabilities that are associated with the structure or activity including special assessments or taxes that are now or in the future assessed against the structure or activity during the period of the authorization.

(11) Failure by the Board of Trustees to enforce any violation of a provision of the authorization or waiver by the Board of Trustees of any provision of the authorization will not invalidate the provision not enforced or waived, nor will the failure to enforce or a waiver prevent the Board of Trustees from enforcing the unenforced or waived provision in the event of a violation of that provision.

(12) Applicant binds itself and its successors and assigns to abide by the provisions and conditions set forth in the authorization. If the applicant or its successors or assigns fails or refuses to comply with the provisions and conditions of the authorization, the authorization may be terminated by the Board of Trustees after written notice to the applicant or its successors or assigns. Upon receipt of such notice, the applicant or its successors or assigns will have thirty (30) days in which to correct the violations. Failure to correct the violations within this period will result in the automatic revocation of this authorization.

(13) All costs incurred by the Board of Trustees in enforcing the terms and conditions of the authorization will be paid by the applicant. Any notice required by law will be made by certified mail at the address shown on page one of the authorization. The applicant will notify the Board of Trustees in writing of any change of address at least ten days before the change becomes effective.

(14) This authorization does not allow any activity prohibited in a conservation easement or restrictive covenant that prohibits the activity.

NOTICE OF RIGHTS

This action is final and effective on the date filed with the Clerk of the Department unless a petition for an administrative hearing is timely filed under Sections 120.569 and 120.57, F.S., before the deadline for filing a petition. On the filing of a timely and sufficient petition, this action will not be final and effective until further order of the Department. Because the administrative hearing process is designed to formulate final agency action, the hearing process may result in a modification of the agency action or even denial of the application.

Petition for Administrative Hearing

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, F.S. Pursuant to Rule 28-106.201, F.A.C., a petition for an administrative hearing must contain the following information:

Permittee: Seybold Canal, LLC
Permit No.: 13-032211-001
Page 11 of 14

(a) The name and address of each agency affected and each agency's file or identification number, if known;

(b) The name, address, any email address, any facsimile number, 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;

(f) A statement of the specific rules or statutes that the petitioner contends require reversal or modification of the agency's proposed action, including an explanation of how the alleged facts relate to the specific rules or statutes; 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.

The petition 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. Also, a copy of the petition shall be mailed to the applicant at the address indicated above at the time of filing.

Time Period for Filing a Petition

In accordance with Rule 62-110.106(3), F.A.C., petitions for an administrative hearing by the applicant must be filed within 14 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), F.S., must be filed within 14 days of publication of the notice or within 14 days of receipt of the written notice, whichever occurs first. Under Section 120.60(3), F.S., however, any person who has asked the Department for notice of agency action may file a petition within 14 days of receipt of such notice, regardless of the date of publication. The failure to file a petition 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, F.S., or to intervene in this proceeding and participate as a party to it. Any subsequent intervention (in a proceeding initiated by another party) will be only at the discretion of the presiding officer upon the filing of a motion in compliance with Rule 28-106.205, F.A.C.

Extension of Time

Under Rule 62-110.106(4), F.A.C., 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 for filing a petition for an administrative hearing. 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.

Mediation

Mediation is not available in this proceeding.

Judicial Review

Once this decision becomes final, any party to this action has the right to seek judicial review pursuant to Section 120.68, F.S., by filing a Notice of Appeal pursuant to Rules 9.110 and 9.190, Florida Rules of Appellate Procedure, with the Clerk of the Department in the Office of General Counsel, 3900 Commonwealth Boulevard, M.S. 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 this action is filed with the Clerk of the Department.

Executed in Palm Beach County, Florida.

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION



Jill S. Creech, P.E.
District Director
Southeast District

Attachments:

Permit checklist, 1 page

Project Drawings and Design Specs., 5 pages

Exhibit A, Standard Manatee Conditions for In-Water Work, 2011, 1 page

As-built Certification and Request for Conversion to Operational Phase Form 62-330.310(1)*

Request for Transfer to the Perpetual Operation Entity Form 62-330.310(2)*

Request to Transfer Permit Form 62-330.340(1)*

Commencement Notice Form 62-330.350(1)*

*Can be downloaded at: <http://www.dep.state.fl.us/water/wetlands/erp/forms.htm>

Copies furnished to:

Richard Ohnmacht, FDEP- State Lands Inspector, Richard.Ohnmacht@dep.state.fl.us

Don Keirn, FDEP- Compliance and Enforcement, Don.Keirn@dep.state.fl.us

Rosalinda Rodriguez, USACOE- Miami-Dade, Rosalinda.Rodriguez@usace.army.mil

Lisa Spadafina, Miami-Dade County RER, spadaL2@miamidade.gov

FFWCC- Bureau of Imperiled Species Management General E-mail, fcmpmail@myfwc.com

Kirk Lofgren, Ocean Consulting, LLC, kirk@oceanconsultingfl.com

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.



3-10-14

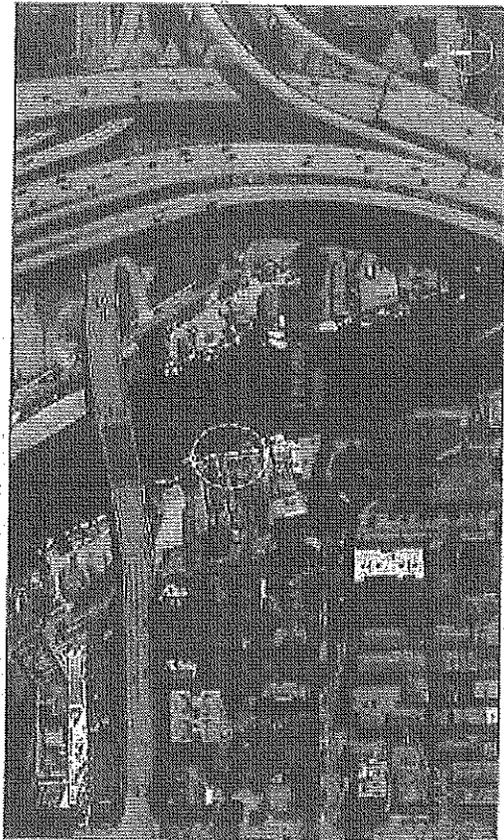
Clerk

Date

STANDARD MANATEE CONDITIONS FOR IN-WATER WORK
2011

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 Florida Fish and Wildlife Conservation Commission (FWC) Hotline at 1-888-404-3922. Collision and/or injury should also be reported to the U.S. Fish and Wildlife Service in Jacksonville (1-904-731-3336) for north Florida or Vero Beach (1-772-562-3909) for south Florida, and to FWC at ImperiledSpecies@myFWC.com
- 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. Temporary signs that have already been approved for this use by the FWC must be used. One sign which reads *Caution: Boaters* must be posted. A second sign measuring at least 8 ½" by 11" explaining the requirements for "Idle Speed/No Wake" and the shutdown of in-water operations must be posted in a location prominently visible to all personnel engaged in water-related activities. These signs can be viewed at MyFWC.com/manatee. Questions concerning these signs can be sent to the email address listed above.



LOCATION MAP AND LEGAL DESCRIPTION



PROJECT SITE LOCATION:
 129 SW 4th Ave
 Miami, FL 33132

LATITUDE: 25 DEG 42'01.62"N
LONGITUDE: 80 DEG 12'21.7"W

FOLIO No.: 01-0201-085-1010

PROJECT SITE LEGAL DESCRIPTION:
 CITY OF MIAMI SOUTH PS B-41
 TRACT LYG BET EL. OF SW SO RIVER
 DR. & MIAMI RIV. & BET N/4. OF S1/2
 OF LOT 2 PRODUCED E & S/L OF LOT
 18 PRODUCED E & RP RTS BLK 18
 LOT SIZE 19350 SQUARE FEET
 OR 18472-0876 0198 1



GENERAL NOTES:

- ELEVATIONS SHOWN REFER TO THE NATIONAL GEODETIC VERTICAL DATUM (NOVD) OF 1928.
- ALL DIMENSIONS ON PLANS ARE SUBJECT TO VERIFICATION IN THE FIELD.
- IT IS THE INTENT OF THESE PLANS TO BE IN ACCORDANCE WITH APPLICABLE CODES AND ORDINANCES HAVING JURISDICTION. ANY DISCREPANCIES BETWEEN THESE PLANS AND APPLICABLE CODES SHALL BE IMMEDIATELY BROUGHT TO THE ATTENTION OF ENGINEER BEFORE PROCEEDING WITH WORK. CONTRACTOR AND ALL SUBCONTRACTORS ARE RESPONSIBLE FOR ALL LINE, ELEVATION, AND MEASUREMENTS IN CONNECTION WITH THEIR WORK.
- IT IS THE INTENT OF THESE PLANS AND THE RESPONSIBILITY OF THE CONTRACTOR TO COMPLY WITH LOCAL, STATE, AND FEDERAL ENVIRONMENTAL PERMITS ISSUED FOR THIS PROJECT. IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO FAMILIARIZE AND GOVERN HIMSELF BY ALL REGULATIONS OF THESE PERMITS.
- APPROVED CONTRACTOR TO DETERMINE THE VIABILITY OF EXISTING STRUCTURES AND OBTAIN BUILDING CODE, FLORIDA BUILDING CODE, 2010 EDITION (AND CURRENT AMENDMENTS) TO VERIFY ALL DIMENSIONS. THE APPROVED CONTRACTOR IS RESPONSIBLE FOR ALL MEASUREMENTS, MEANS, SEQUENCES AND PROCEDURES OF WORK.
- DO NOT SCALE DRAWINGS FOR DIMENSIONS.
- CONTRACTOR TO PROPERLY FENCE AND SECURE AREA WITH BARRICADES.
- CONTRACTOR TO VERIFY LOCATION OF EXISTING UTILITIES PRIOR TO COMMENCING WORK.
- CONTRACTOR TO PROTECT EXISTING UTILITIES PRIOR TO COMMENCING WORK.
- BE SURE ALL MATERIALS AND METHODS ARE APPROVED PRIOR TO COMMENCING WORK.
- ALL NEW MATERIALS AND METHODS SHALL BE APPROVED TO MATCH EXISTING MATERIALS AND/OR ADJOINING WORK WHERE PRACTICAL EXCEPT AS SPECIFICALLY NOTED HEREIN.
- LICENSED CONTRACTOR SHALL USE ALL POSSIBLE CARE TO PROTECT ALL EXISTING MATERIALS, SURFACES, AND FURNISHINGS FROM DAMAGE DURING ALL PHASES OF CONSTRUCTION.
- THE LICENSED CONTRACTOR TO INSTALL AND REMOVE ALL SHORING AND BRACING AS REQUIRED TO MAINTAIN THE LOCATION OF THE WORK.
- ALL NEW WORK SHALL CONFORM TO ALL REQUIREMENTS OF EACH APPLICABLE ADMINISTRATIVE BODY HAVING JURISDICTION IN EACH PERTAINING JURISDICTION.

CONCRETE

- CONCRETE SHALL CONFORM TO ACI 318 (LATEST ED) AND SHALL BE WITH A MINIMUM 28-DAY COMPRESSIVE STRENGTH OF 4000 PSI. ALL CONCRETE SHALL BE PLACED BY A LICENSED CONTRACTOR. WATER-CEMENTitious MATERIALS RATIO, BY WEIGHT, NORMAL WEIGHT AGGREGATE CONCRETE OF 8.40.
- OWNER SHALL EMPLOY AND PAY FOR TESTING SERVICES FROM AN INDEPENDENTLY LICENSED LABORATORY FOR CONCRETE SAMPLING AND TESTING IN ACCORDANCE WITH ASTM FOR SAFE PRACTICE IN THEIR USE AND REMOVAL.
- CONCRETE COVER SHALL BE 4" UNLESS OTHERWISE NOTED ON APPROVED DRAWINGS.
- REINFORCING STEEL SHALL BE IN CONFORMANCE WITH THE LATEST VERSION OF ASTM A615 GRADE 60 SPECIFICATIONS. ALL REINFORCEMENT SHALL BE PLACED IN ACCORDANCE WITH 318 AND ACI MANUAL OF STANDARD PRACTICE.
- SPICES IN REINFORCING BARS SHALL NOT BE LESS THAN #8 BARS UNLESS OTHERWISE NOTED. ALL REINFORCEMENT SHALL BE PROVIDED AT CORNERS AND CHANGES IN DIRECTION. CONTIGUOUS STEEL AROUND THE CORNER #8 BARS DIAMETERS.

BOLTS

- ALL BOLTS SHALL BE HOT-DIPPED GALVANIZED, UNLESS OTHERWISE NOTED.

SHEET PILING NOTES

- STEEL SHEET PILING SHALL BE OF THE SECTIONS INDICATED, AND SHALL BE ASTM A572 GRADE 50.
- SHEET PILING SHALL BE COATED WITH INHMEC TAR (46H-443) OCAAL TAR EPoxy; TOP 20' BOTH SIDES EXCEPT AS NOTED.
- COATING SHALL BE 16 MILS DRY FILM THICKNESS, AND APPLIED IN STRICT ACCORDANCE WITH MANUFACTURER INSTRUCTIONS.
- DRIVE SHEET PILING IN ACCORDANCE WITH PDOT 452-9.
- CONTRACTOR SHALL BE PREPARED TO DRIVE SHEET PILING THROUGH LIMESTONE LAYERS; REFER TO GEOTECHNICAL REPORT.
- ANY DAMAGED COATING DUE TO HANDLING, DRIVING, ETC. SHALL BE REPAIRED IN STRICT ACCORDANCE WITH COATING MANUFACTURER INSTRUCTIONS.

STEEL PILE NOTES

- STEEL PILING SHALL BE OF THE SECTIONS INDICATED, AND SHALL BE ASTM A572 GRADE 50.

SEYBOLD CANAL SEAWALL PROJECT
 Miami, Florida

CLIENT:
 MR. MANNY FERRGUEZ
 SEYBOLD CANAL, LLC
 Miami, FL 33130
 Tel: (305) 245-0070

ENVIRONMENTAL CONSULTANT:
 OCEAN CONSULTING, LLC
 260 Monroe Avenue, Suite 7
 Coral Gables, Florida 33134
 Tel: (305) 771-8244
 Fax: (305) 977-8254



PERMIT SKETCHES

Issue #	Issue Date
1	January 3, 2014
2	February 12, 2014
3	February 27, 2014
4	March 4, 2014

PROJECT: 14-380

PROJECT LOCATION & NOTES

SCALE: AS SHOWN

STREET NO. **S-1**

**SEYBOLD CANAL
SEAWALL PROJECT**

CLIENT:
Miami, Florida
MR. MANNY FRIGUEZ
SEYBOLD CANAL, LLC
13 SW 48 Ave
Miami, FL 33135
Tel: (305) 365-9070

ENVIRONMENTAL CONSULTANT:
**OCEAN
CONSULTING, LLC**
340 Victoria Avenue, Suite 7
Coral Gables, Florida 33134
Tel: (305) 921-8944
Fax: (305) 677-2234
CONTRACTOR:

PROJECT ENGINEER:
**DYNAMIC ENGINEERING
SOLUTIONS, INC.**
950 N. Federal Highway, Suite 212
Pompano Beach, FL 33062
Tel: (954) 545-1740
Fax: (954) 545-1721

SEAL / SIGNATURE / DATE

John Gonzalez
PE 37293, EB 16239

PERMIT SKETCHES

Issue #	Issue Date
③	January 3, 2014
④	February 12, 2014
⑤	February 27, 2014
⑥	March 4, 2014

PROJECT: 13-2950

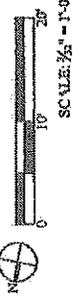
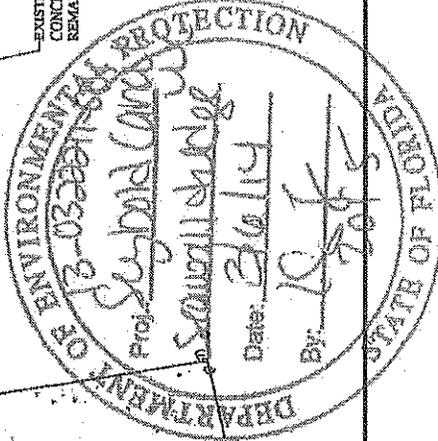
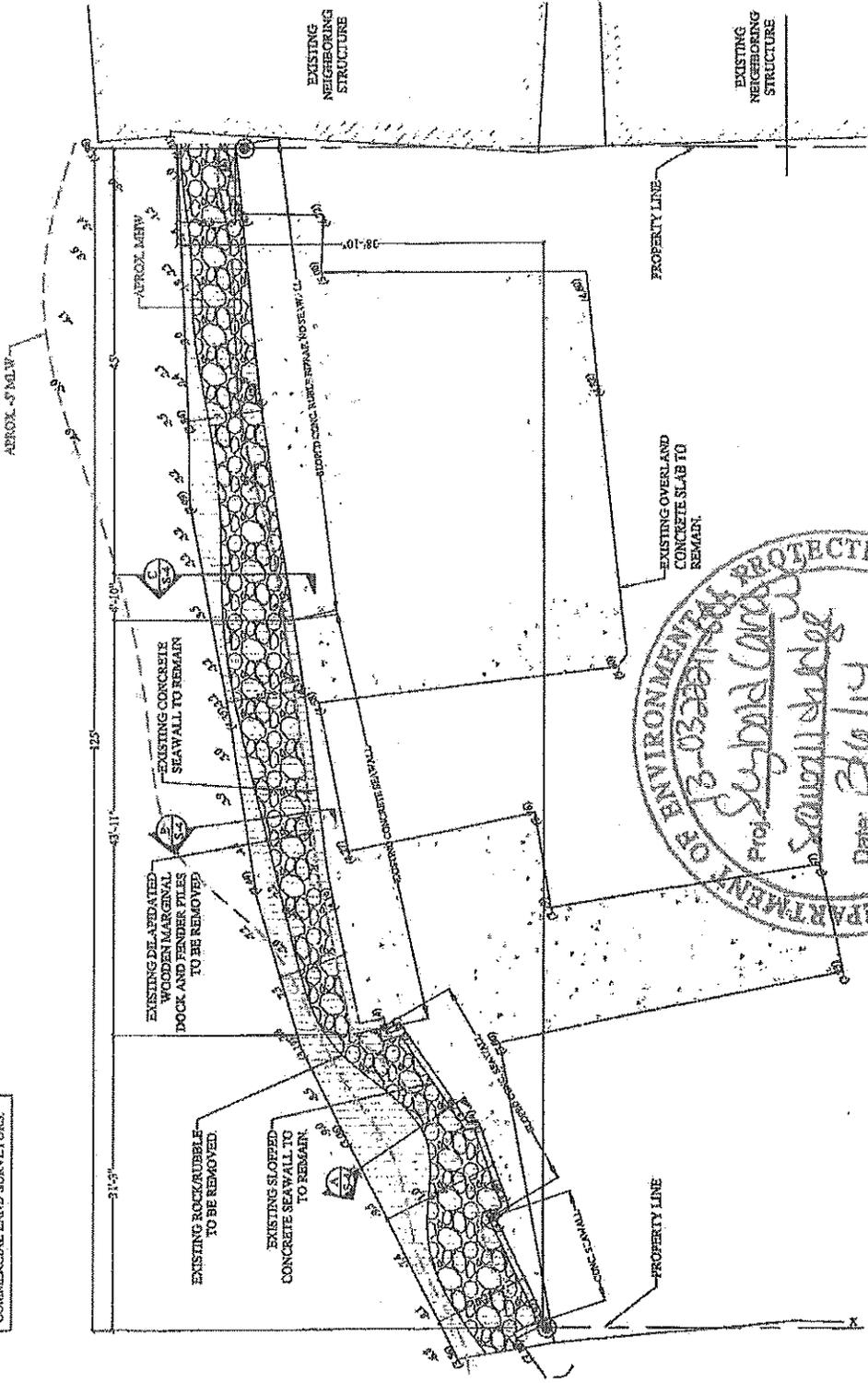
EXISTING CONDITIONS

SCALE: AS SHOWN
SHEET NO.

S-2

M I A M I R I V E R

NOTE:
HYDROGRAPHIC SURVEY DATA
PROVIDED BY EXACTA
COMMERCIAL LAND SURVEYORS



EXISTING CONDITIONS

SEYBOLD CANAL SEAWALL PROJECT

CLIENT: Miami, Florida
 MR. MANNY FRIEGUEZ
 SEYBOLD CANAL, LLC
 129 SW 4th Ave
 Miami, FL 33130
 TEL: (305) 583-9070

ENVIRONMENTAL CONSULTANT:
 OCEAN CONSULTING, LLC
 240 Alhambra Avenue, Suite 7
 Coral Gables, Florida 33134
 Tel: (305) 971-6934
 Fax: (305) 677-3254

CONTRACTOR:
 PROJECT ENGINEER:
 DYNAMIC ENGINEERING SOLUTIONS, INC.
 950 N. Federal Highway, Suite 212
 Pompano Beach, FL 33062
 Tel: (954) 545-1740
 Fax: (954) 545-1721

SEAL / SIGNATURE / DATE

John Omlander
 PE 57395, EB 24629

PERMIT SKETCHES

Issue # Issue Date
 ③ January 3, 2014
 ④ February 12, 2014
 ⑤ February 27, 2014
 ⑥ March 4, 2014

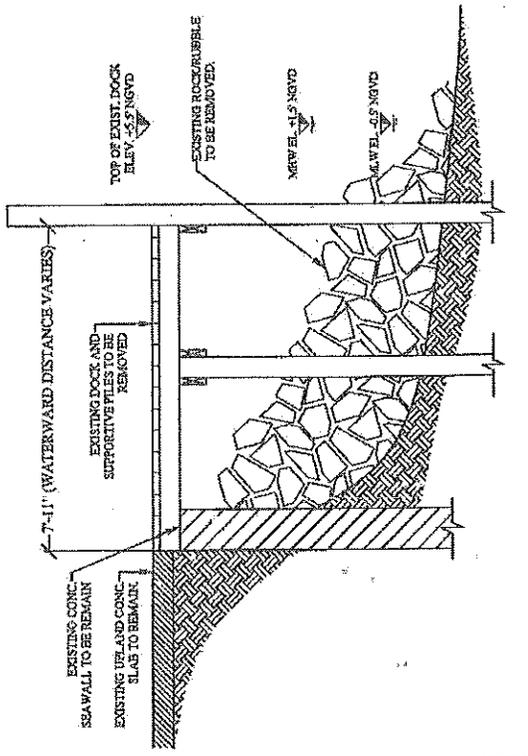
PROJECT: 13-9560

EXISTING SHORE CONDITION SECTIONS

SCALE: AS SHOWN

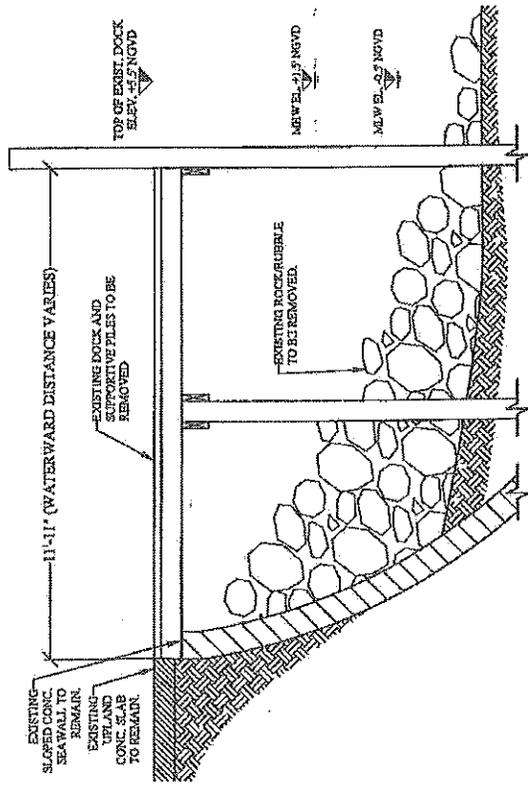
SHEET NO.

S-4



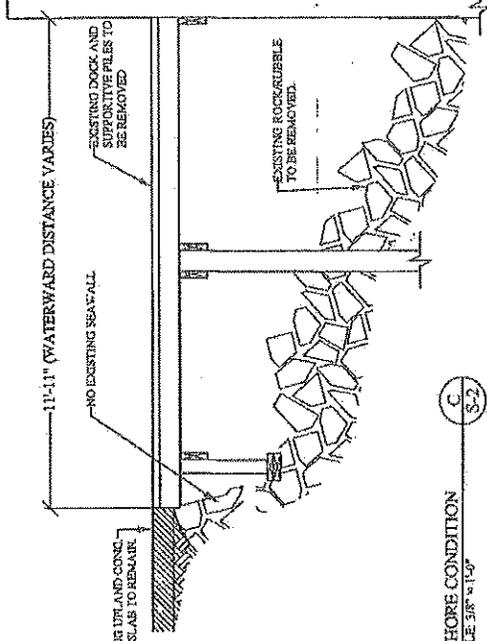
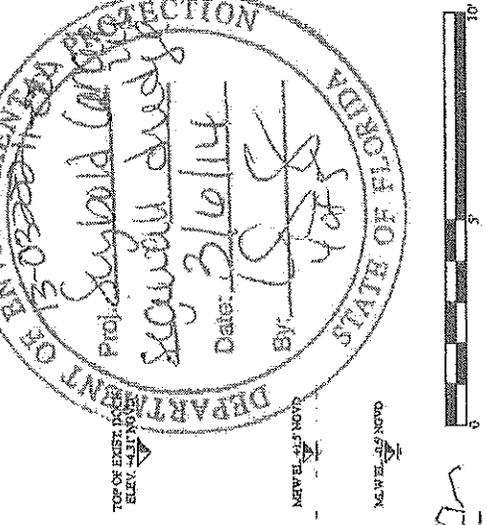
A
 S-2

EXISTING SHORE CONDITION
 SCALE: 3/8" = 1'-0"



B
 S-3

EXISTING SHORE CONDITION
 SCALE: 3/8" = 1'-0"



C
 S-2

EXISTING SHORE CONDITION
 SCALE: 3/8" = 1'-0"



**SEYBOLD CANAL
SEAWALL PROJECT**
Miami, Florida

CLIENT:
MR. MANNY PRISGUEZ
SEYBOLD CANAL, LLC
17501 SW 15th St., Ft. Lauderdale, FL 33309
Tel: (954) 345-0070

ENVIRONMENTAL CONSULTANT:
OCEAN
CONSULTING, LLC
340 Neptune Avenue, Suite 7
Coral Gables, Florida 33134
Tel: (305) 921-9544
Fax: (305) 677-9254

CONTRACTOR:

PROJECT ENGINEER:
DYNAMIC ENGINEERING
SOLUTIONS, INC.
590 N. Federal Highway, Suite 212
Pompano Beach, FL 33062
Tel: (954) 545-1740
Fax: (954) 545-1721

SEAL / SIGNATURE / DATE

John Chamber
PE 2723, BB 24629

PERMIT SKETCHES

Issue # Issue Date
 ① January 3, 2014
 ② February 12, 2014
 ③ February 27, 2014
 ④ March 4, 2014

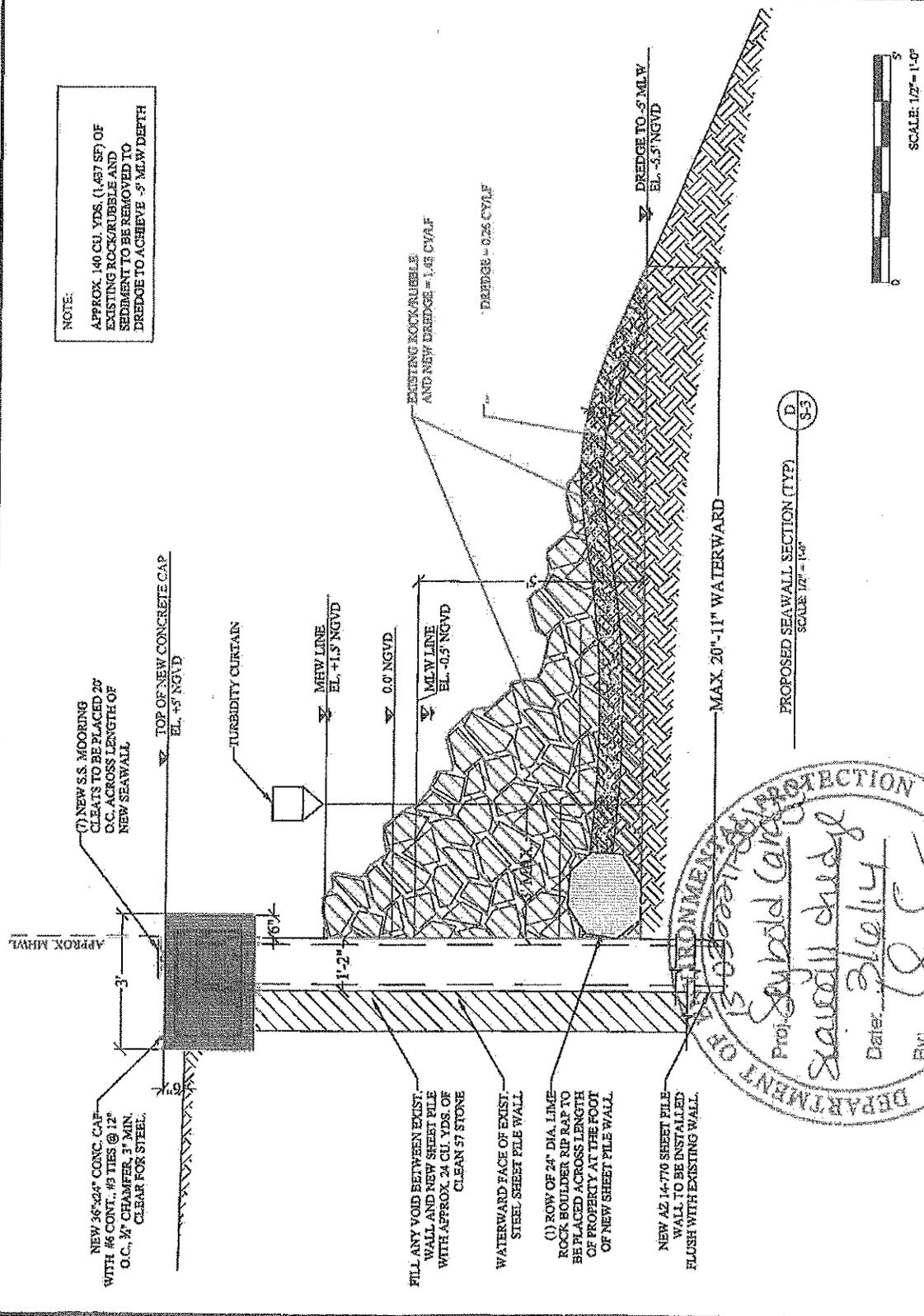
PROJECT: 13-3950

**PROPOSED SEAWALL
AND CAP SECTION**

SCALE: AS SHOWN
SHEET NO.

S-5

NOTE:
APPROX. 140 CU. YDS. (1,487 SF) OF
EXISTING ROCK/RUBBLE AND
SEDIMENT TO BE REMOVED TO
DREDGE TO ACHIEVE -5' MLW DEPTH



Attachment F
RER-DERM Project Report

PROJECT REPORT
CLASS I PERMIT APPLICATION NO. CLI-2013-0370

Class I Permit Application by Seybold Canal, LLC to Perform Non-Maintenance Dredging
within the Miami River at 129 SW 4 Avenue, Miami, Miami-Dade County, Florida

DATE: February 10, 2014

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 proposed project will result in the removal of 1,437 square feet of un-vegetated submerged bottom material to provide adequate water depth for the mooring of vessels along the seawall at the subject property. The proposed scope of work also includes the installation of 133 linear feet of new seawall. The submerged bottom in the area of the proposed work is currently covered with rubble and concrete debris, and is not providing significant benthic habitat. Therefore, the removal of the material is not reasonably expected to result in adverse environmental impacts.

The proposed project may affect surface water quality on a temporary basis during construction operations. In order to minimize impacts to surface waters, the Class I permit will require that a water quality monitoring plan and proper turbidity controls be implemented during the proposed work. Mitigation for temporary water quality impacts associated with the dredging and installation of the new seawall will be satisfied through a contribution to the Biscayne Bay Environmental Enhancement Trust Fund in the amount of \$13,713.30.

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

2. **Potential Cumulative Adverse Environmental Impact** – The proposed project will result in the removal of 1,437 square feet of un-vegetated submerged bottom material, and is not reasonably expected to result in adverse environmental impacts. Temporary impacts have been minimized and will be mitigated as set forth in Number 1 above.
3. **Hydrology** - The proposed project is not reasonably expected to adversely affect surface water drainage or retention of stormwater.
4. **Water Quality** – The proposed project may affect surface water quality on a temporary basis during construction operations. In order to minimize impacts to surface waters, the Class I permit shall require that a water quality monitoring plan and proper turbidity controls be implemented during the proposed work. Temporary impacts have been minimized and will be mitigated as set forth in Number 1 above.
5. **Wellfields** – Not applicable.
6. **Water Supply** – Not applicable.
7. **Aquifer Recharge** – Not applicable.
8. **Aesthetics** – The project is aesthetically compatible with the surrounding area. However, during the construction process, there may be temporary aesthetic impacts related to the presence of machinery associated with construction activities.
9. **Navigation** – The proposed project area is not reasonably expected to adversely affect navigation.
10. **Public Health** - The proposed project is not reasonably expected to adversely affect public health.
11. **Historic Values** - The proposed project is not reasonably expected to adversely affect historic values.
12. **Archaeological Values** - The proposed project is not reasonably expected to adversely affect archaeological values.
13. **Air Quality** – The proposed project is not reasonably expected to adversely affect air quality.

14. **Marine and Wildlife Habitats** – The proposed project will result in the removal of 1,437 square feet of un-vegetated submerged bottom material that is not providing significant benthic habitat. Unavoidable impacts have been minimized and shall be mitigated as set forth in Number 1 above.
15. **Wetland Soils Suitable for Habitat** – The proposed project is not located within wetlands.
16. **Floral Values** – The proposed project is not reasonably expected to result in impacts to floral values, as set forth in Number 1 above.
17. **Fauna Values** - The proposed project is not reasonably expected to result in impacts to fauna values, as set forth in Number 1 above.
18. **Rare, Threatened and Endangered Species** – The proposed project is located within an area designated as essential manatee habitat for the West Indian Manatee by the MPP; therefore, potential impacts will be minimized as set forth in Number 1 above.
19. **Natural Flood Damage Protection** - The proposed project is not reasonably expected to adversely affect surface water drainage or retention of stormwater.
20. **Wetland Values** –The proposed project is not located within wetlands.
21. **Land Use Classification** – Pursuant to Section 24-48.2(II)(B)(7), of the Code of Miami-Dade County, Florida, 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.
23. **Other Environmental Values Affecting the Public Interest** – The proposed project is not reasonably expected to adversely affect other environmental values affecting the public interest. The proposed project will occur on lands owned by the State of Florida, and the applicant has requested authorization from the State. The Class I permit will not be issued unless a copy of the executed Sovereign Submerged Lands Lease has been provided.
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) Chapter 33B of the Code of Miami-Dade County
 - b) Miami-Dade County Public Works Manual
25. **Comprehensive Environmental Impact Statement (CEIS)** - In the opinion of the Director, the proposed project is not reasonably expected to result in significant adverse environmental impacts or cumulative adverse environmental impacts. Therefore, a CEIS was not required by RER-DERM to evaluate the project.
26. **Conformance with All Applicable Federal, State and Local Laws and Regulations** - The proposed project is in conformance with applicable State, Federal and local laws and regulations:
 - a) Chapter 24 of the Code of Miami-Dade County
 - b) United States Clean Water Act (US Army Corps of Engineers permit is required)
 - c) Florida Department of Environmental Protection (permit is required)
27. **Conformance with the Miami-Dade County Comprehensive Development Master Plan (CDMP)** - In the opinion of the Director, the proposed project is in conformance with the CDMP. The following is a summary of the proposed project as it relates to the CDMP:

LAND USE ELEMENT I:

Objective 3/Policies 3A, 3B, 3C - Protection of natural resources and systems. – The proposed project is consistent with 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 reasonably expected to result in impacts to marine resources, and temporary water quality impacts have been minimized and will be mitigated as set forth in Number 1 above.

CONSERVATION, AQUIFER RECHARGES AND DRAINAGE ELEMENT IV:

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

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

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

Objective 5/Policies 5A, 5B, 5F - Flood protection and cut and fill criteria – The proposed project is not reasonably expected to compromise flood protection.

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

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

Objective 6/Policy 6D - Fill material on-site is suitable for the support of development. – The excavated material is not intended to be used for the support of development.

Objective 7/Policy 7A - No net loss of high quality, relatively unstressed wetlands. – The proposed project is not located within wetlands.

Objective 9/Policies 9A, 9B, 9C - The proposed project is located within an area designated as essential manatee habitat for the West Indian Manatee by the MPP; therefore, potential impacts will be minimized as set forth in Number 1 above.

COASTAL MANAGEMENT ELEMENT VII:

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

Objective 1/ Policy 1B - Natural surface flow into and through coastal wetlands. – The proposed project is not located within wetlands.

Objective 1/ Policy 1C - Elevated boardwalk access through mangroves. – The proposed project is not located in an area that supports mangroves.

Objective 1/Policy 1D - Protection and maintenance of mangrove forests and related natural vegetational communities. - The proposed project is not located within a mangrove forest or related natural vegetational community.

Objective 1/Policy 1E - Mitigation for the degradation and destruction of coastal wetlands. Monitoring and maintenance of mitigation areas. – The proposed project is not located within coastal wetlands.

Objective 1/Policy 1G - Prohibition on dredging or filling of grass/algal flats, hard bottom or other viable benthic communities, except as provided for in Chapter 24 of the Code of Miami-Dade County, Florida. – The proposed project does not involve 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 4/Policy 4A, 4C, 4E, 4F – Protection of endangered or threatened animal species - The proposed project site is located in an area designated by the MPP as essential habitat for the West Indian Manatee; therefore, potential impacts will be minimized as set forth in Number 1 above.

Objective 5/Policy 5B - Existing and new areas for water-dependent uses. - The proposed project will improve the existing water-dependent use at the property.

Objective 5/Policy 5D - Consistency with Chapter 33D, Miami-Dade County Code (shoreline access, environmental compatibility of shoreline development) – The proposed project site is not located within the Shoreline Development Review boundaries; therefore, the thresholds for review by the Shoreline Development Review Committee 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 within Biscayne Bay.

30. **Conformance with the Miami-Dade County Manatee Protection Plan** - The proposed project was evaluated for consistency with the MPP. The proposed project is located within an area designated as essential manatee habitat for the West Indian Manatee by the MPP; therefore, potential impacts will be minimized as set forth in Number 1 above.

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

32. **Municipality Recommendation** – Pursuant to Section 24-48.2(II)(B)(7), 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)(B)(10)(b) of the Code of Miami-Dade County.
34. **Maximum Protection of a Wetland's Hydrological and Biological Functions** – The proposed project is not located within wetlands.
35. **Class I Permit Applications Proposing to Exceed the Boundaries Described in Section D-5.03(2)(a) of the Miami-Dade County Public Works Manual** – The proposed project will not exceed the boundaries described in Section D-5.03(2)(a) of the Miami-Dade County Public Works Manual.

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

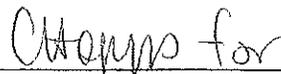
24-48.3 (2) Dredging and Filling for Class I Permit – The proposed project complies with the following criterion:

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

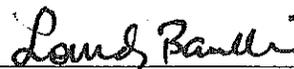
24-48.3 (3) Minimum Water Depth Required for Boat Slips Created by the Construction or Placement of Fixed or Floating Docks and Piers, Piles and Other Structures Requiring a Permit Under Article IV, Division 1 of Chapter 24 of the Code of Miami-Dade County – The proposed project complies with the minimum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

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

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



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