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

Memorandum

MIAMI-DADE COUNTY

Amended
Substitute
Agenda Item No. 5(D)

Date: December 15, 2015

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

From: Carlos A. Gimenez
Mayor

Subject: Class I Permit Application and Request for a Variance by National Marine Manufacturer's Association, Inc. for an Annual Boat Show within the Marine Stadium Basin at 3515 Rickenbacker Causeway, Miami, Florida, for a Period of 10 Years

Resolution No. R-1147-15

Attached please find for your consideration an application by National Marine Manufacturer's Association, Inc. for a Class I permit and a variance from Section 24-48.23 of the Code of Miami-Dade County. Also attached is the recommendation of the Department of Regulatory and Economic Resources, Division of Environmental Resources Management and a proposed resolution approving the variance and the issuance of the Class I permit subject to conditions, including conditions relating to the use of the FEC slip as a water taxi stop.

Attachment

Jack Osterholt
Deputy Mayor

Memorandum

MIAMI-DADE COUNTY

Date: November 6, 2015

To: Carlos A. Gimenez
Mayor

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

Subject: Class I Permit Application and Request for a Variance by National Marine Manufacturer's Association, Inc. for an Annual Boat Show within the Marine Stadium Basin at 3515 Rickenbacker Causeway, Miami, Florida, for a Period of 10 Years

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Recommendation
I have reviewed the attached application for a Class I permit and a variance by National Marine Manufacturer's Association, Inc. Based on the applicable evaluation factors set forth in Sections 24-48.3 and 24-48.25 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 to authorize the time for completion of work under the permit for a period of three (3) years subject to conditions, including conditions relating to the use of the FEC slip as a water taxi stop, and approve the variance request for the reasons further explained below.

Scope
The project site is at Marine Stadium, 3515 Rickenbacker Causeway, Miami, Florida in Commission District 7, which is represented by 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 Chief in the Division of Environmental Resources Management (DERM), Department of Regulatory and Economic Resources, Lisa Spadafina, will be responsible for monitoring the proposed permit.

Background
This Class I permit application requests authorization for the following at 3515 Rickenbacker Causeway in the City of Miami: (a) Installation of a temporary 830-slip docking facility for the National Marine Manufacturers Association Annual Boat Show and (b) a variance for the use of non-water dependent floating structures over tidal waters. To provide transportation to and from the event, the applicant is proposing a water taxi service that will shuttle attendees between the Marine Stadium Basin and seven (7) water taxi stops. 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. In addition, Section 24-48.23 of the Code prohibits non-water-dependent floating structures; therefore, a variance from the Code, including a Standard Form application and a public hearing, is required.

Pursuant to Section 24-48.19 of the Code, Standard Form Class I permits shall be valid for a period of three (3) years from the date of permit issuance unless another time period is permitted as set forth in the resolution by the Board. The applicant has requested that the permit be authorized for a 10-year period. However, staff notes that this project involves the initial establishment of a large boat show in an area of the bay that has not previously been used for that purpose. Therefore it is recommended that the permit only be authorized for a three (3) year period consistent with the above referenced Section of the Code. In addition, if approved, the permit will require that the applicant obtain administrative modifications to the permit for

2

reinstallation of the docking facility each year during the three year performance period of the permit, and that such modifications shall be subject to DERM's determination that the project has been operated in substantial compliance with conditions of the Class I permit.

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 proposed temporary docking facility will involve the installation of floating docks and ramps to provide for the mooring of 830 vessels and will also include floating structures for non-water dependent use, such as tents for the exhibitors and attendees. Non-water-dependent floating structures are prohibited under Chapter 24 of the Code, so a variance is requested for this temporary installation. The proposed structures will be installed and removed within a 90-day period associated with the five (5) day boat show that is proposed to take place on an annual basis each February. To avoid impacts to dense benthic resources located near the shoreline, the docking facility and all associated non-water dependent structures have been configured to be in deeper water areas, in locations where only sparse seagrasses were documented. Due to the limited duration of the event and the measures taken to reduce impacts, the variance for the use of non-water-dependent floating structures is recommended for approval.

Access to the docking facility from the uplands will occur over pile-supported walkways to provide pedestrian access beyond the shallow nearshore area. The Class I permit will include conditions that require shallow areas and dense seagrass beds to be visibly delineated throughout all construction activities. In addition, certain shallow seagrass areas and an entry channel into Marine Stadium Basin will remain marked throughout the duration of the boat show activities. Due to the temporary nature of the project, long-term shading impacts to seagrasses are not anticipated, and pre- and post-event benthic surveys will be conducted to verify whether any unanticipated impacts occur. In locations where the walkways extend over and adjacent to wetlands and wetland vegetation, the applicant will provide fencing and signage to direct pedestrian traffic to the designated access paths and away from sensitive areas. In addition, the Class I permit will include a condition that the walkway locations be placed to avoid and minimize impacts to wetlands and wetland vegetation and be approved by DERM staff prior to installation. Furthermore, the subject Class I permit will include specific conditions to assure that any unanticipated environmental impacts be restored and/or mitigated in accordance with DERM requirements and that a mitigation bond be posted prior to permit issuance.

In order to ensure that the use of the docking facility and all associated activities will not result in the discharge of pollutants or solid wastes to tidal waters, the Class I permit will require the submittal of an operating plan that adequately addresses how the facility and activities will be managed to prevent pollutants from entering tidal waters. The facility will also be required to maintain a valid Marine Facilities Operating Permit prior to the use of the facility and throughout the duration of the permitted events. In addition, the conditions of the Class I permit will require that best management practices be implemented during any construction work or activities associated with the event. In order to mitigate for temporary water-quality impacts associated with the construction, deconstruction and use of the facility, the applicant has agreed to provide annual contributions to the Biscayne Bay Environmental Enhancement Trust Fund based on the total number of slips each year.

The proposed project has also been evaluated for consistency with the Miami-Dade County Manatee Protection Plan. The Marine Stadium Basin is not located within an area designated as essential habitat for the West Indian Manatee and the Manatee Protection Plan does not include specific limitations for new or expanded marine facilities at this site, other than compliance with existing zoning or environmental regulations.

The area immediately outside of the Marine Stadium Basin is designated as essential manatee habitat and is also dominated by shallow water areas containing dense seagrass beds. However, the Intracoastal Waterway provides marked deep water access to the Marine Stadium Basin from both the northern and the southern directions. The applicant has developed a map that identifies channels and appropriate routes of access to the Marine Stadium Basin that will be provided to all exhibitors and water taxi operators prior to arrival at the boat show as part of an "orientation package" (see Attachment B). The map also indicates the locations of environmentally sensitive areas that are required to be avoided. The applicant is proposing a water taxi service to provide transportation between the Marine Stadium Basin marina and seven (7) other locations. Staff have determined that six (6) of the sites proposed for water taxi service are consistent with the recommendations of the Manatee Protection Plan. The applicant is also proposing to utilize the FEC slip located north of the American Airlines Arena which is not recommended for transitory use such as water taxi service. The FEC slip is located in an area recommended for "Freight Terminals and Large Vessels (greater than 100 feet)". The higher frequency of boat trips associated with a water taxi service could increase overlap between vessels and manatee travel patterns at this location. Staff discussed eliminating water taxi service to the FEC slip with the applicant but the applicant indicated that use of this site is an important component of the boat show's overall transportation plan due to the vehicle parking available at the American Airlines Arena. Although the Manatee Protection Plan does not recommend the siting of such a high intensity marine related use at the FEC slip, the boat show lasts only five (5) days each year. In addition, the area of Biscayne Bay adjacent to the FEC slip is designated as vessel "Slow Speed All Year" by the Florida Fish and Wildlife Conservation Commission. To minimize potential impacts to manatees associated with this project, staff recommend approval of the Class I permit subject to the following conditions: a) that the use of the FEC slip for a water taxi stop shall be limited to not more than five (5) days each year and shall be associated exclusively with the boat show transportation plan; b) that a manatee observer shall be required onboard all water taxi vessels that access the FEC slip; and c) if any impacts to manatees as a result of using the FEC slip as a water taxi stop are documented, water taxi service to and from the FEC slip shall cease for the remainder of the event and will not be authorized for subsequent events. Furthermore, the Class I permit shall also require that all standard manatee construction conditions be followed during all in-water operations, and that a DERM-approved manatee observer plan be implemented during all phases of construction, operation, and removal of the boat show.

The proposed project has been designed in accordance with all other relevant Miami-Dade County coastal construction criteria and is consistent with all other Miami-Dade County coastal protection provisions. The attached Project Report sets forth the reasons the proposed project is recommended for approval subject to the conditions listed above and additional conditions of the Class I permit, pursuant to the applicable evaluation factors set forth in Sections 24-48.3 and 24-48.25 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: DERM Project Report

Attachment A

Class I Permit Application

MIAMI-DADE COUNTY

Class I Permit Application

FOR DEPARTMENTAL USE ONLY

Date Received: RECEIVED SEP 29 2015 DERM

Application Number: CLI-2014-0124

Application Fee: $1,470.00

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

1. Applicant Information:

Name: National Marine Manufacturers Association, Inc.

Address: 231 South Lasalle Street, Suite 2050

Chicago, Illinois Zip Code: 60604

Phone #: 971-441-3231 Fax#: 866-542-8673

Email: cjole-joule@nmma.org

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

2. Applicant's Authorized Permit Agent:

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

Name: Glen Larson/Dock and Marine Construction, Inc.

Address: 752 NE 79th Street

Miami, Florida Zip Code: 33138

Phone #: 305-751-9911 Fax #:

Email: glarson@dockandmarine.net

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

Folio #(s): 01-4217-000-0010, 01-4217-000-0110 Latitude: Longitude:

Street Address: 3501 Rickenbacker Causeway Section: 01 Township: 54N Range: 42E

In City or Town: Miami Near City or Town:

Name of waterway at location of the activity:

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

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

X Other: Install temporary floating docks, ramps, pilings, and tents, that will include non-water dependent uses for a boat show

Estimated project cost = $50,000.00

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

5. Proposed Use (check all that apply):

- ☐ Single Family
- ☐ MultiFamily
- ☐ Private
- ☐ Public
- X Commercial
- ☐ Industrial
- ☐ Utility

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

Proposed Vessel Type (s): Various

Vessel Make/Model (If known):

Draft (s)(range in inches.): Maximum of 5'-11" Length (s)(range in feet.): Maximum of 90'

Total Number of Slips: 830

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

Revised 11/16/09

8. Contractor Information (If known):

Name: Dock and Marine Construction, Inc. License # (County/State): E-410

Address: 752 NE 79th Street Miami, Florida Zip Code: 33138

Phone #: 305-751-9911 Fax # 305-751-9911 E-mail: glarson@dockandmarine.net

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.)

National Marine Manufacturers Association, Inc.	Corporation	Illinois
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]	NELSON WALD	EVP	9/28/15
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 | Date

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7

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 3501 Rickenbacker Causeway Miami-Dade County, Florida, otherwise identified in the public records of Miami-Dade County as Folio Nos. 01-4217-000-0010, 01-4217-000-0110. 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.)

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

3500 Pan American Drive Miami, Florida.
Address of Owner

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

Signature of Authorized Representative | Daniel J. Alfonso — Print Authorized Representative's Name | City Manager — Title | 9-18-15 — Date

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

Please Review Above

Appropriate signature(s) must be included in:

Box 9: either A, B or C

AND

Box 10: either A or B

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8

Attachment B

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

PERMIT APPLICANT / AUTHORIZED AGENT STATEMENT

Date: 9/28/2015

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-2014-0124

By the attached Class I Standard Form permit application with supporting documents, I, Glen Larson, Dock and Marine Construction, Inc., am the permit agent and hereby request permission to perform the work associated with Class I Permit Application CLI-2014-0124. 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,

Glen Larson,
Dock and Marine Construction, Inc.
Permit Agent

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ENGINEER LETTER OF CERTIFICATION

Date: 9/18/15

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-2014-0124

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,

9-18-15

P.E. # 71519

LEANDRO FERNANDEZ
LICENSE
No. 71519
STATE OF FLORIDA
PROFESSIONAL ENGINEER

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JOB LOCATION

THIS PROJECT IS FOR THE CONSTRUCTION OF A TEMPORARY BOAT SHOW AT MIAMI MARINE STADIUM

SHOW DATES FOR 10 YEAR PERMIT:

- 2016
- 2017
- 2018
- 2019
- 2020
- 2021
- 2022
- 2023
- 2024
- 2025
- 2026

GENERAL NOTES:

DESIGN:

IN ACCORDANCE WITH 2010 FBC AND ANY ATTENDANT ADDENDUMS
WAVE LOAD DESIGN HT. = 1'-1" = 2.5 SEC
LIVE LOAD = 60 PSF
PROPOSED WORK IS TEMPORARY AND SHALL BE IN PLACE FOR NO MORE THAN 2 WEEKS.
IN THE EVENT OF A DISCRETE STORM OR THE THREAT OF A HURRICANE, DOCK STRUCTURES SHALL BE REDEPLOYED TO SAFE HARBOR

PILES:

ALL WOOD PILES TO BE SOUTHERN PINE AND COMPLY WITH A.S.T.M. #25-78 AND BE PRESSURE TREATED NICCA, OR PRESERVEART, FEDERAL SPECIFICATIONS TT - W 550000 OR TP-W-COSSOR(1) AND AWPA-MP-4. PILES TO HAVE A MINIMUM OF 14".

MINIMUM PENETRATION OF ALL PILES TO BE AS FOLLOWS:
INTO BEDROCK OF 10'
INTO YIELDING MATERIAL 17' MIN
MINIMUM SAFE BEARING 15 TONS WOOD PILES

PILING ATTACHMENT AS PER DETAIL B ON PAGE 5

FLOATING DOCK STRUCTURES:

FLOATING DOCKS ARE ALUMINUM WELDED FRAME TYP. WITH WOOD DECK. FLOTATION IS ENCAPSULATED FOAM
ATTACHMENT 5" BY GALVANIZED STEEL HINGE PLATE DETAILS ON PAGE 4

RAMPS AND DECKING:

RAMPS AND DECK OVERLAY ARE ALL APA RATED STRUCTURAL 1, EXTERIOR PLYWOOD.
DECKING IS COMMERCIAL GRADE SOUTHERN PINE MIN.
ATTACHMENT HARDWARE STAINLESS STEEL (AISI 6) AND / OR HOT DIPPED GALVANIZED (A307) AS CALLED OUT IN PLANS

ENVIRONMENTAL:

A. A MANATEE WATCH SHALL BE IN EFFECT FOR ALL PHASES OF THIS PROJECT. ALL WORK SHALL CEASE IF ANY MANATEE IS SPOTTED WITHIN 50' OF THE WORK AREA. A LOG OF ALL EVENTS SHALL BE KEPT ON SITE.
B. TURBIDITY CURTAINS SHALL BE KEPT ON SITE AND DEPLOYED IF ANY VISIBLE PLUM OCCURS. IN THE EVENT THERE IS TURBIDITY, CURTAINS SHALL REMAIN IN PLACE UNTIL BACKGROUND LEVELS MATCH.
C. AT NO POINT DURING THIS PROJECT SHALL ANY DEBRIS BE ALLOWED TO BE PLACED INTO TIDAL WATERS.
D. NAVIGATION TO AND FROM THE SHOW SHALL BE IN MARKED CHANNELS. LANES SHALL BE GIVEN TO VESSELS FOR SEA TRANS MOORING MANATEE SPEED ZONES, AND AREAS TO AVOID SUCH AS SEAGRASS RESTORATION AREAS AND SHOALS.
E. A MARKED ENTRANCE CHANNEL GOING INTO THE SHOW AREA SHALL BE CONSTRUCTED AS SHOWN ON PAGE 2.
F. IN THE EVENT ANY MANATEES OR OTHER WILDLIFE SHOULD ENTER THE CONSTRUCTION AREA ALL WORK SHALL CEASE UNTIL THE WILDLIFE LEAVES THE WORK AREA. THESE EVENTS SHALL BE DOCUMENTED AND PRESENTED TO ENVIRONMENTAL FOLLOW AGENCIES.
G. BEST MARINE CONSTRUCTION PRACTICES SHALL BE USED AT ALL TIMES, INCLUDING BUT NOT LIMITED TO: GOOD HOUSEKEEPING, FUEL SPILL RESPONSE KITS, SHALLOW DRAFT VESSELS, LOW SPEED MANEUVERING TO PREVENT TURBIDITY, MORNING ENVIRONMENTAL TAILGATE MEETINGS.

SEAGRASS PROTECTION:

- ENVIRONMENTAL DIVE TEAM TO CHECK PILING LOCATION TO PREVENT UNNECESSARY DAMAGE TO SEAGRASSES
- TURBIDITY CONTROLS TO BE USED TO PREVENT AND MONITOR TURBIDITY DURING CONSTRUCTION PHASE.
- SIGNS AND BUOY LINE SHALL BE PLACED IN SENSITIVE SEAGRASS AREA ALONG SHORELINE TO PREVENT ANY VESSEL FROM ENTERING.

EQUIPMENT:

- BARGES TO BE 30' WIDE BY 80' LONG WITH A LOADED DRAFT OF 24"
- TUG BOATS TO BE 32' FIBERGLASS WITH A DRAFT OF 24" AND 37' FIBERGLASS WITH A DRAFT OF 30"
- PILING SHALL BE DRIVEN WITH A DIESEL HAMMER WITH A CUSHIONED BONNET, AND A VIBRATORY HAMMER.
- VIBRATORY HAMMER SHALL HAVE BIODEGRADABLE VEGETABLE TYPE OIL AND SHALL HAVE A DOUBLE LINE AS SECONDARY PROTECTION ON THE HOSES TO PREVENT ANY TYPE OF SPILL.
- EACH BARGE SHALL HAVE A MANATEE SPOTTER ON WATCH DURING ALL BARGE ACTIVITIES.

LEGEND

326 TOTAL 10'x40' DOCKS (130,400 SF)	
277 TOTAL 10'x40' DOCKS WITH TENTS (110,800 SF)	
111 10'x20' DOCKS WITH TENTS (22,200 SF)	
50 8'x20' FINGER PIERS (8000 SF)	
546 DOCK PILING	
487 MOORING PILING	
SAIL BOAT SLIPS	

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MAP NOTES — PAGE 1 OF 8

TEMPORARY IN WATER EXHIBITION

MIAMI BOATSHOW 2016

DATE 8-17-2015

STRUCTURAL ENGINEER

LEAF ENGINEERING, INC. — JOB No.

05 N.W. 6TH STREET
MIAMI, Florida 33150
Tel/Fax 305-375-0075
STATE OF FLORIDA CA #6777

LENDRO KENNAVICE
LEAF ENGINEERING

DOCK AND MARINE
CONSTRUCTION, CORP.
762 NE 79TH STREET
MIAMI, FL 33138
305-751-9911
FX 305-751-4025

12

VIEW OF EVENT AREA LOOKING EAST

VIEW OF EVENT AREA LOOKING WEST

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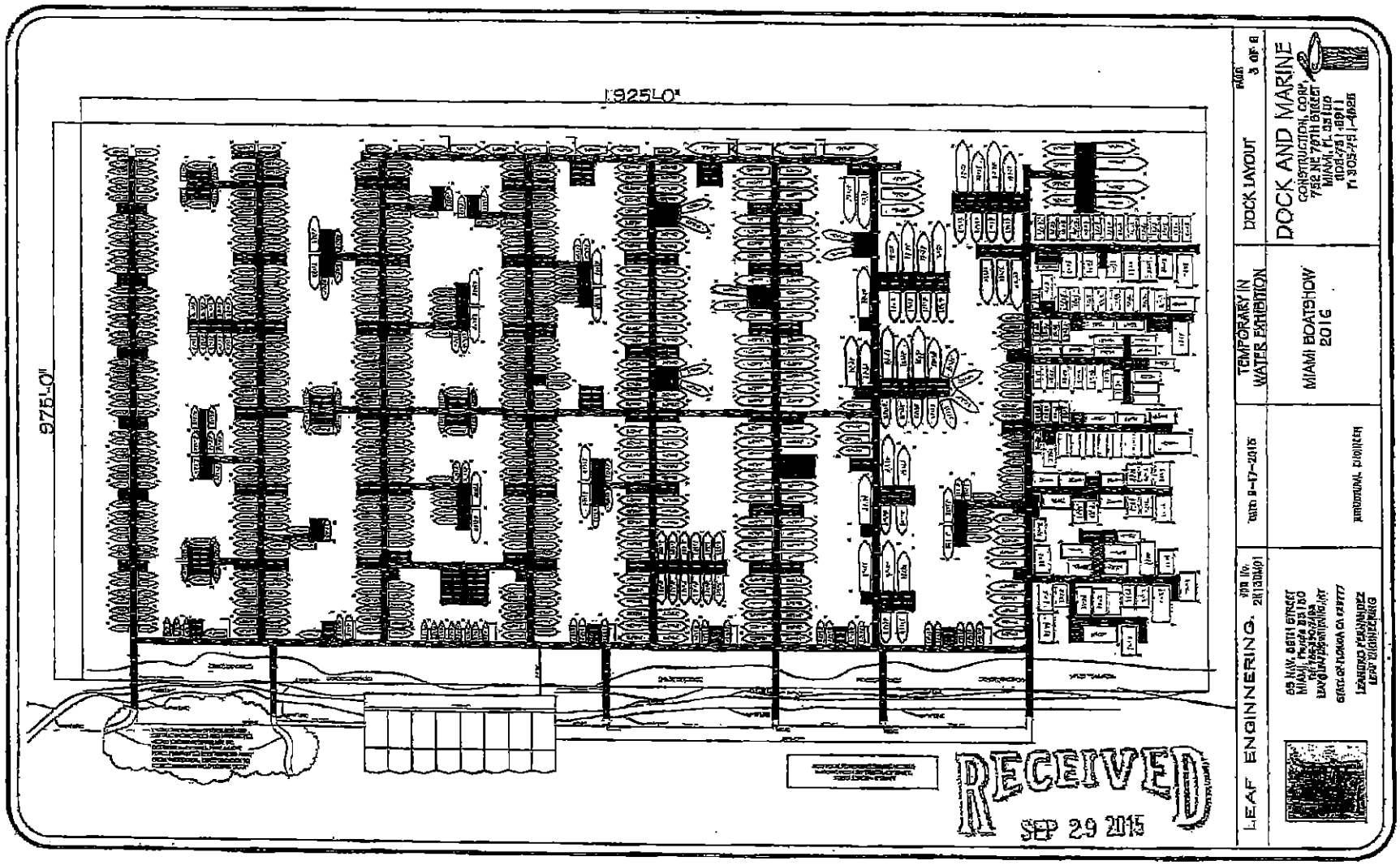
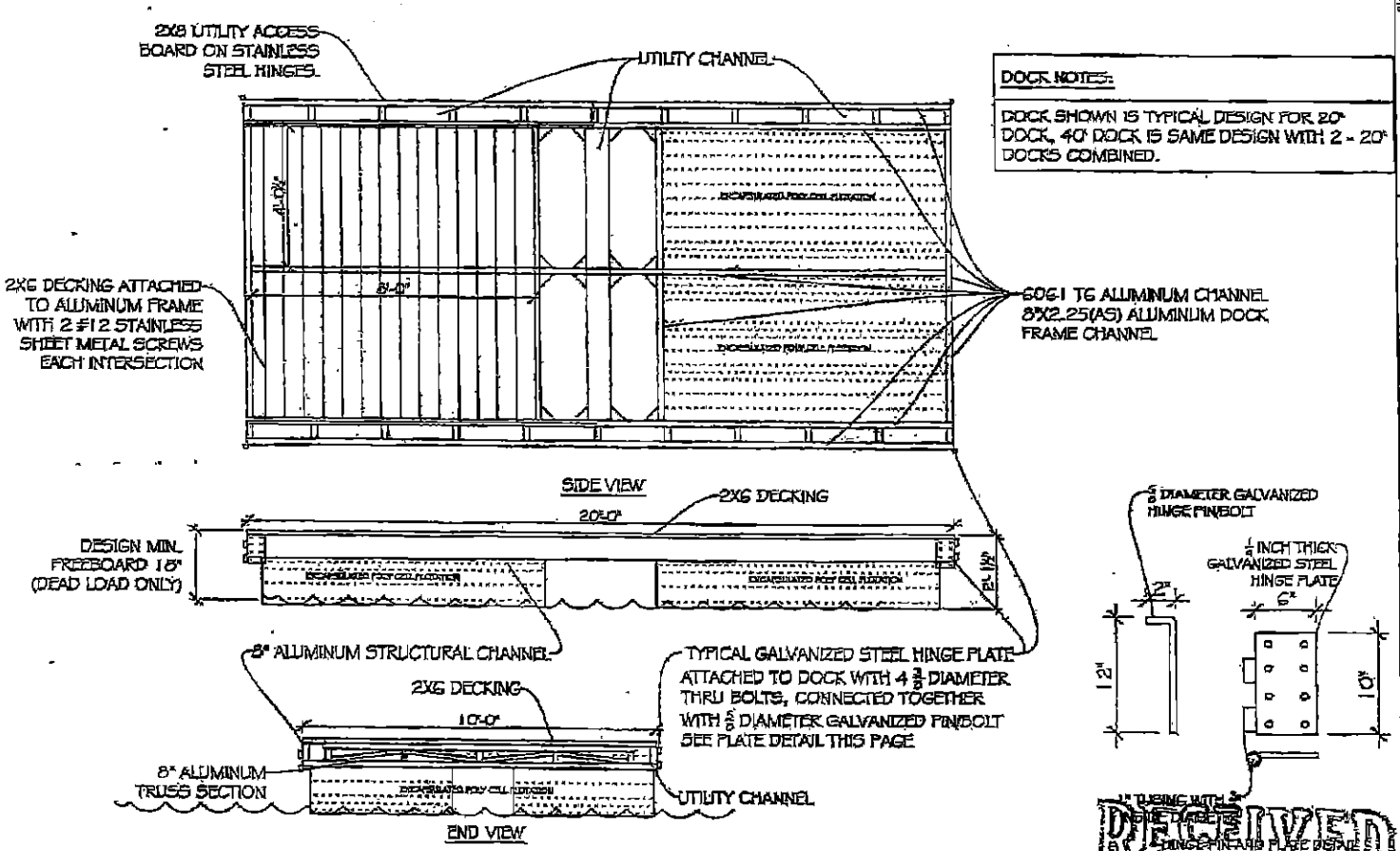
LEAF ENGINEERING, INC.	DATE 9-17-2015	TEMPORARY IN WATER EXHIBITION	EXISTING CONDITIONS PAGE 2 OF 8
05 N.W. 60TH STREET MIAMI, FLORIDA 33150 TEL 305-440-7403 LEAF@LEAFENGINEERING.NET STATE OF FLORIDA EB 0027777 LEANDRO FERNANDEZ LEAF ENGINEERING	SCALE: NOT TO SCALE	MIAMI BOATSHOW 2016	DOCK AND MARINE CONSTRUCTION, CORP. 752 NE 79TH STREET MIAMI, FL 33138 305-751-5911 FL 305-751-4828



DERM
Environmental Resources Regulation Division

14

TYPICAL TEMPORARY FLOATING DOCK SYSTEM ALUMINUM FRAME, WOOD DECK, WITH ENCAPSULATED FLOTATION.



DOCK NOTES:

DOCK SHOWN IS TYPICAL DESIGN FOR 20' DOCK, 40' DOCK IS SAME DESIGN WITH 2 - 20' DOCKS COMBINED.

DOCK DETAILS

PAGE 2 OF 2

DOCK AND MARINE
CONSTRUCTION, CORP.
759 NE 79TH STREET
MIAMI, FL 33138
305-751-8911
FL 305-751-4928

TEMPORARY IN WATER EXHIBITION

MIAMI BOATSHOW 2016

DATE 9-17-2015

STRUCTURAL ENGINEER

LEAF ENGINEERING, INC. JOB NO. 2015DOK01

03 N.W. 66TH STREET
MIAMI, Florida 33150
Tel. 305-960-7400
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STATE OF FLORIDA CA 0007777

LEONARDO FERNANDEZ
LEAF ENGINEERING

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Environmental Protection Division

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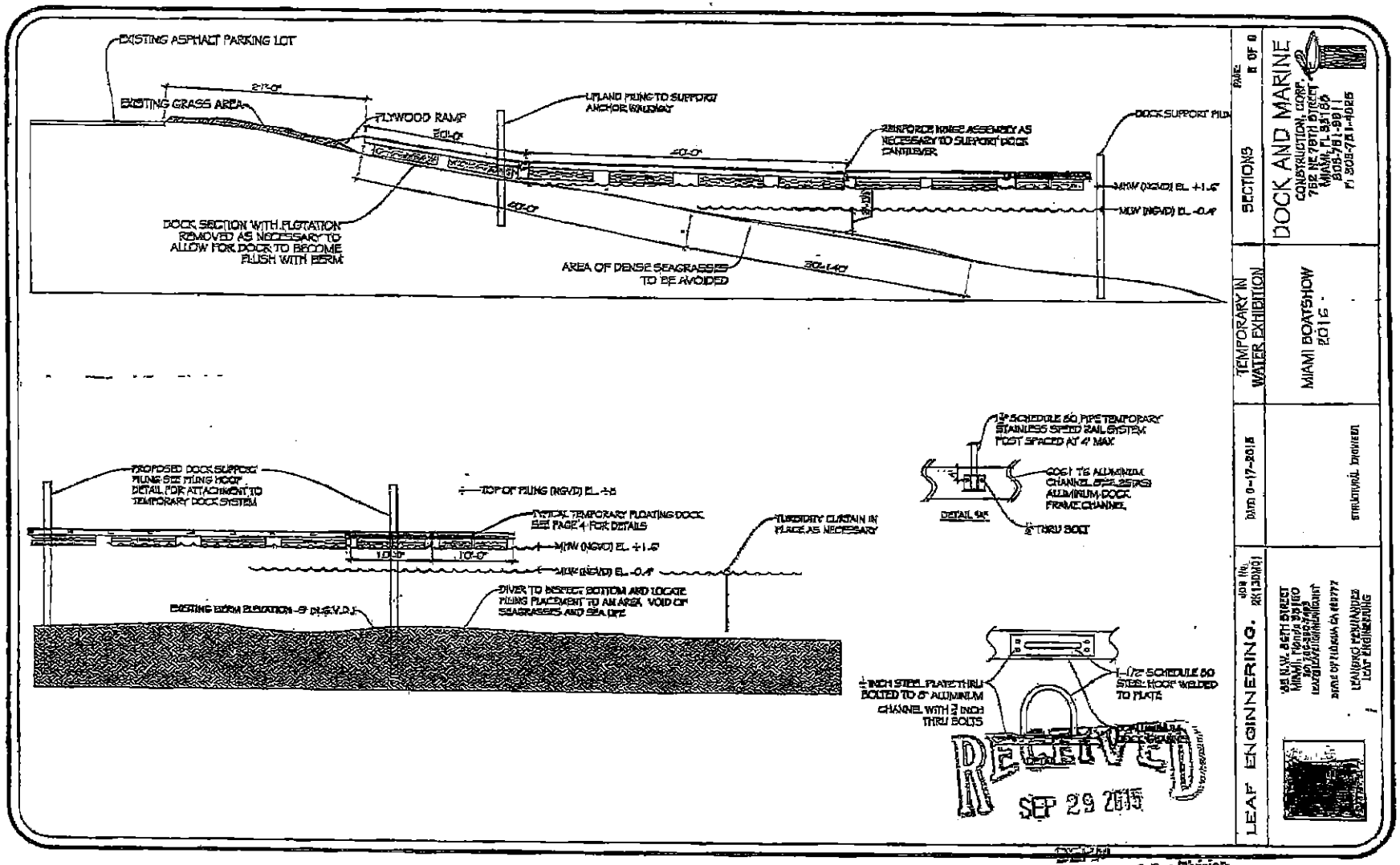

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Environmental Resources Regulation Division

PAGE: 8 OF 8

SECTIONS

TEMPORARY IN WATER EXHIBITION

DOCK AND MARINE
CONSTRUCTION, CORP.
7862 NE 7BTH STREET
MIAMI, FL 33138
305-761-9911
F: 305-751-4085

MIAMI BOATSHOW 2016

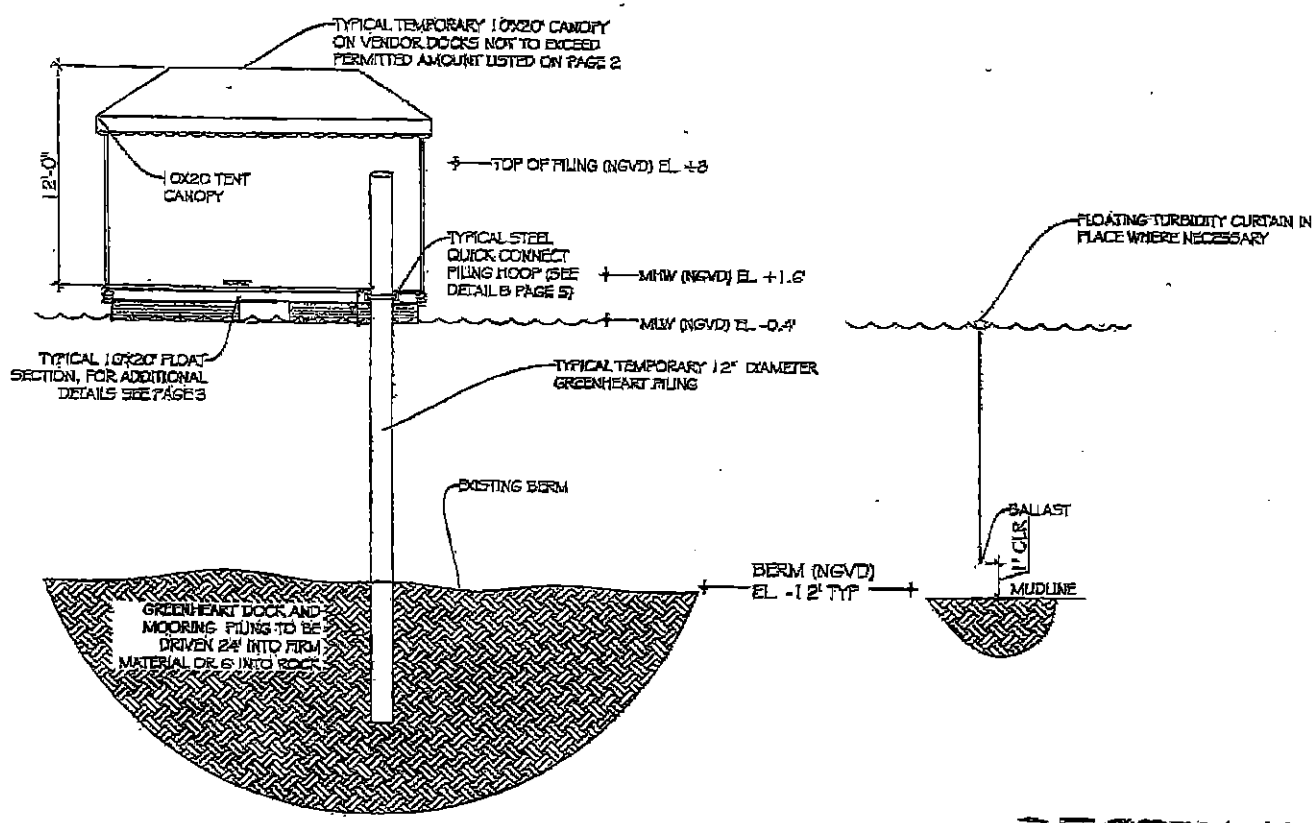
DATE 9-17-2015

STRUCTURAL DRAWING

LEAF ENGINEERING.
JOB NO. 2013XM01

LEANDRO FERNANDEZ
LEAF ENGINEERING

16



FLOATING DOCK SECTION WITH CANOPY

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DATE 9-17-2015

TEMPORARY IN WATER EXHIBITION

MIAMI BOATSHOW 2016

SECTIONS

PAGE 6 OF 6

DOCK AND MARINE
CONSTRUCTION, CORP.
752 NE 78TH STREET
MIAMI, FL 33138
305-761-8811
F: 305-761-4828

17

WATER TAXI LOCATIONS:

- DINNER KEY MARINA
- SEA ISLE MARINA
- EPIC / MIAMI RIVER
- BAYFRONT PARK (INTERCONTINENTAL HOTEL) - NORTH COMMERCIAL DOCK
- MIAMI BEACH MARINA
- VICEROY HOTEL
- AAA ARENA BASIN (FEC SLIP)

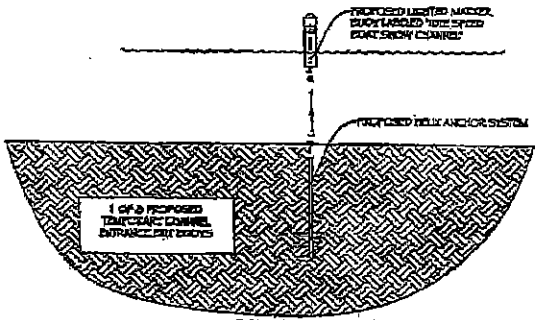
WATER TAXIS TO RANGE FROM 45-75' AND HAVE A DRAFT RANGE OF 2'-4.5'

SHOW MOVE IN SET UP:

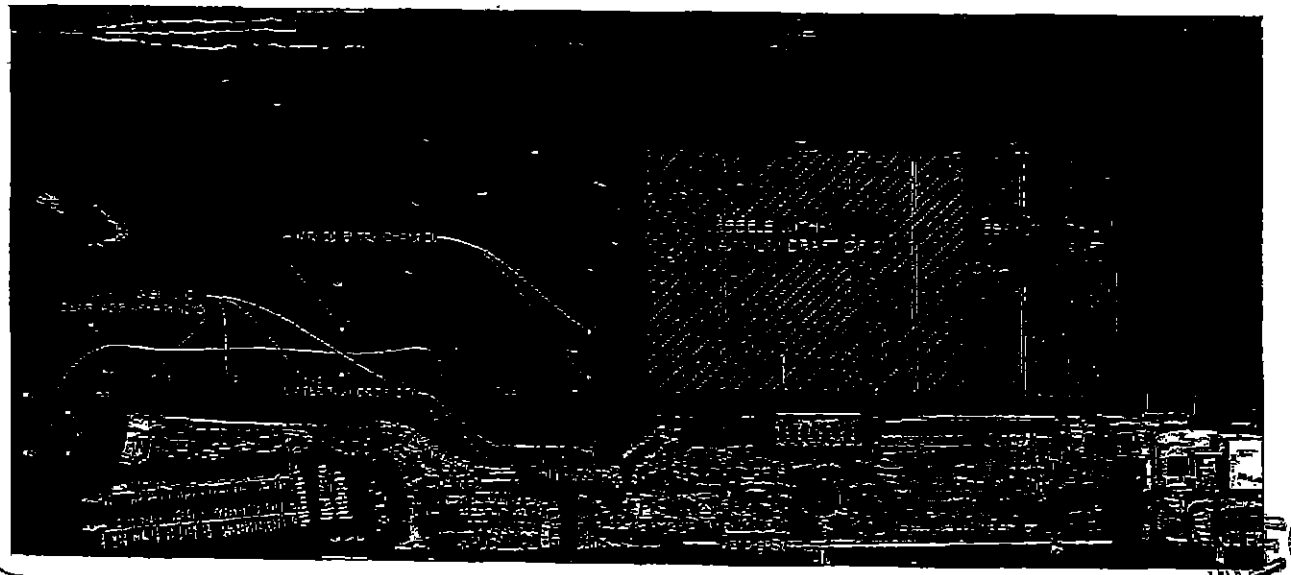
- PRE SHOW ENVIRONMENTAL SURVEY SECOND WEEK OF DEC.
- STAGING AND LAYOUT DEC 21ST TO JAN 5TH
- DRIVE PERIMETER PILING DEC 22ND-30TH
- SPLASH FLOATS AND BEGIN POSITIONING AND PILE DRIVING JAN 2ND
- REMOVAL OF DOCKS COMPLETE 18 DAYS FROM SHOWS END
- PILING REMOVAL COMPLETE MARCH 20TH

BUOY LOCATIONS:

1	25°44'53.74"N	80°10'34.67"W
2:	25°44'54.81"N	80°10'36.39"W
3:	25°44'54.92"N	80°10'33.77"W
4:	25°44'56.54"N	80°10'34.70"W
5:	25°44'56.40"N	80°10'30.28"W
6:	25°44'54.66"N	80°10'31.20"W
7:	25°44'49.76"N	80°10'22.67"W
8:	25°44'48.34"N	80°10'24.34"W
9:	25°44'42.99"N	80°10'15.39"W
10:	25°44'41.67"N	80°10'16.28"W
S-1:	25°44'54.02"N	80°10'35.50"W
S-2:	25°44'54.33"N	80°10'32.44"W
S-3:	25°44'53.07"N	80°10'30.05"W
S-4:	25°44'51.12"N	80°10'27.95"W
S-5:	25°44'49.20"N	80°10'25.92"W
S-6:	25°44'47.14"N	80°10'23.64"W
S-7:	25°44'45.53"N	80°10'22.95"W
S-8:	25°44'43.80"N	80°10'20.00"W
S-9:	25°44'42.15"N	80°10'18.27"W



BOUY ANCHOR DETAIL



ENTRY CHANNEL

PAGE 7 OF 8

DOCK AND MARINE
CONSTRUCTION, CORP.
722 NE 79TH STREET
MIAMI, FL 33138
305-751-8911
F: 305-751-4625

TEMPORARY IN WATER EXHIBITION

MIAMI BOATSHOW 2016

DATE 8-17-2015

STRUCTURAL ENGINEER

ENGINNERING, INC.
JOB No. 2015120101
05 N.W. 66TH STREET
MIAMI, FLORIDA 33150
STATE OF FLORIDA CA 26777
LICENSED PROFESSIONAL ENGINEER

RECEIVED
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DEP
Environmental Resources Regulation Division

DERM
Environmental Resources Regulation Division

Attachment C

Zoning Memorandum

Memorandum

MIAMI-DADE COUNTY

Date: November 4, 2015

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

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

Subject: Class I Permit Application and Request for a Variance from Section 24-48.23 of the Code of Miami-Dade County by National Marine Manufacturer's Association, Inc. for the Installation of a Temporary 830 Slip Docking Facility for an Annual Boat Show including Water Taxi Services and Floating Structures for Non-Water Dependent Use over Tidal Waters within the Marine Stadium Basin at 3515 Rickenbacker Causeway, Miami, Florida, and to Authorize the Time of Completion of Work of the Subject Permit for a Period of Ten (10) Years

---

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

DERM Project Report

PROJECT REPORT
CLASS I PERMIT APPLICATION NO. CLI-2014-0124

Class I Permit Application and Request for a Variance from Section 24-48.23 of the Code of Miami-Dade County by National Marine Manufacturer's Association, Inc. for the Installation of a Temporary 830 Slip Docking Facility for an Annual Boat Show including Water Taxi Services and Floating Structures for Non-Water Dependent Use over Tidal Waters within the Marine Stadium Basin at 3515 Rickenbacker Causeway, Miami, Florida, and to Authorize the Time of Completion of Work of the Subject Permit for a Period of Ten (10) Years

Date: October 8, 2015

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** – 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 proposed temporary docking facility will involve the installation of floating docks and ramps to provide for the mooring of 830 vessels and will also include floating structures for non-water dependent use, such as tents for the exhibitors and attendees. The proposed structures will be installed and removed within a 90 day period associated with the 5 day boat show that is proposed to take place on an annual basis each February. In order to avoid impacts to dense benthic resources located near the shoreline, the footprint of the docking facility and all associated non-water dependent structures have been configured to be in deeper water areas, in locations where only sparse seagrasses were documented. Access to the docking facility from the uplands will occur over pile-supported walkways to provide pedestrian access beyond the shallow nearshore area. The Class I permit will include conditions that require shallow areas and dense seagrass beds to be visibly delineated throughout all construction activities. In addition, certain shallow seagrass areas and an entry channel into Marine Stadium Basin will remain marked throughout the duration of the boat show activities. Due to the temporary nature of the project, long-term shading impacts to seagrasses are not anticipated, and pre- and post-event benthic surveys will be conducted to verify whether any unanticipated impacts occur. In locations where the walkways extend over and adjacent to wetlands and wetland vegetation, the applicant will provide fencing and signage to direct pedestrian traffic to the designated access paths and away from sensitive areas. In addition, the Class I permit will include a condition that the walkway locations shall be placed so as to avoid and minimize impacts to wetlands and wetland vegetation, and shall be approved by DERM staff prior to installation. Furthermore, the subject Class I permit will include specific conditions to provide assurance that any unanticipated environmental impacts shall be restored and/or mitigated in accordance with DERM requirements, and that a mitigation bond shall be posted prior to permit issuance.

   In order to ensure that the use of the docking facility and all associated activities will not result in the discharge of pollutants or solid wastes to tidal waters, the Class I permit will require the submittal of an operating plan that adequately addresses how the facility and activities will be managed to prevent pollutants from entering tidal waters. The facility will also be required to maintain a valid Marine Facilities Operating Permit prior to the use of the facility and throughout the duration of the permitted events. In addition, the conditions of the Class I permit will require that best management practices be implemented during any construction work or activities associated with the event. In order to mitigate for temporary water-quality impacts associated with the construction, deconstruction and use of the facility, the applicant has agreed to provide annual contributions to the Biscayne Bay Environmental Enhancement Trust Fund based on the total number of slips each year.

   The proposed project has also been evaluated for consistency with the Miami-Dade County Manatee Protection Plan (MPP). The Marine Stadium Basin is not located within an area designated as essential habitat for the *Trichechus manatus* (West Indian Manatee) and the MPP does not include specific limitations for new or expanded marine facilities at this site, other than compliance with existing zoning or environmental regulations. The area immediately outside of the Marine Stadium Basin is designated as essential habitat for the West Indian Manatee, and is also dominated by shallow water areas containing dense seagrass beds. However, the Intracoastal Waterway provides marked deep water access to the Marine Stadium Basin from both the northern and the southern directions. The applicant has developed a map that identifies channels and appropriate routes of access to the Marine Stadium Basin that will be provided to all exhibitors and water taxi operators prior to arrival at the boat show as part of an "orientation package" (see Attachment B). The map also indicates the locations of environmentally sensitive areas that are required to be avoided. The applicant is proposing a water taxi service to provide transportation between the Marine Stadium Basin marina and 7 other pre-determined locations. Staff has determined that 6 of the sites proposed for water taxi service are consistent with the recommendations of the MPP. However, the applicant is also proposing to utilize the FEC Slip located north of the American Airlines Arena which is not recommended for transitory use such as water taxi service. The FEC slip is located in an area recommended for "Freight Terminals and Large Vessels (greater than 100 feet)". The higher frequency of boat trips associated with a water taxi service could increase overlap between vessels and manatee travel patterns at this location. Staff discussed eliminating water taxi service to the FEC slip with the applicant; however, the applicant indicated that use of this site is an important component of the boat show's overall transportation plan due to the

vehicle parking available at the American Airlines Arena. Although the MPP does not recommend the siting of such a high frequency high intensity marine related use at the FEC slip, staff note that the boat show is not a permanent facility but is instead a temporary event lasting only five days each year. In addition, the area of Biscayne Bay adjacent to the FEC Slip is designated as vessel "Slow Speed All Year" by the Florida Fish and Wildlife Conservation Commission, which limits the speed of vessels traveling throughout this area. Therefore, to minimize potential impacts to manatees associated with this project staff recommends approval of the Class I permit subject to the following conditions regarding use of the FEC Slip as a water taxi stop: a) that the use of the FEC slip for a water taxi stop shall be limited to not more than five days each year and shall be associated exclusively with the boat show transportation plan, b) that a manatee observer shall be required onboard all water taxi vessels that access the FEC slip, c) if any impacts to manatees as a result of using the FEC Slip as a water taxi stop are documented, water taxi service to and from the FEC slip shall cease for the remainder of the event and will not be authorized for subsequent events. Furthermore, the Class I permit shall also require that all standard manatee construction conditions be followed during all in-water operations, and that a DERM approved manatee observer plan be implemented during all phases of construction, operation, and removal of the boat show.

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 is not reasonably expected to adversely affect water quality. The proposed project may result in temporary minor water quality impacts typically associated with the construction, operation, and demolition of a temporary docking facility. These impacts include increased turbidity from standard construction and demolition activities, and the use of the facility. To mitigate for these impacts during the life of the permit, the applicant has agreed to provide annual contributions to the Biscayne Bay Environmental Enhancement Trust Fund that will be used for the creation or enhancement of marine habitat within Biscayne Bay. In addition, the applicant will be required to distribute information on "Best Management Practices" to each exhibitor and sales representative to increase awareness of potential environmental impacts, and will be required to submit an operating plan that adequately addresses how the facility and activities will be managed to prevent pollutants from entering tidal waters.

   The Class I permit will require that a water quality monitoring plan and proper turbidity controls be implemented during construction and demolition periods to ensure turbidity levels within the surrounding waters do not exceed State and County water quality standards. Turbidity curtains will be used to enclose work areas during pile installation and removal. If turbidity levels within the surrounding waters exceed water quality standards, construction will be required to cease until remedial measures have been implemented and DERM authorizes re-commencement of the work.

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 boat show will be located within the Marine Stadium Basin and is temporary in nature. The temporary vessels, structures and equipment associated with the boat show will be installed and removed within a 90 day period.

9. **Navigation** – The proposed project will temporarily affect navigation within the Marine Stadium Basin during the 90 day period of between the start of construction of the facility and the completion of removal of all structures and associated equipment. However, the proposed project is subject to Coast Guard review and approval, and the applicant will be required to comply with all State and Federal navigational lighting requirements. Impacts to navigation outside of the Marine Stadium Basin are not reasonably expected to occur, provided that all vessels associated with the project follow safe boating practices as required by all applicable laws.

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, provided that the use of the FEC Slip as a water taxi stop is subject to conditions as set forth in Number 1 above.

15. **Wetland Soils Suitable for Habitat** – The proposed project is not reasonably expected to result in adverse impacts to wetland soils as set forth in Number 1 above.

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, provided that the use of the FEC Slip as a water taxi stop is subject to conditions as set forth in Number 1 above.

18. **Rare, Threatened and Endangered Species** – The proposed project is not reasonably expected to adversely affect rare, threatened, and endangered species subject to conditions relating to the use of the FEC Slip as a water taxi stop, 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 reasonably expected to result in adverse impacts to wetland values as set forth in Number 1 above.

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 City of Miami.

24. **Conformance with Standard Construction Procedures and Practices and Design and Performance Standards** – The proposed project includes the installation of non-water-dependent floating structures. However, the applicant is requesting a variance to the water dependency requirement of the Code, and the proposed temporary structures are not reasonably expected to result in adverse environmental impacts.

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, provided that the use of the FEC Slip as a water taxi stop is subject to conditions, as set forth in Number 1 above. Therefore, a CEIS was not required by DERM to evaluate the project.

26. **Conformance with All Applicable Federal, State and Local Laws and Regulations** - The proposed project is in conformance with applicable State, Federal and local laws and regulations:
   a) Chapter 24 of the Code of Miami-Dade County (variance is required)
   b) United States Clean Water Act (US Army Corps of Engineers permit is required)
   c) Florida Department of Environmental Protection (FDEP regulatory authorization is required)

27. **Conformance with the Miami-Dade County Comprehensive Development Master Plan (CDMP)** - In the opinion of the Director, the proposed project is not in full conformance with the CDMP. However, the applicant is requesting a variance from the Section of Code relating to the non-water-dependent structures as they pertain to the proposed project, and DERM is recommending approval subject to conditions relating to the use of the FEC Slip as a water taxi stop in order to address the relevant Objectives of 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, and will be compatible with surrounding land uses in Biscayne Bay, provided that the use of the FEC Slip as a water taxi stop is subject to conditions, as set forth in Number 1 above. The proposed project 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 reasonably expected to result in adverse impacts to estuarine water quality and marine resources 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, 7C, 7D, 7J - Wetland protection and restoration. – The proposed project is not reasonably expected to result in adverse impacts to wetlands as set forth in Number 1 above.

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 affect habitat critical to rare, threatened, and endangered species provided that the use of the FEC Slip as a water taxi stop is subject to conditions, 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", and the proposed project is not reasonably expected to result in adverse impacts to mangroves as set forth in Number 1 above.

Objective 1/ Policy 1B - Natural surface flow into and through coastal wetlands. – The proposed project is not reasonably expected to result in adverse impacts to coastal wetlands as set forth in Number 1 above.

Objective 1/ Policy 1C - Elevated boardwalk access through mangroves. – Shoreline access through mangroves will be designed to avoid and minimize impacts to mangroves as set forth in Number 1 above.

Objective 1/Policy 1D - Protection and maintenance of mangrove forests and related natural vegetational communities. - The proposed project is not reasonably expected to adversely affect mangrove forests or related natural vegetational communities as set forth in Number 1 above.

Objective 1/Policy 1E - Mitigation for the degradation and destruction of coastal wetlands. Monitoring and maintenance of mitigation areas. – The proposed project is not reasonably expected to result in adverse impacts to mangroves as set forth in Number 1 above.

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, provided that the use of the FEC Slip as a water taxi stop is subject to conditions, as set forth in Number 1 above.

Objective 5/Policy 5B - Existing and new areas for water-dependent uses. - The proposed project is consistent with the general criteria used to determine appropriateness of the project site provided that the use of the FEC Slip as a water taxi stop is subject to conditions as set forth in Number 1 above.

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

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

28. **Conformance with Chapter 33B, Code of Miami-Dade County** (East Everglades Zoning Overlay Ordinance) – The proposed project is not located within the East Everglades Area.

29. **Conformance with Miami-Dade County Ordinance 81-19** (Biscayne Bay Management Plan Sections 33D-1 through 33D-4 of the Code of Miami-Dade County) – The proposed project includes the non-water dependent use of floating structures that are not in full conformance with the Biscayne Bay Management Plan. However, the applicant is requesting a variance to the water dependency requirement of the Code, and the use is not reasonably expected to result in adverse environmental impacts for the reasons set forth in Number 1 above.

30. **Conformance with the Miami-Dade County Manatee Protection Plan** – Although the proposed project is not in full conformance with the MPP, the proposed project is temporary in nature and the conditions relating to the use of the FEC Slip as a water taxi stop are reasonably expected to minimize potential adverse impacts to manatees 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)(ten)(b) of the Code of Miami-Dade County.

34. **Maximum Protection of a Wetland's Hydrological and Biological Functions** – The proposed project is not reasonably expected to result in adverse impacts to wetlands as set forth in Number 1 above.

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 complies with the water depth criteria.

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

The project was also evaluated based upon the applicable factors set forth in Section 24-48.25 of the Code.

36. **Visual or physical access by the general public to Biscayne Bay and its adjacent tidal waters** – The proposed project will temporarily affect physical access within the Marine Stadium Basin during the 90 day period of between the start of installation of the facility and the completion of removal of all structures and associated equipment. However, the proposed project is subject to Coast Guard review and approval, and the applicant will be required to comply with all State and Federal navigational lighting requirements. Impacts to physical access outside of the Marine Stadium Basin are not reasonably expected to occur, provided that all vessels associated with the project follow safe boating practices as required by all applicable laws.

37. **Historical significance** – The proposed project is not historically significant.

38. **Need for covered vessel repair facilities** - Not applicable.

39. **Environmental impact or cumulative environmental impact** – The proposed project is not reasonably expected to result in adverse environmental impacts as set forth in Number 1 above.

40. **Navigation** – The proposed project will temporarily affect navigation within the Marine Stadium Basin during the 90 day period of between the start of installation of the facility and the completion of removal of all structures and associated equipment. However, the proposed project is subject to Coast Guard review and approval, and the applicant will be required to comply with all State and Federal navigational lighting requirements. Impacts to navigation outside of the Marine Stadium Basin are not reasonably expected to occur, provided that all vessels associated with the project follow safe boating practices as required by all applicable laws.

41. **Public safety** – The proposed project is not reasonably expected to adversely affect public safety.

42. **Aesthetics**- The proposed project is not reasonably expected to have negative aesthetic impacts. The boat show will be located within the Marine Stadium Basin and is temporary in nature. The temporary vessels, structures and equipment associated with the boat show will be installed and removed within a 90 day period.

43. **Biscayne Bay Management Plan** – The project includes a non-water-dependent use that is not in full conformance with the Biscayne Bay Management Plan. However, the applicant is requesting a variance to the water dependency requirement of the Code. In addition, the proposed project is not reasonably expected to result in adverse environmental impacts as set forth in Number 1 above.

44. **Biscayne Bay Aquatic Preserve Act** - The project is not in full conformance with the Biscayne Bay Aquatic Preserve Act. However, the applicant is requesting a variance as set forth in Number 43 above.

45. **Rules of the Biscayne Bay Aquatic Preserve** - The project is not in full conformance with the rules of the Biscayne Bay Aquatic Preserve. However, the applicant is requesting a variance as set forth in Number 43 above.

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

_____
Lisa Spadafina, Chief
Natural Resources Division

_____
Lourdes Barrelli, Biologist II
Coastal and Wetlands Resources Section

MEMORANDUM

(Revised)

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

DATE: December 15, 2015

FROM: Abigail Price-Williams
County Attorney

SUBJECT: Amended Substitute Agenda Item No. 5(D)

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**

_____ **Statement of social equity 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 _____

Amended
Substitute
Agenda Item No. 5(D)
12-15-15

RESOLUTION NO. R-1147-15

RESOLUTION TAKING ACTION ON A CLASS I PERMIT APPLICATION AND A REQUEST FOR A VARIANCE FROM SECTION 24-48.23 OF THE CODE OF MIAMI-DADE COUNTY BY NATIONAL MARINE MANUFACTURER'S ASSOCIATION, INC. FOR THE INSTALLATION OF A TEMPORARY 830 SLIP DOCKING FACILITY FOR AN ANNUAL BOAT SHOW INCLUDING WATER TAXI SERVICES AND FLOATING STRUCTURES FOR NON-WATER DEPENDENT USE OVER TIDAL WATERS WITHIN THE MARINE STADIUM BASIN AT 3515 RICKENBACKER CAUSEWAY, MIAMI, FLORIDA, INCLUDING A REQUEST TO AUTHORIZE THE TIME OF COMPLETION OF WORK OF THE SUBJECT PERMIT FOR A PERIOD OF TEN (10) YEARS, AND CONSENTING TO APPLICATION AS TO ANY AND ALL OWNERSHIP INTERESTS OF MIAMI-DADE COUNTY

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 Sections 24-48.3 and 24-48.25 of the Code of Miami-Dade County, hereby approves the application by National Marine Manufacturer's Association, Inc., for a Class I permit subject to conditions, including conditions relating to the use of the FEC Slip as a water taxi stop and for a variance from Section 24-48.23 of the Code of Miami-Dade County, for the installation of a temporary 830-slip docking facility for an annual boat show, including water taxi services and floating structures for non-water dependent use over tidal waters within the Marine Stadium Basin, at 3515 Rickenbacker Causeway, Miami, Florida, and to authorize the time of completion of work of the subject permit for a maximum period of two (2) years, subject to the conditions set forth in the memorandum from the Miami-Dade

County Department of Regulatory and Economic Resources (the "Department") and also in the permit conditions presented to this Board, a copy of which is attached hereto as Exhibit 1 to this resolution and made a part hereof, as well as the following additional conditions: the applicant shall submit pre- and post-event environmental monitoring consisting of benthic surveys to the Department's Division of Environmental Resource Management for review; objects or materials made of disposable plastic or polystyrene are prohibited within the area subject to the permit; and, after each boat show event, the applicant shall submit a comprehensive report addressing the operation of the boat show and demonstrating compliance with permit conditions. The Class I permit conditions that were presented to this Board shall be amended to include the additional conditions described above. The issuance of this approval does not relieve the applicant from obtaining all applicable Federal, State, and local permits. In addition, this Board hereby consents to this application with respect to any and all ownership interests of Miami-Dade County for any of the property that is the subject of this application.

The foregoing resolution was offered by Commissioner **Xavier L. Suarez** , who moved its adoption. The motion was seconded by Commissioner **Barbara J. Jordan** 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	**nay**
Jose "Pepe" Diaz	**aye**	Audrey M. Edmonson	**absent**
Sally A. Heyman	**absent**	Barbara J. Jordan	**aye**
Dennis C. Moss	**absent**	Rebecca Sosa	**aye**
Sen. Javier D. Souto	**aye**	Xavier L. Suarez	**aye**
Juan C. Zapata	**absent**		

The Chairperson thereupon declared the resolution duly passed and adopted this 15th day of December, 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. ACR/DAK

Abbie Schwaderer-Raurell

EXHIBIT 1

Department of Regulatory and Economic Resources
Coastal and Wetlands Resources Section
701 NW 1st Court, Suite 400
Miami, FL 33136-3912
305-372-6575

Class I Construction Permit

Permit Number: CLI-2014-0124
DERM Project Manager: Lourdes Barrelli
Issue Date:
Expiration Date: 3 years

Permittee

National Marine Manufacturers Association, Inc.
c/o Nelson Wold, Vice President
9050 Pines Boulevard, Suite 305
Pembroke Pines, FL 33024
(954) 441-3231

Contractor

Dock and Marine Construction, Inc.
752 NE 79th Street
Miami, Florida 33138
License No. E410
(305) 751-9911

Bond

Performance Bond: $5,000.00
Mitigation Bond: $120,800.00
BBEETF Contribution: N/A

Engineer

Leandro Fernandez, P.E. License No. 71519
Leaf Engineering
(786) 390-7493

THE ABOVE NAMED PERMITTEE IS HEREBY AUTHORIZED TO PERFORM THE WORK SHOWN ON THE APPLICATION AND APPROVED DRAWINGS, PLANS, AND OTHER DOCUMENTS ATTACHED HERETO OR ON FILE WITH THE DEPARTMENT AND MADE PART HEREOF, SUBJECT TO THE ATTACHED GENERAL AND SPECIFIC CONDITIONS.

Plans Entitled: MIAMI BOATSHOW 2016

Date Signed and Sealed: TBD

Project Location: Marine Stadium Basin
3501 Rickenbacker Causeway
Miami, Florida 33149

Project Description:

- Temporary installation of floating docks, tents, access ramps, and associated piles for the creation of 830 temporary slips for the annual boat show. The 2016 boat show will be held on February 11, 2016 through February 15, 2016. Construction and demolition will be completed between December 21, 2016 and March 15, 2016.
- Installation of 9 shallow area buoys secured by helix anchor systems and 10 wood pile channel markers.
- Authorization for the operation of water taxi services between the Marine Stadium and the marine facilities referenced on the DERM final approved plans.

Attachment A: Authorized Designated Travel Routes
Attachment B: Mooring Prohibited Area

THIS PERMIT AND PLANS SHALL BE KEPT ON SITE DURING ALL PHASES OF CONSTRUCTION

Specific Conditions

1. The facility is required to have a valid Marine Facilities Operating Permit (MOP) and to adhere to all conditions of said MOP prior to the operation of the facility, including the mooring of vessels. Information for this permit can be obtained from DERM at 305-372-6575.

2. The permittee shall ensure that copies of the Class I permit conditions, MOPs, and Authorized Designated Vessel Travel Routes (Attachment A), are provided to all vessel operators, including but not limited to, the contractor, exhibitors, and water taxi personnel prior to the operation of any vessels associated with the boat show.

3. Turbidity may not exceed 0 Nephelometric Turbidity Units (NTU) within the Biscayne Bay Aquatic Preserve. If turbidity levels exceed the above standard, the activity causing turbidity exceedance shall stop and turbidity controls (such as, but not limited to, turbidity curtains) shall be implemented. Turbidity controls shall be employed and maintained in the most effective manner possible to prevent turbidity from extending beyond the control mechanism in place. Turbidity monitoring equipment and personnel trained to use said equipment shall be available on-site at all times during activities that could generate turbidity. Turbidity monitoring is required to be conducted whenever visible plumes are present. Turbidity incidents shall be immediately reported to the Coastal and Wetlands Resources Section at (305) 372-6575 and the activity that resulted in the violation shall not resume without authorization from DERM.

4. All structures and equipment associated with the event shall be adequately secured and maintained. Any structures or equipment that are not maintained and therefore, result in the discharge of marine debris and/or solid waste to tidal waters shall be immediately removed, and may not be replaced unless and until they are adequately repaired. The discharge of any solid waste to tidal waters is prohibited. Any marine debris and/or solid waste that is discharged to tidal waters shall be immediately removed.

5. The work authorized in this permit including all construction and demolition for the boat show shall be performed within the 90 day period described above in the project description. **Authorization for any subsequent boat show events shall require a written request for a modification to this Class I permit to be submitted to DERM a minimum of ninety (90) days prior to the proposed start of construction.**

6. **If seeking authorization for subsequent boat show events under this permit, the permittee shall submit the following items annually, in addition to the written permit modification request:**

   - Performance bond
   - Mitigation Bond or Biscayne Bay Environmental Enhancement Trust Fund Contribution
   - Site plans depicting dock and slip locations and dimensions, and designated travel routes and water taxi destinations
   - Boat show event schedule

7. Impacts to mangroves are not authorized by this permit. Incidental damage to mangroves as a result of construction operations shall constitute a violation of this permit. The contractor shall take necessary precautions to prevent unauthorized impacts to mangroves and wetland vegetation.

8. In order to mitigate for unavoidable water quality impacts associated with the boat show, 830 cubic yards of riprap (approximately 1,120.5 tons) are required. The mitigation requirement can be satisfied either in the form of an appropriate annual mitigation project or an annual contribution to the Biscayne Bay Environmental Enhancement Trust Fund (BBEETF) in an amount equal to $90.00 per cubic yard of riprap required. A mitigation bond or a BBEETF contribution in the amount of $74,700.00 shall be made annually prior to the commencement of the permitted work.

9. A mitigation bond shall be held to address any unanticipated adverse environmental impacts to benthic resources or wetlands. Any impacts shall be required to be restored and mitigated to DERM's satisfaction, and may result in forfeiture or revocation of all or a portion of the mitigation bond without further notice. A mitigation bond in the amount of $46,100.00 shall be submitted annually prior to the commencement of the permitted work.

10. A performance bond in the amount of $5,000.00 shall be held to ensure compliance with all permit conditions. Failure to comply with any of these conditions may result in forfeiture or revocation of all or a portion of the

THIS PERMIT AND PLANS SHALL BE KEPT ON SITE DURING ALL PHASES OF CONSTRUCTION

performance bond without further notice. Said bond shall be returned pending compliance with all permit conditions and completion of each annual boat show.

11. Please be advised that the federal government has designated all or part of the subject property as critical habitat for one or more endangered species. You are not authorized to commence any work or activities pursuant to this permit until you obtain any and all approvals or permits, if necessary, from the federal government pursuant to the Endangered Species Act and from the State of Florida pursuant to Florida law on endangered species. Please be advised that, even after work commences, if Miami-Dade County is advised by the federal government, the State of Florida, or a court that an activity on the subject property is in violation of the Endangered Species Act, in violation of Florida law on endangered species, or in violation of a permit or approval granted by the federal government pursuant to the Endangered Species Act, such violation may result in an immediate stop work order. You are strongly advised to consult with the United States Fish and Wildlife Service and any other necessary federal or state agencies before conducting any work or activities on the property. The Vero Beach office of the United States Fish and Wildlife Service may be reached at (772) 562-3909. Please be aware that the federal government may require certain actions or protections on the property, and this may result in the need to modify the plans for the property. Therefore, it is recommended that you consult with the United States Fish and Wildlife Service at an early stage in the process. In the event that the United States Fish and Wildlife Service advises that your plans for the subject property may result in a "take" of endangered or threatened species, you are strongly recommended to inform Miami-Dade County in writing at the earliest stage possible.

12. **Due to shallow water depths and dense benthic resources, prior to the commencement of any construction on-site, a qualified biologist shall visibly mark the locations referenced below. The contractor shall then contact DERM to schedule an inspection. Work in tidal waters and wetlands shall not commence until DERM has provided written authorization to proceed. Please contact the Coastal and Wetlands Resources Section at (305) 372-6575 once the locations have been visibly marked and a minimum of 7 days prior to the proposed date of construction commencement to schedule the inspection.**

    - **The limits of the dense seagrass (e.g. the "landward limit line") parallel to the shoreline at 84 feet waterward of the reference location at the wetface of the marine stadium.**
    - **Shallow/seagrass area buoys as specified on the final approved plans.**
    - **Channel markers.**
    - **Upland areas for the access walkways and pedestrian barriers; all walkways shall be configured to avoid mangroves and native trees, and to minimize the footprint of structures over herbaceous halophytic vegetation.**

13. **The markers and buoys shall be maintained throughout the duration of the authorized boat show activities, including construction and demolition.**

14. The markers and buoys shall be secured in such a manner so as not to scrape or drag across the substrate and cause damage to benthic resources.

15. Due to shallow water depths and benthic resources, there shall be no staging of docks, in-water equipment or vessels at or landward of the dense seagrasses (e.g. "landward limit line"). All staging locations shall be within the authorized project footprint.

16. **DERM shall be notified a minimum of 48 hours prior to the commencement of construction and 48 hours prior to the commencement of demolition activities. The contractor shall contact the Coastal and Wetlands Resources Section at (305) 372-6575.**

17. All work shall be completed by March 15, 2016. Failure to remove all vessels and structures associated with the boat show from tidal waters and wetlands by March 15, 2016 may result in enforcement action by DERM.

18. The contractor shall take all necessary precautions to prevent construction debris from falling into tidal waters. Any debris which does fall into the water shall be removed immediately.

19. Upon completion of the removal of all structures and equipment associated with the event from tidal waters and wetlands a final inspection shall be conducted by DERM biologists. If it is determined that any debris, structures or equipment are required to be removed, it shall be completed by the permittee within 7 days of the DERM's notification. If impacts to resources are documented, the permittee shall be responsible for restoration and

mitigation to DERM's satisfaction.

20. Navigational reflectors shall be installed on the perimeter mooring piles in accordance with U.S. Coast Guard standards.

21. A detailed operating plan that addresses how the facility and boat show activities will be managed to prevent pollutants from entering tidal waters and wetlands shall be submitted a minimum of 7 days prior to the staging of vessels on-site.

22. All boat show activities, including but not limited to, construction and demolition, shall be operated in accordance with the MOP. All vendors and exhibitors shall be advised by the permittee in writing of the requirement to adhere to the conditions of the MOP and associated best management practices.

23. Environmental controls and best management practices shall be implemented to prevent any unauthorized materials associated with the boat show from entering tidal waters and wetlands.

24. The applicant shall conduct daily inspections to ensure that no unauthorized equipment or unauthorized materials associated with the boat show have entered tidal waters or wetlands; any material/debris that enters tidal waters or wetlands shall be removed immediately by hand, and shall be disposed of in accordance with all federal, state and local regulations.

25. In order to avoid impacts to resources, all vessels associated with the boat show (including but not limited to, exhibitors, water taxis, contractor barges and in-water equipment) shall adhere to the Authorized Designated Travel Routes (Attachment A) and shall not enter the areas designated as shallow/seagrass, critical wildlife, or restoration.

26. Adequate clearance shall be maintained at all times between the submerged bottom, and any existing benthic resources, and any vessels associated with the boat show, such that there are no impacts to benthic resources or the submerged bottom, including but not limited to bottom scouring or thruster/prop dredging throughout construction, operation, and demolition activities.

27. Mooring of exhibitor vessels associated with the boat show shall not occur outside of the project footprint as specified on the DERM final approved plans.

28. Trash containers shall be provided at convenient locations throughout the project area for the disposal of any debris associated with the project, and be maintained to prevent the overflow of trash from said containers. The permittee shall take all necessary precautions to prevent trash and debris from entering tidal waters or wetlands. Any trash debris which enters tidal waters or wetlands shall be removed immediately.

29. No liveaboard vessels shall be permitted to be docked at the temporary permitted structures.

30. No bilge discharge within the project area shall result in iridescence on the water's surface.

31. The use of bilge cleaners or degreasers by vessels shall be prohibited while they are docked within the project area.

32. The fueling of vessels by any means is strictly prohibited within the project area.

33. There shall be no discharge of fuel, oil, sewage, or wastewater to tidal waters. The permittee shall advise all exhibitors and water taxi operators that the facility does not have a pumpout system and to address the proper disposal of sewage and wastewater prior to docking at the facility.

34. The permittee shall take immediate corrective action in the event that any spill (e.g. oil or fuel) occurs. This shall include, but not be limited to the determination of the source of the spill and its elimination, the deployment of containment booms, and the spreading of absorbent materials for collection of the materials, and other appropriate measures.

35. Floating oil booms and adequate absorbent materials shall be available on site at all times in order to contain and clean up any spills. Appropriate boat show employees shall be trained in deployment and usage of the above mentioned spill clean-up equipment.

THIS PERMIT AND PLANS SHALL BE KEPT ON SITE DURING ALL PHASES OF CONSTRUCTION

36. Test operation of vessels (including sea trials and demonstrations) is authorized by this permit. Sea trial vessels shall utilize the Authorized Designated Travel Routes (Attachment A).

37. Due to shallow water depths and the presence of benthic resources, vessels shall be restricted from mooring in areas designated as a **"Mooring Prohibited Area."** Mooring of vessels anywhere along the area designated as a **"Mooring Prohibited Area,"** shall be strictly prohibited **(See Attachment B)**. Failure to comply with this specific condition may be subject to enforcement by DERM.

38. Since the Florida manatee occurs in the waters adjacent to the property, the permittee and contractor shall take measures to protect manatees during and after the construction. Failure to comply with any of the below listed measures may result in revocation of all or a portion of the performance bond. These measures shall include the following:

    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) 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 Florida Fish and Wildlife Conservation Commission (FWC) must be used (see MyFWC.com/manatee). One sign which reads *Caution: Boaters* must be posted. A second sign measuring at least 81/2" by 11" explaining the requirements for "Idle Speed/No Wake" and the shut down of in-water operations must be posted in a location prominently visible to all personnel engaged in water-related activities. Questions concerning these signs can be sent to ImperiledSpecies@myFWC.com.

    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 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.

    e) 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.

    f) Any collision with or injury to a manatee shall be reported immediately to the 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.

    g) The contractor shall maintain a log detailing sightings, collisions, or injuries to manatees should they occur during the contract period. Following project completion, a report summarizing the above incidents and sightings shall be submitted to the Florida Fish and Wildlife Conservation Commission, Fish and Wildlife Research Institute, 620 S. Meridian St., Tallahassee, Florida 32399-1600; to the U.S. Fish & Wildlife Service, 3100 University Blvd., Jacksonville, Florida 32216, and to DERM within 60 days of project completion.

39. At least one person shall be designated as a manatee observer when in-water work or activities are being performed. That person shall have experience in manatee observation, and be equipped with polarized sunglasses to aid in observation. The manatee observer must be on-site during all in water construction activities and shall advise personnel to cease operation upon sighting a manatee within 50 feet of any in-water construction activity. Movement of a work barge, other associated vessels, or any in-water work shall not be performed after sunset,

when the possibility of spotting a manatee is negligible.

40. The water taxi vessels used during the boat show shall:

- Consist of "Category 1" vessels which are defined as water taxis with a maximum draft of 3 feet or less and "Category 2" vessels which are defined as water taxis with a maximum draft of 4.5 feet or less.
- Moor bow-in at the finger piers adjacent to Marine Stadium
- Be restricted from mooring in areas designated as a "Mooring Prohibited Area." Mooring of vessels anywhere along the area designated as a "Mooring Prohibited Area," shall be strictly prohibited (Attachment B). Failure to comply with this condition may be subject to enforcement by DERM.

41. Water taxi vessels associated with the boat show shall only moor at authorized slips, at the authorized marine facilities identified on the final approved plans and shall adhere to all conditions of each facility's MOP.

42. Use of the water taxi slip at the Viceroy Hotel (501 Brickell Avenue, Miami, Florida 33131) is authorized provided:

- The dock is used exclusively for the temporary mooring of a "Category 1" vessel; "Category 2" vessels are prohibited from utilizing the dock;
- The facility has a valid MOP;
- The maximum draft of any water taxi is limited to 3 feet or less;
- All conditions of the Environmental Quality Control Board Order 98-40 (recorded in in the Miami-Dade County Official Record Book 18310, pages 2580-2585) , the Restrictive Covenant Running with the Land in Favor of Miami-Dade County (recorded in the Miami-Dade County Official Record Book 18117, pages 1497-1501), and Class I permit CC94-215 are complied with.

43. Temporary use of the FEC slip for water taxis exclusively in association with the transportation plan for the boat show is authorized provided:

- The MOP for the FEC slip is modified to authorize the temporary use of the existing facility by water taxis exclusively in association with the transportation plan for the boat show;
- The use of the slip is authorized for not more than 5 days each year exclusively in association with the transportation plan for the boat show;
- That a manatee observer shall be onboard all water taxi vessels that access the FEC slip;
- If any impacts to manatees as a result of using the FEC slip are documented, service to and from the slip shall cease for the remainder of the event and will be prohibited during subsequent events.

See General Permit Conditions.

General Permit Conditions

1. This permit must be kept on-site during all phases of construction.

2. All work shall be performed in accordance with the above referenced plans and in accordance with the attached specific and general permit conditions. If a General Condition(s) conflicts with a Specific Condition(s) in this permit document, the Specific Condition shall be the controlling condition for work authorized by this permit.

THIS PERMIT AND PLANS SHALL BE KEPT ON SITE DURING ALL PHASES OF CONSTRUCTION

3. This permit only authorizes the work described in page 1 under Project Description. Any additional work in, on, over or upon tidal waters or coastal wetlands at the property shall require additional Class I approval.

4. Any deviation from the approved plans for this project shall be submitted in writing to, and approved by DERM prior to the commencement of this project. The contractor and the permittee shall take whatever remedial action is necessary to bring the project into compliance with the permit and approved plans upon determination by DERM that the structure is not in compliance with such.

5. DERM shall be notified no later than 48 hours and no earlier than 5 days prior to the commencement of the work authorized by this permit, unless otherwise noted herein. The permittee and/or contractor may notify DERM by calling (305) 372-6575 or by submitting the attached Notice of Commencement of Construction via hand delivery, U.S. Mail, or facsimile at (305) 372-6479.

6. Prior to performing any work, the contractor shall verify the location of all underground and overhead utility lines and verify that no utilities will be damaged by the work. Contact Sunshine State One-Call of Florida at 1-800-432-4770 or on the web at http://www.callsunshine.com/corp/before/submitting.html for locating underground utility lines.

7. The permittee and the contractor are hereby advised that under Florida law, no person shall commence any excavation, filling, construction, or other activity involving the use of sovereign or other lands of the State, title to which is vested in the Board of Trustees of the Internal Improvement Trust Fund or the Florida Department of Environmental Protection (FDEP), until such person has received the required authorization for the proposed use from the Board of Trustees or FDEP. If such work is done without consent, or if a person otherwise damages state land or products of state land, the Board of Trustees may levy administrative fines of up to $10,000 per offense pursuant to the Florida Administrative Code.

8. The permittee and contractor shall obtain all required approvals from all local, state and federal agencies prior to performing the work authorized by this permit.

9. Trimming or alteration of mangroves, buttonwoods or wetland vegetation other than what is authorized by this permit is prohibited. Work not authorized by this permit shall require additional Class I approval.

10. All work authorized by this permit shall be performed by the contractor and/or subcontractor holding an applicable certificate of competency and shall be licensed in Miami-Dade County to perform such work. Any work which is subcontracted shall require that the permittee and contractor (i.e. the contractor who is listed on this permit) notify the project manager at DERM at (305) 372-6575 or by facsimile at (305) 372-6479 a minimum of 72 hours prior to the subcontractor performing any work. Notification shall include the name of the subcontractor performing the work, the subcontractor's Miami-Dade County license number or state general contractor license number, and scope of work. Failure to comply with this condition is a violation of the Class I permit and may result in enforcement action by the Department.

11. The contractor shall take all necessary precautions to prevent construction or demolition debris from falling into the water or adjacent wetlands. Any debris that falls into the water and/or adjacent wetlands shall be removed immediately. Construction and demolition debris shall be disposed of in accordance with all federal, state and local regulations.

12. Turbidity controls (such as, but not limited to, turbidity curtains) shall be implemented whenever visible plumes are present to ensure compliance with the water quality standards stipulated in Section 24-42(3) of the Code of Miami-Dade County. Turbidity controls shall be employed and maintained in the most effective manner possible to prevent turbidity from extending beyond the control mechanism in place.

13. Turbidity may not exceed 0 Nephelometric Turbidity Units (NTU) within the Aquatic Preserve or 29 NTU outside of the Aquatic Preserve, above background beyond the turbidity control device or 50 feet from any point of discharge. Turbidity levels shall be monitored. If the turbidity levels exceed the above standards, all construction shall stop and additional turbidity controls shall be implemented. Work shall not resume until the contractor has implemented adequate turbidity control methods and has received authorization from DERM to recommence work. At DERM's discretion, turbidity samples may be required to be collected in accordance with Section 24-44.2(3) of the Code of Miami-Dade County.

THIS PERMIT AND PLANS SHALL BE KEPT ON SITE DURING ALL PHASES OF CONSTRUCTION

14. If any work or activity associated with this project is to take place in navigable waters, the contractor shall instruct all personnel associated with the project of the potential presence of manatees and the need to avoid collision with manatees. All vessels associated with the project must operate at "Idle Speed/No Wake" at all times while in water where the draft of the vessel provides less than a 4 foot clearance from the bottom. Additionally, all vessels will follow routes of deep water whenever possible. All in-water construction activities shall cease upon the sighting of a manatee(s) within 50 feet of the project area and will not resume until the manatee(s) has departed the project area. Any collision with and/or injury to a manatee shall be reported immediately to the "Manatee Hotline" (1-888-404-FWCC), the U.S. Fish and Wildlife Service, Jacksonville Field Office (904) 791-2580, and DERM (305) 372-6864.

15. The contractor shall ensure that all vessels associated with the construction shall operate within waters of sufficient depth so as to preclude bottom scouring or prop dredging and shall maintain a minimum of 1 foot of water between the vessel bottom and submerged aquatic resources.

16. The contractor shall ensure that there are no impacts to seagrass, hard corals, or soft corals as a result of construction operations, such as, but not limited to, propeller scouring; and vessel or barge anchoring, grounding or spudding. The marine contractor and permittee shall be held jointly liable for any of these unauthorized impacts. For any impacts caused by the construction operation, DERM shall require, at a minimum, restoration and mitigation.

17. For the purposes of this permit, "vessel" is herein defined as any craft designed to float or navigate on water, including but not limited to: sailboats, powerboats, rowboats, boats, ships, skiffs, houseboats, personal watercraft and inflatable boats.

18. Pursuant to Section 24-48.10 of the Code of Miami-Dade County the work or structures authorized under this permit shall be privately maintained by the permittee, its successors and assigns. Whenever, in the opinion of the Director of the DERM, said work or structures are not maintained in such a manner so as to prevent deterioration to the extent that they become a hazard to the public or to navigation, or create an obstruction of flow, or prevent access for drainage maintenance purposes, or may damage adjacent property, then the owner is required to perform any necessary remedial work.

19. Unless otherwise authorized in this permit and pursuant to Sections 24-48.23 and 24-48.24 of the Code of Miami-Dade County, the installation or construction of non-water-dependent floating or fixed structures (e.g. covered structures, canopies, helicopter pads, commercial signs, etc.) is prohibited in, on, over or upon any of the tidal waters of Miami-Dade County and constitutes a violation of this permit. Failure to comply with this condition may subject the permittee to enforcement action without further warning.

20. The time allotted to complete the work for which this permit has been issued shall be limited to the period stipulated on the permit unless an extension of time is granted pursuant to Section 24-48.9(2) of the Code of Miami-Dade County. Applications for extensions of time shall be submitted to DERM at least 30 days prior to the date of permit expiration; incomplete or untimely applications for extensions of time will be returned to the permittee.

21. An application for Transfer of a Class I permit may be filed with DERM at any time prior to the transfer of property ownership up to 120 days after the date of transfer of fee simple ownership of the property that is the subject of the permit. The Application for Transfer must be signed by both the transferee and transferor. Applications for Transfer shall be filed in the form prescribed by DERM and shall not be processed if the filed Application for Transfer is not fully complete in all respects pursuant to Section 24-48.18, of the Code of Miami-Dade County within 120 days of the date of transfer of property ownership.

22. If the project involves construction, replacement, or repair of a seawall, the new seawall cap shall be a minimum of 6 inches above the final grade of the uplands immediately adjacent, and in order to prevent positive drainage of stormwater into the waterway, all uplands immediately adjacent to the new seawall shall be graded away from the waterway.

23. To further reduce the possibility of injuring or killing a manatee during construction, work within portions of the Biscayne Canal, Little River, and the Coral Gables Waterway shall be performed only between May 1 and November 15.

24. A minimum of 1 foot of clearance shall be maintained at all times between the submerged bottom, and any

existing benthic resources, and any vessels moored at the property.

25. Adequate clearance shall be maintained at all times between the submerged bottom, and any existing benthic resources, and any vessels moored at the property, such that there are no impacts to benthic resources or the submerged bottom, including but not limited to bottom scouring or prop dredging.

26. If railing is required to be installed pursuant to this permit, it shall be installed within 30 days of completion of the permitted work, and prior to the use of the structure(s) authorized by this permit, including the mooring of vessels.

27. A performance and/or mitigation bond may be held to ensure compliance with the aforementioned conditions and the completion of any required mitigation. Failure to comply with any of these conditions may result in the revocation by Miami-Dade County of all or a portion of the bond without further notice.

THIS PERMIT AND PLANS SHALL BE KEPT ON SITE DURING ALL PHASES OF CONSTRUCTION

DEPARTMENT OF REGULATORY AND ECONOMIC RESOURCES
COASTAL AND WETLANDS RESOURCES SECTION
701 NW 1st Court, Ste 600, Miami, FL 33136
Phone 305-372-6575 Fax 305-372-6479

NOTICE OF COMMENCEMENT OF CONSTRUCTION

PERMIT NO.: _____

PERMITTEE'S NAME: _____

PROJECT LOCATION: _____

PERMIT ISSUANCE DATE: _____

CONTRACTOR NAME: _____

PROPOSED DATE OF COMMENCEMENT: _____

ANTICIPATED DATE OF COMPLETION: _____

COMMENTS: _____

THIS PERMIT AND PLANS SHALL BE KEPT ON SITE DURING ALL PHASES OF CONSTRUCTION

Department of Regulatory and Economic Resources
Coastal and Wetlands Resources Section
701 NW 1st Court, Suite 400
Miami, FL 33136-3912
305-372-6575

Class I Construction Permit

Permit Number: CLI-2014-0124
DERM Project Manager: Lourdes Barrelli
Issue Date:
Expiration Date: 3 years

Permittee

National Marine Manufacturers Association, Inc.
c/o Nelson Wold, Vice President
9050 Pines Boulevard, Suite 305
Pembroke Pines, FL 33024
(954) 441-3231

Contractor

Dock and Marine Construction, Inc.
752 NE 79th Street
Miami, Florida 33138
License No. E410
(305) 751-9911

Bond

Performance Bond: $5,000.00
Mitigation Bond: $120,800.00
BBEETF Contribution: N/A

Engineer

Leandro Fernandez, P.E. License No. 71519
Leaf Engineering
(786) 390-7493

THE ABOVE NAMED PERMITTEE IS HEREBY AUTHORIZED TO PERFORM THE WORK SHOWN ON THE APPLICATION AND APPROVED DRAWINGS, PLANS, AND OTHER DOCUMENTS ATTACHED HERETO OR ON FILE WITH THE DEPARTMENT AND MADE PART HEREOF, SUBJECT TO THE ATTACHED GENERAL AND SPECIFIC CONDITIONS.

Plans Entitled: MIAMI BOATSHOW 2016

Date Signed and Sealed: TBD

Project Location: Marine Stadium Basin
3501 Rickenbacker Causeway
Miami, Florida 33149

Project Description:

- Temporary installation of floating docks, tents, access ramps, and associated piles for the creation of 830 temporary slips for the annual boat show. The 2016 boat show will be held on February 11, 2016 through February 15, 2016. Construction and demolition will be completed between December 21, 2016 and March 15, 2016.
- Installation of 9 shallow area buoys secured by helix anchor systems and 10 wood pile channel markers.
- Authorization for the operation of water taxi services between the Marine Stadium and the marine facilities referenced on the DERM final approved plans.

Attachment A: Authorized Designated Travel Routes
Attachment B: Mooring Prohibited Area

THIS PERMIT AND PLANS SHALL BE KEPT ON SITE DURING ALL PHASES OF CONSTRUCTION