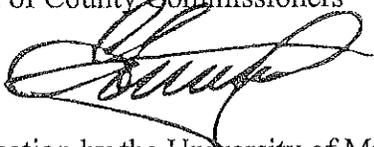
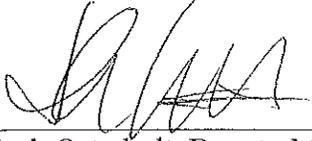


Agenda Item No. 5(E)

**Date:** January 21, 2015  
**To:** Honorable Chairman Jean Monestime  
and Members, Board of County Commissioners  
**From:** Carlos A. Gimenez   
Mayor  
**Subject:** Class I Permit Application by the University of Miami to Construct a Fixed Pedestrian  
Bridge Spanning Lake Osceola, Coral Gables, Miami-Dade County

Resolution No. R-07-15

Attached, please find for your consideration an application by the University of Miami for a Class I permit. Also attached is the recommendation of the Department of Regulatory and Economic Resources, Division of Environmental Resources Management (RER-DERM) and a proposed resolution approving the issuance of the Class I permit.



Jack Osterholt, Deputy Mayor

# Memorandum



**Date:** December 22, 2014

**To:** Carlos A. Gimenez  
Mayor

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

**Subject:** Class I Permit Application by University of Miami to Construct a Fixed Pedestrian Bridge Spanning Lake Osceola, Coral Gables, Miami-Dade County

---

## Recommendation

I have reviewed the attached application for a Class I permit by the University of Miami. Based upon the applicable evaluation factors set forth in Section 24-48.3 of the Code of Miami-Dade County (Code), Florida, 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 site is at 1224 and 1239 Dickinson Drive on the University of Miami main campus, Coral Gables, in Commission District 7 (Commissioner Xavier L. Suarez).

## Fiscal Impact/Funding Source

This resolution is a regulatory approval and does not have a fiscal impact as contemplated by Resolution No. R-530-10.

## Track Record/Monitor

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

## Background

This Class I permit application requests authorization to construct a fixed pedestrian bridge spanning Lake Osceola, a tidally connected lake, on the University of Miami main campus in the City of Coral Gables. 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.

Lake Osceola is situated near the center of the University of Miami campus, adjacent to the Student Activities Center. Historical records indicate that Lake Osceola was created by dredging the surrounding upland areas to widen a narrow existing waterway. The University proposes to construct a 13.5 foot wide by 210 foot long pedestrian bridge to connect the buildings on the west side of the lake with student apartments located on the east side of the lake.

Pursuant to Section 24-48.4 of the Code, potential adverse environmental impacts and cumulative adverse environmental impacts for a proposed project must be avoided and minimized. The shoreline does not support significant resources, and no wetland vegetation or submerged aquatic vegetation was documented in the footprint of the proposed work. In addition, the Class I permit will include conditions requiring turbidity control devices during all phases of construction to ensure compliance with State and County water quality standards. Therefore, the proposed project is not reasonably expected to result in adverse environmental impacts.

The proposed project is not located within an area designated as essential manatee habitat for the West Indian Manatee by the Miami-Dade County Manatee Protection Plan. In addition, Lake Osceola is tidally connected through a series of culverts with incorporated grate systems that restrict manatee access to the lake. Therefore, the proposed project is not reasonably expected to adversely impact manatees.

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

**Attachments**

- Attachment A: Class I Permit Application
- Attachment B: Owner/Agent Letter, Engineer Certification Letter, and Project Sketches
- Attachment C: Zoning Memorandum
- Attachment D: Department of Regulatory and Economic Resources Project Report



# MEMORANDUM

(Revised)

**TO:** Honorable Chairman Jean Monestime  
and Members, Board of County Commissioners

**DATE:** January 21, 2015

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

**SUBJECT:** Agenda Item No. 5(E)

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(E)  
1-21-15

RESOLUTION NO. R-07-15

RESOLUTION APPROVING A CLASS I PERMIT APPLICATION BY THE UNIVERSITY OF MIAMI TO CONSTRUCT A FIXED PEDESTRIAN BRIDGE SPANNING LAKE OSCEOLA ON THE MAIN CAMPUS OF THE UNIVERSITY OF MIAMI, CORAL GABLES, MIAMI-DADE COUNTY, FLORIDA

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

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA**, that this Board having considered all the applicable factors contained within Section 24-48.3 of the Code of Miami-Dade County, hereby approves the application by the University of Miami for a Class I permit to construct a fixed pedestrian bridge spanning Lake Osceola on the main campus of the University of Miami, Coral Gables, Miami-Dade County, 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. 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 **Esteban L. Bovo, Jr.**, who moved its adoption. The motion was seconded by Commissioner **Jean Monestime** and upon being put to a vote, the vote was as follows:

	Jean Monestime, Chairman	<b>aye</b>
	Esteban L. Bovo, Jr., Vice Chairman	<b>aye</b>
Bruno A. Barreiro	<b>aye</b>	Daniella Levine Cava <b>aye</b>
Jose "Pepe" Diaz	<b>aye</b>	Audrey M. Edmonson <b>absent</b>
Sally A. Heyman	<b>absent</b>	Barbara J. Jordan <b>aye</b>
Dennis C. Moss	<b>aye</b>	Rebeca Sosa <b>aye</b>
Sen. Javier D. Souto	<b>aye</b>	Xavier L. Suarez <b>aye</b>
Juan C. Zapata	<b>aye</b>	

The Chairperson thereupon declared the resolution duly passed and adopted this 21<sup>st</sup> day of January, 2015. This resolution shall become effective upon the earlier of (1) 10 days after the date of its adoption unless vetoed by the County Mayor, and if vetoed, shall become effective only upon an override by this Board, or (2) approval by the County Mayor of this Resolution and the filing of this approval with the Clerk of the Board.

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

HARVEY RUVIN, CLERK



By: **Christopher Agrippa**  
Deputy Clerk

Approved by County Attorney as  
to form and legal sufficiency.



Lauren E. Morse

**Attachment A**  
**Class I Permit Application**



# Class I Permit Application

<b>FOR DEPARTMENTAL USE ONLY</b>	
Date Received: <span style="font-size: 2em; font-weight: bold; color: gray;">RECEIVED</span>  <div style="text-align: center; font-size: 1.5em; font-weight: bold;">NOV 20 2014</div> <div style="text-align: center; font-size: 0.8em;">DERM Coastal Resources Section Natural Resources Regulation &amp; Enforcement</div>	Application Number: <b>CLI-2014-0107</b>  Application Fee: <b>\$25,220.00</b>

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

<b>1. Applicant Information:</b> Name: <u>University of Miami</u> Address: <u>1535 Levante Avenue</u> <u>Coral Gables, Florida</u> Zip Code: <u>33146</u> Phone #: <u>(305) 284-5660</u> Fax#: <u>(305) 284-4105</u> Email: <u>icarcas@miami.edu</u> <small>* This should be the applicant's information for contact purposes.</small>	<b>2. Applicant's Authorized Permit Agent:</b> <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>Larry Marber, Vice President, University of Miami</u> Address: <u>1535 Levante Avenue</u> <u>Coral Gables, FL</u> Zip Code: <u>33146</u> Phone #: _____ Fax #: _____ Email: _____
--	---

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

Folio #(s): 03-4130-015-0010 and 03-4130-015-0020 Latitude: \_\_\_\_\_ Longitude: \_\_\_\_\_  
 Street Address: 1224 and 1239 Dickinson Drive Section: 22 Township: 54N Range: 41E  
 In City or Town: Coral Gables Near City or Town: \_\_\_\_\_  
 Name of waterway at location of the activity: Lake Osceola

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

<input type="checkbox"/> Seawall	<input type="checkbox"/> Dock(s)	<input type="checkbox"/> Boatlift	<input 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 type="checkbox"/> Maintenance	<input type="checkbox"/> Mangrove Removal
<input type="checkbox"/> Seawall Cap	<input type="checkbox"/> Viewing Platform	<input type="checkbox"/> Fender Piles	<input 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: Installation of a New Pedestrian Bridge

Estimated project cost = \$1,000,000.00

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

<b>5. Proposed Use (check all that apply):</b> <input type="checkbox"/> Single Family <input type="checkbox"/> Multi-Family <input type="checkbox"/> Private <input checked="" type="checkbox"/> Public <input type="checkbox"/> Commercial <input type="checkbox"/> Industrial <input type="checkbox"/> Utility	<b>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):</b> Proposed Vessel Type (s): <u>N/A</u> Vessel Make/Model (If known): _____ Draft (s)(range in inches.): _____ Length (s)(range in feet.): _____ Total Number of Slips: _____
---	---

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

Issuing Agency	Type of Approval	Identification Number	Application Date	Approval Date

8. Contractor Information (If known):

NOV 20 2014

Name: To Be Determined License # (County/State): DERM Coastal Resources Section
Address: Natural Resources Regulation & Restoration
Phone #: Fax #: E-mail: Zip Code: 33169 (MIRRO)

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.

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

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

A. IF APPLICANT IS AN INDIVIDUAL

Signature of Applicant Print Applicant's Name Date

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

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

University of Miami Corporation 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.\*\*\*

Signature of Authorized Representative Larry Marber Vice-President 11/11/14
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



**Attachment B**

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

PERMIT APPLICANT / AUTHORIZED AGENT STATEMENT

RECEIVED

NOV 20 2014

11/11/14  
Miami Dade County Department of Regulatory and Economic Resources  
Class I Permitting Program  
701 NW 1<sup>st</sup> Court  
Miami, FL 33136

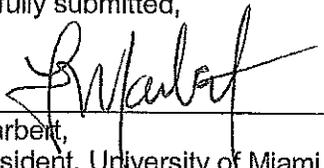
DERM Coastal Resources Section  
Natural Resources Regulation & Restoration  
Division (NRRD)

Re: Class I Standard Form Permit Application Number CLI-2014-0107

By the attached Class I Standard Form permit application with supporting documents, I, Larry Marbert, Vice President, University of Miami, am the permit applicant and hereby request permission to perform the work associated with Class I Permit Application CLI-2014-0107. 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,

  
\_\_\_\_\_  
Larry Marbert,  
Vice President, University of Miami  
Permit Applicant

**ENGINEER LETTER OF CERTIFICATION**

**RECEIVED**

**NOV 20 2014**

November 13th, 2014

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

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

RE: Class I Permit Application Number CLI-2014-0107

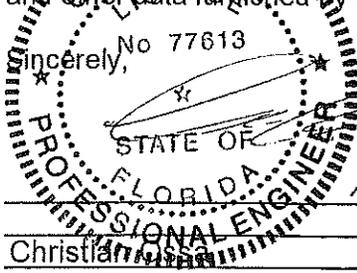
Ladies and Gentlemen:

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:

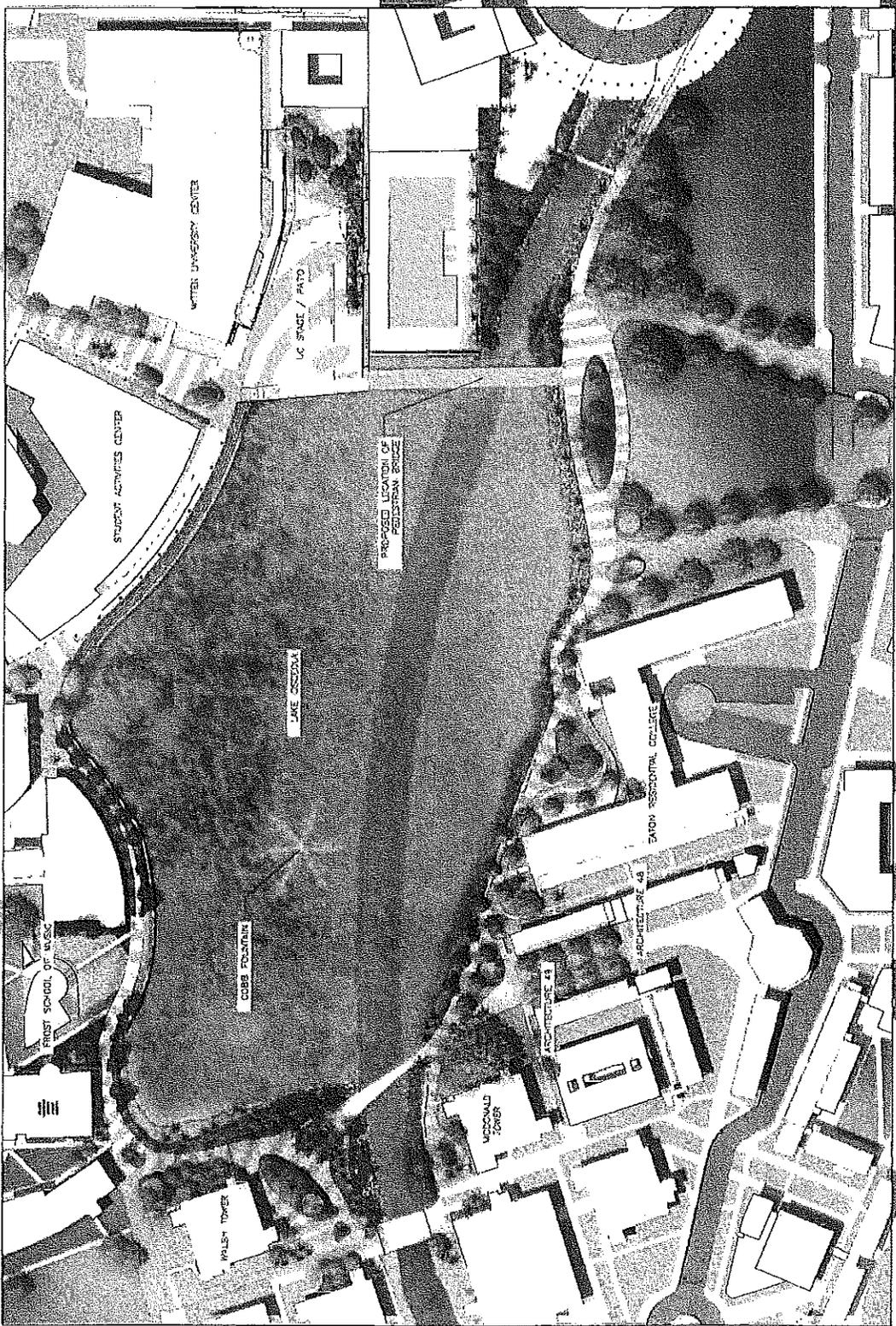
- a. Harmful obstruction or undesirable alteration of the natural flow of the water within the area of the proposed work.
- b. Harmful or increased erosion, shoaling of channels or stagnant areas of water. (Not applicable to class IV permits)
- c. Material injury to adjacent property.
- d. Adverse environmental 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,  
No 77613

  
11/13/2014  
Christian O.  
P.E. # 77613



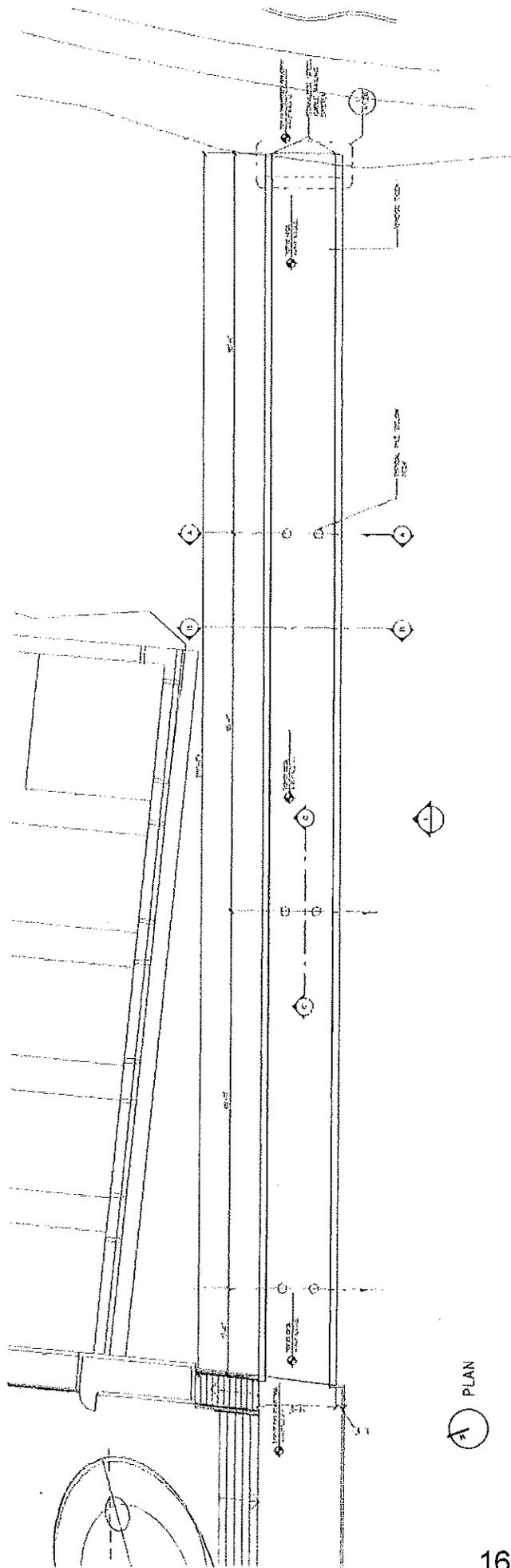


7 SITE PLAN

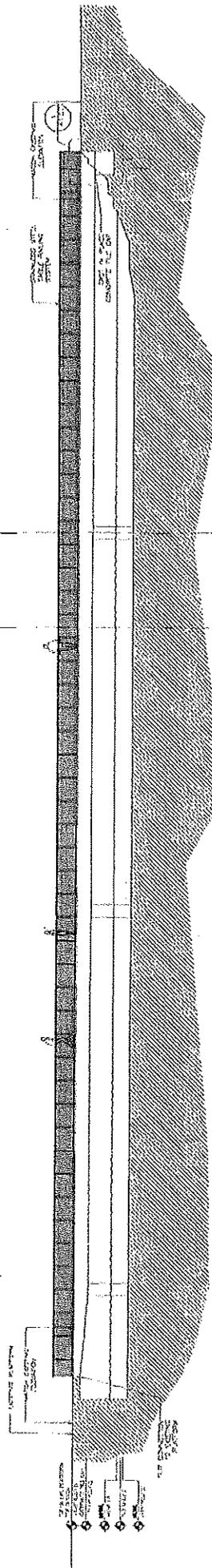
UNIVERSITY OF MICHIGAN U.M. PED BRIDGE SITE PLAN PHOTO SCALE DATE: 03/20/14 A1.02

APR 03 2014

DERIVATION Section  
Natural Resources Dept. & Restoration  
CIVIL ENGINEERING



PLAN



ELEVATION 1

RECEIVED

APR 03 2014



DEIRM C... ..  
 National Resource Regulatory & Restoration

BRIDGE PLAN (ELEVATION 1) A1103

**Attachment C**  
**Zoning Memorandum**

# Memorandum



**Date:** November 14, 2014

**To:** Lisa Spadafina, Chief *LS*  
Natural Resources Division  
Department of Regulatory and Economic Resources

**From:** Nicole Fresard, Biologist II *NF*  
Coastal and Wetlands Resources Section  
Department of Regulatory and Economic Resources

**Subject:** Class I Permit Application by the University of Miami to Construct a Fixed Pedestrian Bridge Spanning Lake Osceola, Coral Gables, 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**  
**RER-DERM Project Report**

**PROJECT REPORT**  
**CLASS I PERMIT APPLICATION NO. CLI-2014-0107**

Class I Permit Application by the University of Miami to Construct a Fixed Pedestrian Bridge  
Spanning Lake Osceola, Coral Gables, Florida

**Date: October 31, 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 installation of the proposed pedestrian bridge is not reasonably expected to result in adverse environmental impacts. The shoreline does not support significant resources, and no wetland vegetation or submerged aquatic vegetation was documented in the footprint of the proposed work. In addition the Class I permit will require that turbidity control be utilized during all phases of construction to ensure compliance with State and County water quality standards. Therefore, the proposed project is not reasonably expected to result in adverse environmental impacts.

The proposed project is not located within an area designated as essential manatee habitat for the *Trichechus manatus* (West Indian Manatee) by the Miami-Dade County Manatee Protection Plan. In addition, Lake Osceola is tidally connected through a series of culverts with incorporated grate systems that restrict manatee access to the Lake. Therefore, the proposed project is not reasonably expected to adversely impact the West Indian Manatee.

2. **Potential Cumulative Adverse Environmental Impact** – The proposed project is not reasonably expected to result in cumulative adverse environmental impacts.
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 activities. As a method to minimize potential water quality impacts, the applicant will install turbidity barriers to capture debris and prevent fugitive particulates from entering the waterway. The Class I permit will require that turbidity control devices such as, but not limited to, silt fencing and turbidity curtains, be utilized during all phases of construction to ensure compliance with State and County water quality standards.
5. **Wellfields** – The proposed project is not reasonably expected to adversely affect wellfields.
6. **Water Supply** – The proposed project is not reasonably expected to adversely affect water supply.
7. **Aquifer Recharge** – The proposed project is not reasonably expected to adversely affect aquifer recharge.
8. **Aesthetics** – The proposed project is not reasonably expected to have negative aesthetic impacts. The proposed bridge is designed to be aesthetically compatible with the surrounding area. However, during the construction process there may be temporary aesthetic impacts related to the presence of machinery and equipment associated with the construction activities.
9. **Navigation** – The project site is tidally connected through a series of culverts with incorporated grate systems that restrict vessel access; therefore, the proposed project is not reasonably expected to adversely affect navigation.
10. **Public Health** - The proposed project is not reasonably expected to adversely affect public health.
11. **Historic Values** - The proposed project is not reasonably expected to adversely affect historic values.
12. **Archaeological Values** - The proposed project is not reasonably expected to adversely affect archaeological values.
13. **Air Quality** – The proposed project is not reasonably expected to adversely affect air quality.
14. **Marine and Wildlife Habitats** – The proposed project is not reasonably expected to adversely affect marine and wildlife habitats, as set forth in Number 1 above.

15. **Wetland Soils Suitable for Habitat** – The proposed project does not involve any work in wetland soils.
16. **Floral Values** – The proposed project is not reasonably expected to adversely affect marine flora, as set forth in Number 1 above.
17. **Fauna Values** - The proposed project is not reasonably expected to adversely affect marine fauna as set forth in Number 1 above.
18. **Rare, Threatened and Endangered Species** – The proposed project is not reasonably expected to adversely impact rare, threatened, and endangered species 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 does not involve work in 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 University of Miami.
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) Section 24 of the Code of Miami-Dade County
  - b) United States Clean Water Act (US Army Corps of Engineers permit is required)
27. **Conformance with the Miami-Dade County Comprehensive Development Master Plan (CDMP)** - In the opinion of the Director, the proposed project is in conformance with the CDMP. The following is a summary of the proposed project as it relates to the CDMP:

#### **LAND USE ELEMENT I:**

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

## **TRANSPORTATION ELEMENT II**

**Aviation Subelement/Objective 5** - Aviation System Expansion - There is no aviation element to the proposed project.

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

## **CONSERVATION, AQUIFER RECHARGES AND DRAINAGE ELEMENT IV:**

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

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

**Objective 4/Policies 4A, 4B, 4C** - Water storage, aquifer recharge potential and maintenance of natural surface water drainage. - The proposed project 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 7/Policy 7A** - No net loss of high quality, relatively unstressed wetlands. – The proposed project does not involve work in wetlands.

**Objective 9/Policies 9A, 9B, 9C** - Protection of habitat critical to Federal or State-designated threatened or endangered species. – The proposed project is not reasonably expected to adversely impact rare, threatened, and endangered species 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 coastal wetlands.

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

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

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

**Objective 1/Policy 1G** - Prohibition on dredging or filling of grass/algal flats, hard bottom or other viable benthic communities, except as provided for in Chapter 24 of the Code of Miami-Dade County, Florida. – The proposed project does not involve 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 is not reasonably expected to affect endangered or threatened animal species, as set forth in Number 1 above.

**Objective 5/Policy 5B** - Existing and new areas for water-dependent uses. - The proposed project is not reasonably expected to adversely affect existing water-dependent use.

**Objective 5/Policy 5D** - Consistency with Chapter 33D, Miami-Dade County Code (shoreline access, environmental compatibility of shoreline development) – The proposed project is not within the boundaries of the Shoreline Development Review Committee.

**Objective 5/Policy 5F** - The siting of water dependent facilities. - The proposed project does not involve the creation of any new water dependent facilities.

28. **Conformance with Chapter 33B, 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 is not located within an area designated as essential manatee habitat for the West Indian Manatee by the MPP and because Lake Osceola is tidally connected by a series of culverts with incorporated grate systems that restrict manatee access, the proposed project is not reasonably expected to adversely impact manatees.
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** – Not Applicable.

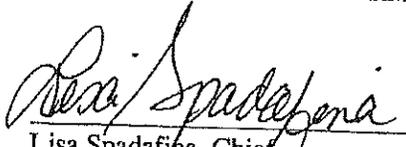
The proposed project was also evaluated for compliance with the standards contained in Sections 24-48.3(2),(3), and (4) of the Code of Miami-Dade County, Florida. The following is a summary of how the standards relate to the proposed project:

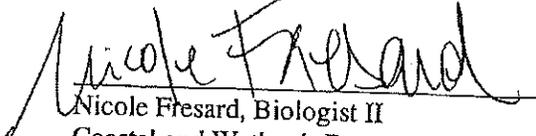
24-48.3 (2) Dredging and Filling for Class I Permit – Not Applicable.

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

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

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

  
\_\_\_\_\_  
Lisa Spadafina, Chief  
Natural Resources Division

  
\_\_\_\_\_  
Nicole Fresard, Biologist II  
Coastal and Wetlands Resources Section