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CLERK OF THE BOARD
OF COUNTY COMMISSIONERS
MIAMI-DADE COUNTY, FLORIDA

MEMORANDUM

Agenda Item No. 11(A)(26)

TO:	Honorable Chairman Jean Monestime and Members, Board of County Commissioners	**DATE:**	April 21, 2015
FROM:	R. A. Cuevas, Jr. County Attorney	**SUBJECT:**	Resolution urging Congress to appropriate sufficient funding to the U.S. Army Corps of Engineers for the remediation of soil and groundwater contamination existing in a portion of Amelia Earhart Park; identifying this issue as a critical priority for the 2015 Federal Legislative Package Resolution No. R-351-15

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Vice Chairman Esteban L. Bovo, Jr.

R. A. Cuevas, Jr.
County Attorney

RAC/smm

MEMORANDUM
(Revised)

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

DATE: April 21, 2015

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

SUBJECT: Agenda Item No. 11(A)(26)

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. 11(A)(26)
4-21-15

RESOLUTION NO. R-351-15

RESOLUTION URGING CONGRESS TO APPROPRIATE SUFFICIENT FUNDING TO THE U.S. ARMY CORPS OF ENGINEERS FOR THE REMEDIATION OF SOIL AND GROUNDWATER CONTAMINATION EXISTING IN A PORTION OF AMELIA EARHART PARK; IDENTIFYING THIS ISSUE AS A CRITICAL PRIORITY FOR THE 2015 FEDERAL LEGISLATIVE PACKAGE

WHEREAS, Amelia Earhart Park is a 515-acre public park in Miami-Dade County, operated by its Parks, Recreation and Open Spaces Department, which the County acquired from the federal government in the 1960s, and in which the County has made a substantial investment by, among other things, removing solid waste (e.g., trash and junked cars) existing on the property at the time of conveyance and developing park amenities on the site; and

WHEREAS, as a result of the County's efforts to clean up and improve the park, Amelia Earhart Park is today one of the County's most highly utilized parks and attracts a broad range of parks users with its diverse amenities, including (1) a 5-acre dog park; (2) a farm village that allows urbanized children to learn about the County's agricultural past by visiting a replica of the types of farms that once populated much of the County; (3) a Tom Sawyer-themed "play island" with children's play equipment; (4) mountain biking trails; (5) a state-of-the-art watersports complex; and (6) areas for general recreation and community events; and

WHEREAS, notwithstanding the County's efforts to render Amelia Earhart Park a safe and usable public park, environmental pollution remains from the federal use of the land between 1940 and 1961 as a U.S. Department of Defense (Department of Defense) facility for Naval and Marine Corps flight training; and

WHEREAS, in 2003, during the County's installation of a sanitary sewer line, the County discovered buried drums and solid waste material, which were removed by the U.S. Environmental Protection Agency (Environmental Protection Agency); and

WHEREAS, although the Environmental Protection Agency removed the drums and solid waste, remediation work remains to be done by the U.S. Army Corps of Engineers (Corps), which is responsible for the environmental restoration of properties that were formerly operated by the Department of Defense, through the Corp's Formerly Used Defense Sites program; and

WHEREAS, between 2005 and 2010, the Corps conducted a series of soil and groundwater investigations, confirming soil and groundwater contamination by arsenic—the chemical contaminant of primary concern—and other soil and groundwater contaminants, including antimony, lead, solvents, and petroleum hydrocarbons and, in addition to the chemical contaminants, finding solid waste and buried munitions; and

WHEREAS, in 2013, the Corps prepared a draft feasibility study that outlined the areas of the park in which there is soil and groundwater contamination and buried Department of Defense waste material (maps reflecting the contaminated areas of the park, the "Contaminated Areas," are attached as Exhibit 1 hereto), and which further established various environmental remediation strategies for the contaminated areas at the park; and

WHEREAS, within the Contaminated Areas (which comprise approximately 7.6 acres of soil contamination and 6 acres of groundwater contamination), there is a smaller area comprising up to .5 acres in which there are extremely high concentrations of chemical contaminants, such that an irrigation well has been closed and the area has been fenced off to prevent public access and exposure to the contaminants (a map depicting the area with the greatest contamination, the "Priority Remediation Site," is attached as Exhibit 2 hereto); and

WHEREAS, although remediation of all of the Contaminated Areas is desired, the Priority Remediation Site is of special urgency, not only because the area is blocked from public access, depriving the public of valuable parkland and creating an eyesore in an otherwise attractive park, but also because of the Priority Remediation Site's proximity to park amenities frequently utilized by park patrons, including children; and

WHEREAS, the County estimates that remediation of the Priority Remediation Site can be completed for approximately $450,000 using one of the approaches, described as "Alternative 5" in the Corps' feasibility study, which would entail soil removal from the top two feet of the Priority Remediation Site and restoration of the area with clean fill on top of a liner; and

WHEREAS, in addition to the $450,000 necessary to remediate the Priority Remediation Site, an additional $9 million, approximately, is necessary to remediate the remaining Contaminated Areas under Alternative 5; and

WHEREAS, at a May 2013 meeting between the County and the Corps, the Corps explained that funding was not available to fully implement an acceptable remediation plan for the Contaminated Areas, including the Priority Remediation Site, and that whatever remedy was implemented would have to be implemented in a phased manner,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that this Board:

Section 1. Urges Congress to appropriate sufficient funding to the Corps so that it may implement a phased remediation plan that would permanently and comprehensively address the environmental contamination issues—soil, groundwater, and Department of Defense waste—in the Contaminated Areas in a phased manner, prioritizing the remediation of the Priority Remediation Site with an initial appropriation of $450,000.00 and subsequently appropriating

funding in the amount of approximately $9 million for the remediation of the remaining Contaminated Areas.

Section 2. Urges Congress to direct the Corps to complete the remediation of the Priority Remediation Site forthwith, utilizing the $450,000.00 appropriation described in Section 1 above.

Section 3. Identifies the issues set forth in Sections 1 and 2 above as a critical County priorities for the 2015 Federal Legislative Package.

Section 4. Directs the Clerk of the Board to transmit a certified copy of this resolution to Senators Nelson and Rubio, the remaining members of the Miami-Dade County Congressional Delegation, and the Secretary of the Department of Defense.

Section 5. Directs the County's federal lobbyists to advocate for the funding identified above, and authorizes and directs the Office of Intergovernmental Affairs to amend the 2015 Federal Legislative Package to include this item as a critical County priority.

The Prime Sponsor of the foregoing resolution is Vice Chairman Esteban L. Bovo, Jr. It was offered by Commissioner **Esteban L. Bovo, Jr.**, who moved its adoption. The motion was seconded by Commissioner **Sally A. Heyman** and upon being put to a vote, the vote was as follows:

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

The Chairperson thereupon declared the resolution duly passed and adopted this 21st day of April, 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. NAG

Miguel A. Gonzalez

EXHIBIT 1

Proposed DoD Response Area
Amelia Earhart Park
Opa-Locka, FL

Project Number	Date	Figure
00004	DECEMBER 2012	1-2

KEY

- Sewer Line Centerline (Proposed)
- Installed Sewer Line
- Proposed DoD Response Area (PDRA)
- Apparent DoD Burial Area
- Areas Excavated During Interim Removal Action
- Proposed Sewer Line Corridor (Site 7)
- Park Boundary

MN GN 0° 1' 0° 19'

0 150 300 Feet

Source(s)
USACE, ESRI, ZAPATA

Projection
UTM Zone 17 North, NAD 1983
Note: Main Data Frame Rotated to True North

Note(s)
Magnetic Declination Date: 4/30/2011
Magnetic Declination Shifting by 0° 5' W per year

Checked By	Scale	Drawn By
JES	As Shown	EAA

U.S. Army Corps of Engineers
Savannah District
100 West Oglethorpe Avenue
Savannah, GA 31401

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Soil Isoconcentration Map for Arsenic
(0-6 in. bgs)
Amelia Earhart Park
Opa-Locka, FL

Project Number	Date	Figure
00004	DECEMBER 2012	1-3

KEY

- Arsenic >= 2.1 mg/kg
- Arsenic in Soil (0-6 in. bgs)
- Arsenic in Soil Isoconcentrations (0-6 in. bgs)
- Park Boundary

Stage 1
Stage 2
Stage 3

MN GN 6° 1' 0° 19'

0 100 200 Feet

Source(s)
USACE, ESRI, ZAPATA

Projection
UTM Zone 17 North, NAD 1983
Note: Main Data Frame Rotated to True North

Note(s)
Magnetic Declination Date: 4/30/2011
Magnetic Declination Shifting by 0° 5' W per year

For Stage 3 Arsenic values, the greater result between 6010B and 6020A have been posted.

Checked By	Scale	Drawn By
JES	As Shown	EAA

U.S. Army Corps of Engineers
Engineering and
Support Center Huntsville
4820 University Square
Huntsville, AL 35816

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Groundwater Isoconcentration Map for Arsenic (2009)
Amelia Earhart Park
Opa-Locka, FL

Project Number	Date	Figure
00004	DECEMBER 2012	1-6

KEY

- Arsenic >= 10 ug/L
- Arsenic in Groundwater (2009)
- Arsenic in Groundwater Isoconcentrations (2009)
- Park Boundary

MN GN 0° 1' 0° 10'

0 100 200 Feet

Source(s)
USACE, ESRI, ZAPATA

Projection
UTM Zone 17 North, NAD 1983
Note: Main Data Frame Rotated to True North

Note(s)
Magnetic Declination Date: 4/1/2011
Magnetic Declination Shifting by 0° 5' W per year

Checked By	Scale	Drawn By
JES	As Shown	EAA

U.S. Army Corps of Engineers
Engineering and
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4820 University Square
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EXHIBIT 2

Amelia Earhart Park
Fenced Areas/Engineering Control
Engineering Control Fence.
Closed Irrigation Well.

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