Memorandum

MIAMI-DADE COUNTY

Date: March 20, 2018

Agenda Item No. 5(F)

To: Honorable Chairman Esteban L. Bovo, Jr.
and Members, Board of County Commissioners

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

Subject: Class I Permit Application by Journey's End Homeowner's Association, Inc. to trim and alter mangrove trees in a Coastal Band Community for an existing residential marina at 9590 Journey's End Lane in the City of Coral Gables, Miami-Dade County, Florida

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Recommendation

I have reviewed the attached application for a Class I permit by Journey's End Homeowner's Association, Inc. and based upon the applicable evaluation factors set forth in Section 24-48.3 of the Code of Miami-Dade County (Code), I recommend that the Board of County Commissioners (Board) approve the issuance of a Class I permit for the reasons set forth below.

Pursuant to Ordinance No. 16-73, this quasi-judicial matter may be submitted directly for placement on the Board's meeting agenda by the Director of the Department of Regulatory and Economic Resources.

Scope

The project site is located at 9590 Journey's End Lane, Coral Gables, 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.

Track Record/Monitor

The Coastal and Wetlands Resources Section Manager, Pamela Sweeney, in the Department of Regulatory and Economic Resources, Division of Environmental Resources Management (DERM), will be responsible for monitoring the proposed permit.

Background

The subject Class I permit application requests authorization to trim and alter mangrove trees in a Coastal Band Community located along the shoreline of a residential canal to maintain clearance for vessel ingress to and egress from an existing residential marina at 9590 Journey's End Lane in the City of Coral Gables, Miami-Dade County, Florida. The proposed project is required to be reviewed and approved by the Board at a public hearing because the scope of work is specifically referenced in Section 24-48.2 of the Code as work that shall be processed with a standard form application, including a public hearing.

The proposed work involves the trimming and alteration of 540 square feet of mangrove trees that are located along the south shoreline of the canal that provides access to the marina. The mangroves are predominantly mature *Rhizophora mangle* trees (red mangroves) that are part of the larger wetland system that extends throughout Matheson Hammock Park, and are defined as a Coastal Band Community, pursuant to Section 24-5 of the Code. The north shoreline of the canal is also comprised of mature red mangroves. The mangroves currently extend into portions of the waterway along the south shoreline to the extent that navigation is limited along a 50 foot section of the canal, and the mangroves along the remainder of the 500 foot long canal are beginning to encroach into the navigable portion of the waterway as well. The proposed trimming and alteration will result in impacts

to 540 square feet of mangrove canopy, and the Class I permit will authorize future maintenance trimming and alteration of mangroves along the entire length of the canal to maintain navigability. The project will also include trimming and alteration of mangroves that is exempt pursuant to the Mangrove Trimming and Preservation Act (403.9328(5), FS), and will not require a Class I permit. The proposed work has been designed to avoid significant impacts to any individual tree or to the wetland area as a whole. The Class I permit will include conditions that prohibit top-pruning and removal of greater than 25 percent of the canopy of any individual tree. Therefore, the proposed project is not reasonably expected to result in significant adverse environmental impacts and is recommended for approval.

Section 24-48.4 of the Code requires mitigation for permittable projects that otherwise result in adverse environmental impacts. The project will result in the removal of 540 square feet of mangrove canopy. Mitigation for impacts to mangroves will be satisfied through a contribution to the Biscayne Bay Environmental Enhancement Trust Fund to be used for the creation, restoration, or enhancement of coastal wetlands adjacent to Biscayne Bay or its tidal tributaries.

The proposed project has been designed in accordance with all relevant Miami-Dade County coastal construction criteria and is consistent with all Miami-Dade County coastal protection provisions. The attached Project Report sets forth the reasons the project is recommended for approval pursuant to the applicable evaluation factors set forth in Section 24-48.3 of the Code.

Attachments

Attachment A: Class I Permit Application
Attachment B: Owner/Agent Letter, Engineer Letter and Project Sketches
Attachment C: Names and Addresses of Owners of All Riparian or Wetland Property within Three Hundred (300) Feet of the proposed work
Attachment D: Zoning Memorandum
Attachment E: DERM Project Report

Attachment A

Class I Permit Application

MIAMI-DADE COUNTY

Class I Permit Application

FOR DEPARTMENTAL USE ONLY

Date Received: RECEIVED
OCT 1 1 2016
DERM Coastal Resources Section
Natural Resources Restoration & Restoration
Division / DERM

Application Number: CLI-2016-0323

Application Fee: $530 / $530

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

1. Applicant Information:
Name: Journey's End Homeowners Association, Inc.
Address: 9400 Dadeland Blvd., Suite 100
Miami, Florida Zip Code: 33156
Phone #: 305-854-1440 Fax#: 305-854-7596
Email: treeves@pinnaclehousing.com
* 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: Kate Davis, Davis Environmental Solutions, LLC.
Address: 12955 Biscayne Blvd., #314C
North Miami, Florida Zip Code: 33181
Phone #: 305-502-1954 Fax #:
Email: kate@davis-environmental.com

3. Location where proposed activity exists or will occur (latitude and longitude are only necessary for properties without address or folio #):
Folio #(s): 03-5106-022-0230 Latitude: Longitude:
Street Address: 9590 Journey's End Lane Section: 06 Township: 55 Range: 41
In City or Town: Coral Gables Near City or Town:
Name of waterway at location of the activity: private waterway

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

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

☐ Other:

Estimated project cost = $ N/A

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

5. Proposed Use (check all that apply):

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

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

Proposed Vessel Type (s): N/A
Vessel Make/Model (If known): N/A
Draft (s)(range in inches.): N/A Length (s)(range in feet.): N/A
Total Number of Slips: N/A

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: N/A License # (County/State):

Address: Zip Code:

Phone #: Fax #: E-mail:

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

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

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DERM Coastal Resources Section
Resources Regulation & Restoration

- 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.)

Journey's End Homeowners Association, Inc.	Inc.	FL
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. ***

	Louis Wolfson III	President	09/23/16
Signature of Authorized Representative	Print Authorized Representative's Name	Title	Date

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

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

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

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

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

I/We are the fee simple owner(s) of the real property located at 9590 Journey's End Lane, Coral Gables Miami-Dade County, Florida, otherwise identified in the public records of Miami-Dade County as Folio No. 03-5106-022-0230. 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.)

Print Name of Owner (Enter the complete name as registered)	Type (Corp, LLC, LLP, etc.)	State of Registration/Incorporation
Journey's End Homeowners Association, Inc.	Inc.	FL

Address of Owner: 9400 South Dadeland Blvd., Suite 100, Miami, Florida 33156

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

Signature of Authorized Representative	Print Authorized Representative's Name	Title	Date
	Louis Wolfson III	President	08/23/16
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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OCT 11 2016
DERM Coastal Resources Section
Natural Resources Regulation & Restoration Division (NRRRD)

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 9595 Journey's End Road, Coral Gables Miami-Dade County, Florida, otherwise identified in the public records of Miami-Dade County as Folio No. 03-5106-022-0060. 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
	Louis Wolfson III	10/25/2017
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.)

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

Address of Owner

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

Signature of Authorized Representative	Print Authorized Representative's Name	Title	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

RECEIVED

NOV 14 2017

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

Revised 11/16/09

Attachment B

Owner/Agent Letter and Project Sketches

PERMIT APPLICANT / AUTHORIZED AGENT STATEMENT

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AUG 0 1 2017
DERM Coastal Resources Section
Natural Resources Regulation & Restoration
Division (NRRRD)

July 28, 2017

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-2016-0323

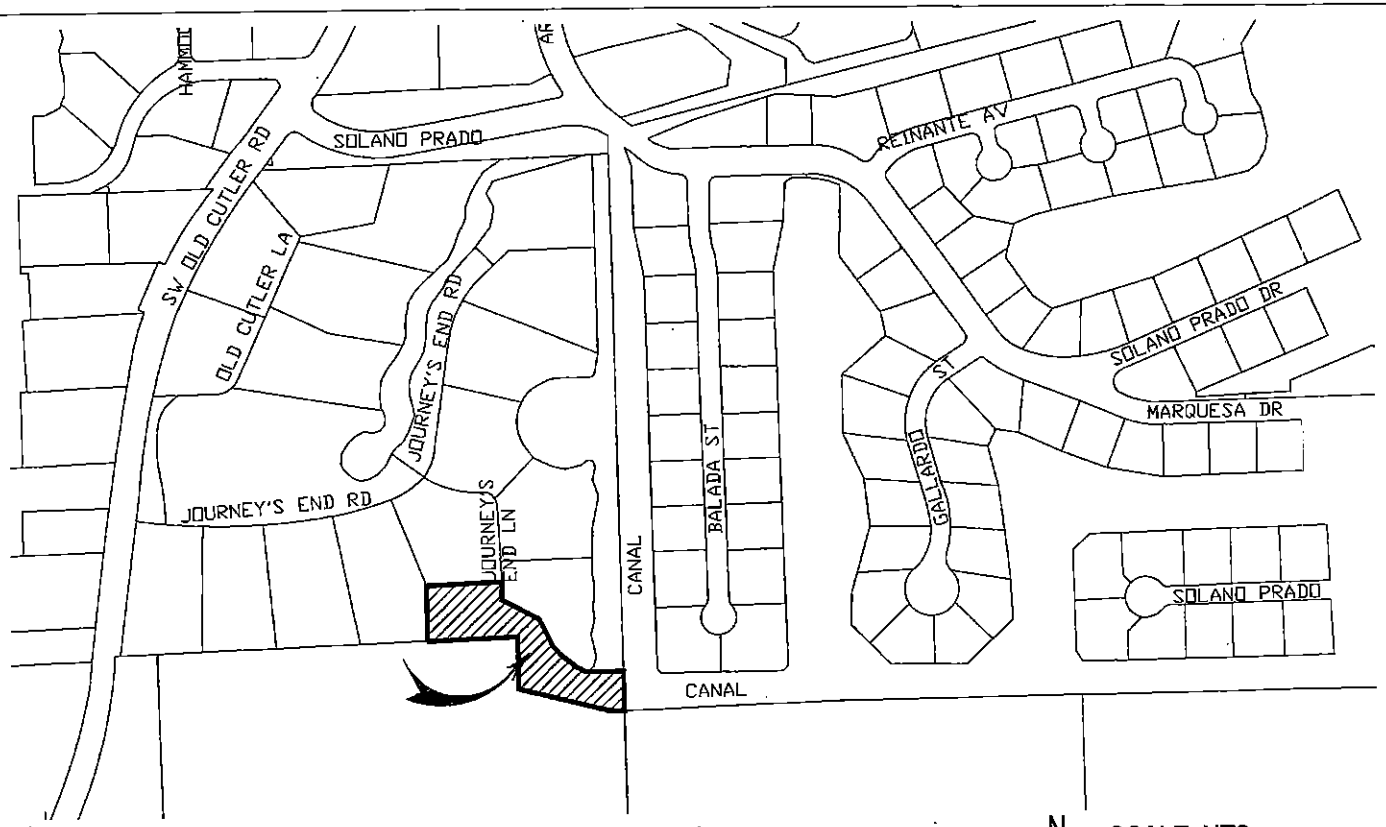
By the attached Class I Standard Form permit application with supporting documents, I, Louis Wolfson III, President, Journey's End Homeowner's Association, Inc., am the permit applicant/permit applicant's authorized agent, and hereby request permission to perform the work associated with Class I Permit Application CLI-2016-0323. 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,

Pres.

Journey's End Homeowner's Association, Inc.,
c/o Louis Wolfson III,
President, Permit Applicant



LOCATION SKETCH

N

SCALE: NTS

PROJECT LOCATION:
JOURNEYS END MARINA

9590 JOURNEY'S END LANE
CITY OF CORAL GABLES,
MIAMI-DADE COUNTY
STATE OF FLORIDA

SECTION 6, TOWNSHIP 55S, RANGE 41E

ENVIRONMENTAL CONSULTANT:
DAVIS ENVIRONMENTAL SOLUTIONS
12955 BISCAYNE BLVD., SUITE 314C
NORTH MIAMI, FL 33181

Landscape Architect
DESIGN HOUSE
1770 NE 205th Terrace, Miami, FL 33179
T. 786.802.3455 F. 305.397.2176

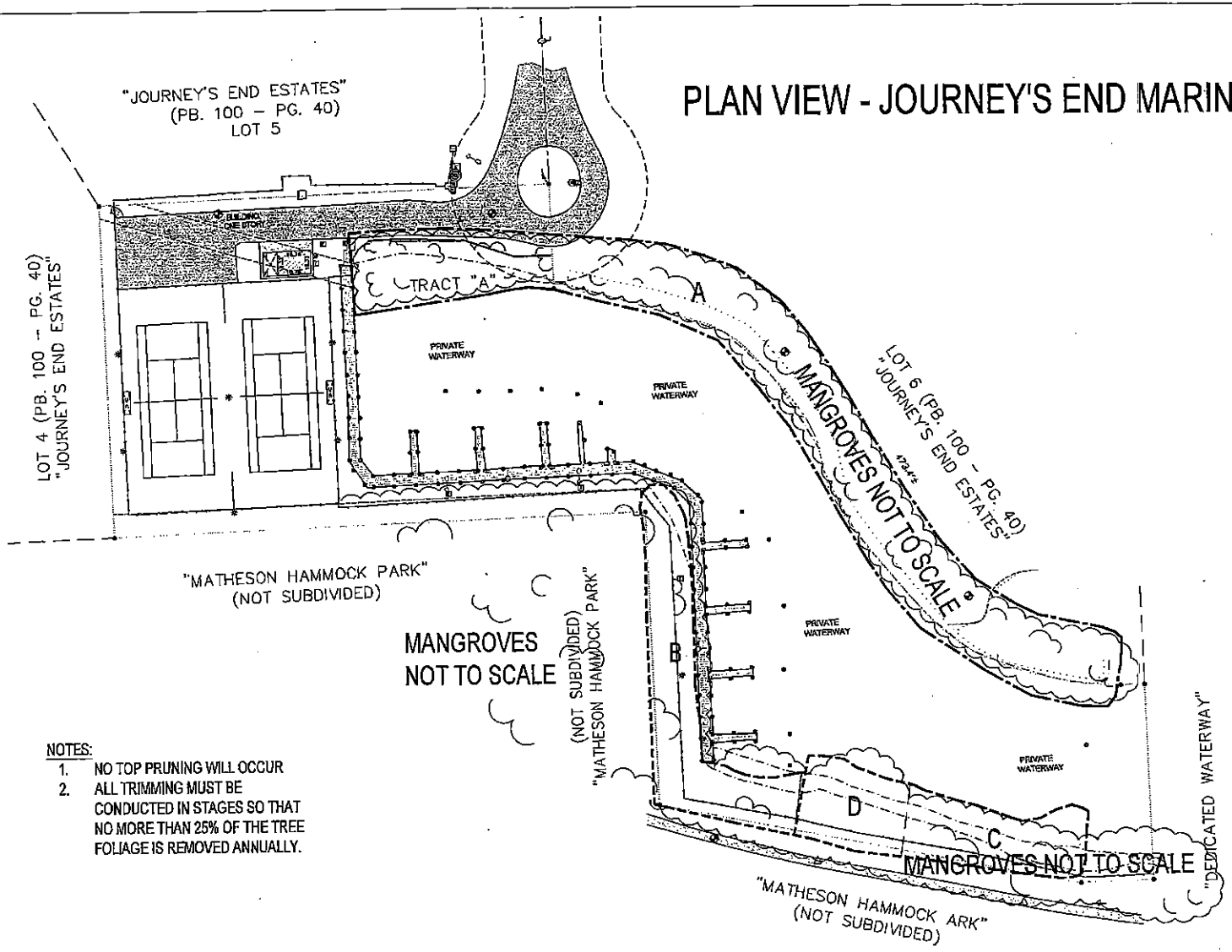
June 30th, 2017

MANGROVE TRIMMING PLAN

SHEET: L-1.00

10

PLAN VIEW - JOURNEY'S END MARINA



NOTES:

1. NO TOP PRUNING WILL OCCUR
2. ALL TRIMMING MUST BE CONDUCTED IN STAGES SO THAT NO MORE THAN 25% OF THE TREE FOLIAGE IS REMOVED ANNUALLY.

EXISTING SITE PLAN

N

SCALE: NTS

Landscape Architect
DESIGN HOUSE
1770 NE 205th Terrace, Miami, FL 33179
T. 786.802.3455 F. 305.997.2176

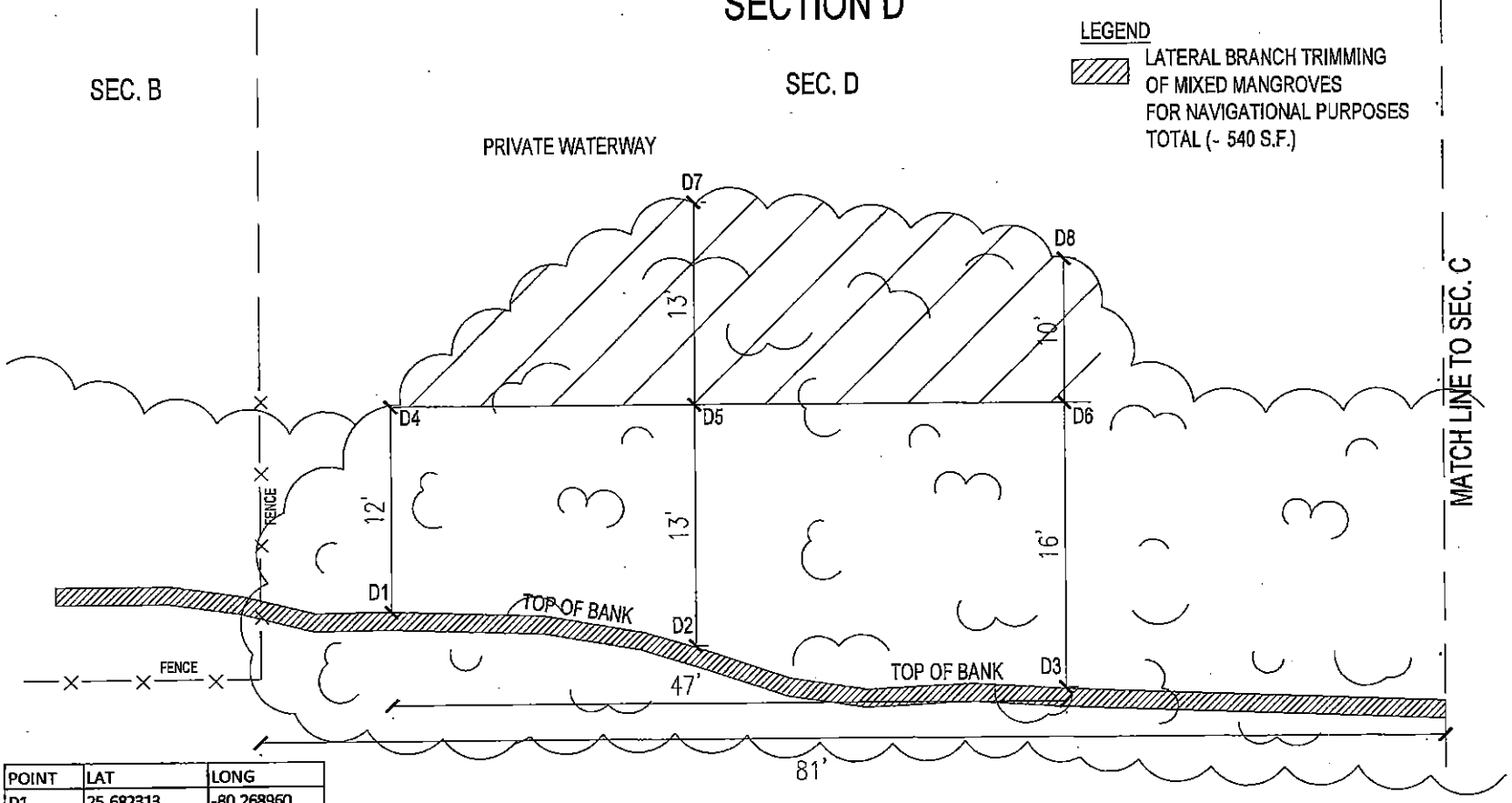
June 30th, 2017

MANGROVE TRIMMING PLAN

SHEET: L-2.00

11

PLAN VIEW - SECTION D



POINT	LAT	LONG
D1	25.682313	-80.268960
D2	25.682310	-80.268888
D3	25.682280	-80.268825
D4	25.682353	-80.268960
D5	25.682343	-80.268888
D6	25.682310	-80.268825
D7	25.682375	-80.268888
D8	25.682335	-80.268825

N

SCALE: NTS

Landscape Architect:
DESIGN HOUSE
1770 NE 205th Terrace, Miami, FL 33179
T. 786.802.8455 F. 305.917.2178

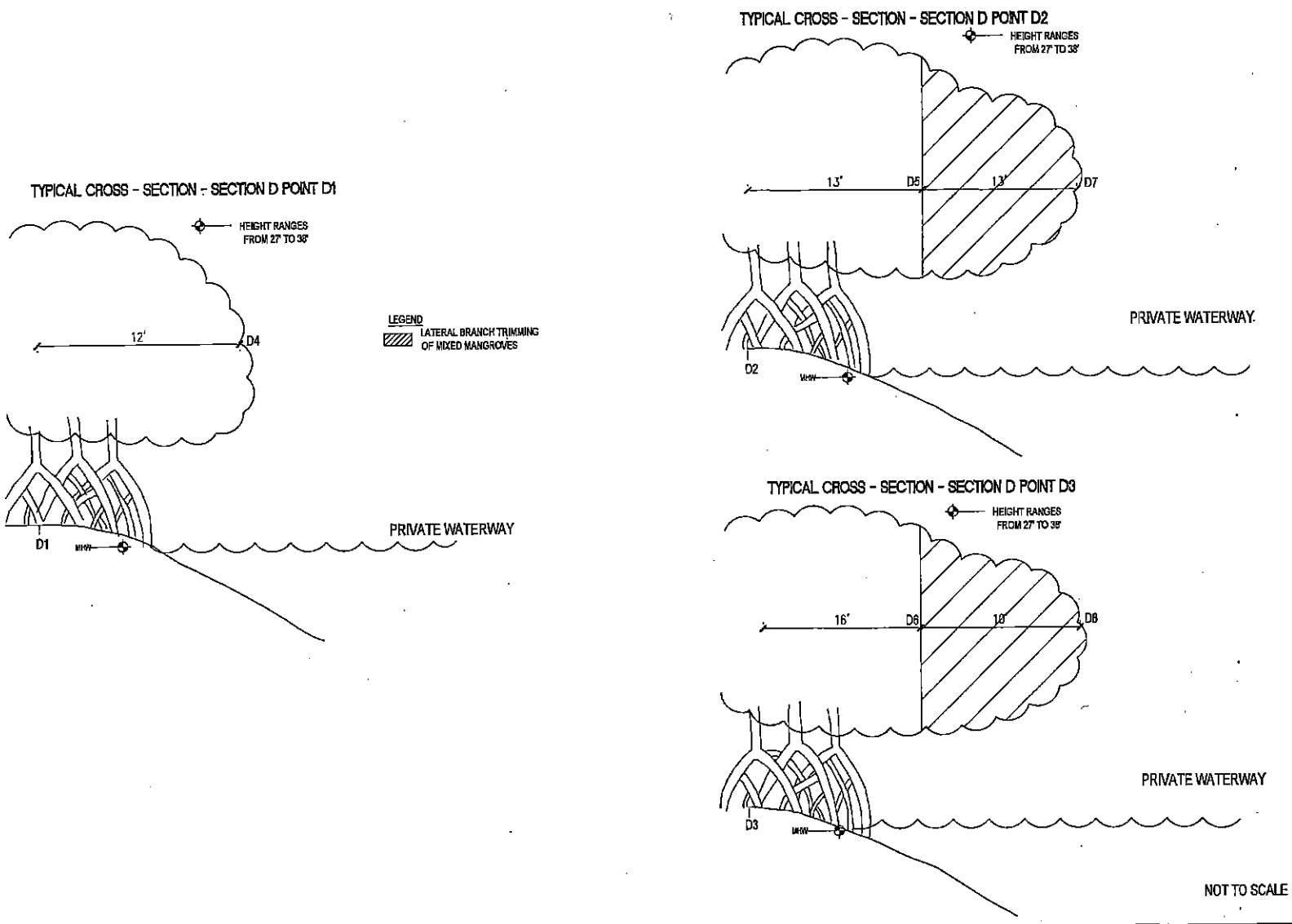
June 30th, 2017

MANGROVE TRIMMING PLAN

SHEET: L-10.00

12

TYPICAL CROSS - SECTIONS - SECTION D POINTS D1 TO D3



Landscape Architect
DH DESIGN HOUSE
1770 NE 205th Terrace, Miami, FL 33179
T. 786.602.3455 F. 305.397.2176

June 30th, 2017

MANGROVE TRIMMING PLAN

SHEET: L-11.00

13

Attachment C

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

9590 Journey's End Lane Addresses of Adjoining Property Owners

Louis Wolfson III
9595 Journeys' End Lane
Coral Gables, FL 33156

Tony Blank TRS
9501 Journey's End Lane.
Coral Gables, FL 33156

Craig and Deirdre Nash
9494 Journey's End Lane
Coral Gables 33156

Alex and Juliana Krys
9570 Journey's End Road
Coral Gables, FL 33156

Miami-Dade County
Parks and Recreation
275 NW 2 ST 4FL
Miami, FL 33128

Miami-Dade County
Parks and Recreation
275 NW 2 ST 4FL
Miami, FL 33128

9380 Balada LLC.
1671 Ponus Ridge
New Canaan, CT 06840

Francisco and Mercedes Tudela.
9370 Balada Street
Coral Gables, FL 33156

Armando J Guerra
9475 Journey's End Road
Coral Gables, FL 33156

LT.TTE.LLC.TRS.
C/O Donn Beloff et al
MYOB Land Trust
401 E Las Olas Blvd. 2000
Fort Lauderdale, FL 33301

Michael L. Katz
9560 Journey's End Road
Coral Gables, FL 33156

L Joseph Hoffman
9385 Balada Street
Coral Gables, FL 33156

Attachment D

Zoning Memorandum

Memorandum

MIAMI-DADE COUNTY

Date: JAN 04 2018

To: Pamela Sweeney, Manager
Coastal and Wetlands Resources Section
Department of Regulatory and Economic Resources

From: Rockell Alhale, Biologist II
Coastal and Wetlands Resources Section
Department of Regulatory and Economic Resources

Subject: Class I Permit Application by the Journey's End Homeowner's Association, Inc. to Trim and Alter Mangrove Trees in a Coastal Band Community to Maintain Navigability to an Existing Residential Marina at 9590 Journey's End Lane, in the City of Coral Gables, Miami-Dade County, Florida

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Pursuant to Section 24-48.2(II)(B)(7), of the Code of Miami-Dade County, Florida, a plan approval or substantiating letter stating that the proposed usage of the property upon which the proposed work will occur does not violate any zoning laws applicable to the area of the proposed work from the applicable zoning authority shall be submitted. Said plan approval or 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 E

DERM Project Report

PROJECT REPORT
CLASS I PERMIT APPLICATION NO. CLI-2016-0323

Class I Permit Application by the Journey's End Homeowner's Association, Inc. to Trim and Alter Mangrove Trees in a Coastal Band Community to Maintain Navigability to an Existing Residential Marina at 9590 Journey's End Lane in the City of Coral Gables, Florida

DATE: December 18, 2017

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 (Code). The following is a summary of the proposed project with respect to each applicable evaluation factor:

1. **Potential Adverse Environmental Impact** – The potential adverse environmental impact associated with the proposed project is minimal. The proposed trimming and alteration will result in impacts to 540 square feet of mangrove canopy and the Class I permit will authorize future maintenance trimming and alteration of mangroves along the 500 linear foot canal to maintain navigability to the marina. The project will also include trimming and alteration of mangroves that is exempt pursuant to the Mangrove Trimming and Preservation Act (403.9328(5) F.S.), and will not require a Class I permit.The proposed work has been designed to avoid significant impacts to any individual tree or to the wetland area as a whole. The Class I permit will include conditions that prohibit top-pruning and removal of greater than 25% of the canopy of any individual tree. Therefore, the proposed project is not reasonably expected to result in significant adverse environmental impacts and is recommended for approval.

   Section 24-48.4 of the Code requires mitigation for permittable projects that otherwise result in adverse environmental impacts. The project will result in the removal of 540 square feet of mangrove canopy. Mitigation for impacts to mangroves will be satisfied through a contribution to the Biscayne Bay Environmental Enhancement Trust Fund to be used for the creation, restoration, or enhancement of coastal wetlands adjacent to Biscayne Bay or its tidal tributaries.

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.

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 adversely affect aesthetics.

9. **Navigation** – The proposed project will improve and maintain navigation.

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

11. **Historic Values** - The proposed project is not reasonably expected to adversely affect historic values.

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

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

14. **Marine and Wildlife Habitats** – The proposed project is not reasonably expected to adversely affect marine and wildlife habitats as set forth in Number 1 above.

15. **Wetland Soils Suitable for Habitat** – The proposed project is not reasonably expected to adversely affect wetland soils suitable for habitat.

16. **Floral Values** – The proposed project is not reasonably expected to adversely affect floral values as set forth in Number 1 above.

17. **Fauna Values** - The proposed project is not reasonably expected to adversely affect fauna values as set forth in Number 1 above.

18. **Rare, Threatened and Endangered Species** –The proposed project site is part of a large high quality wetland system and the proposed work has been designed to avoid significant impacts to any individual tree or to the wetland area as a whole; therefore, the proposed project is not reasonably expected to adversely affect rare, threatened and endangered species.

19. **Natural Flood Damage Protection** - The proposed project is not reasonably expected to adversely affect surface water drainage or retention of stormwater.

20. **Wetland Values** – The proposed project is not reasonably expected to adversely affect wetland values as set forth in Number 1 above.

21. **Land Use Classification** – Pursuant to Section 24-48.2(II)(B)(7), Code of Miami-Dade County, Florida, a plan approval or substantiating letter stating that the proposed usage of the property upon which the proposed work will occur does not violate any zoning laws applicable to the area of the proposed work from the applicable zoning authority shall be submitted. Said plan approval or letter will be submitted after approval by the Miami-Dade County Board of County Commissioners and prior to issuance of the 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 over land owned by the applicant.

24. **Conformance with Standard Construction Procedures and Practices and Design and Performance Standards** – The proposed project complies with the standard construction procedures and practices and design and performance standards of the applicable portions of Chapter 33B of the Code of Miami-Dade County and the Miami-Dade County Public Works Manual.

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

26. **Conformance with All Applicable Federal, State and Local Laws and Regulations** - The proposed project is in conformance with applicable State, Federal and local laws and regulations:
    a) Chapter 24 of the Code of Miami-Dade County
    b) Florida Statutes 403.9321-403-9334 (1996 Mangrove Trimming and Preservation Act)

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

LAND USE ELEMENT I:

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

TRANSPORTATION ELEMENT II

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

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

CONSERVATION, AQUIFER RECHARGES AND DRAINAGE ELEMENT IV:

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

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

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

Objective 5/Policies 5A, 5B, 5F - Flood protection and cut and fill criteria – The proposed project will not 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 compromise wetland protection or restoration, 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 Federal or State-designated threatened or endangered species as set forth in Number 18 above, and the impacts have been minimized and will be mitigated 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 located within a designated "Mangrove Protection Area." The project is consistent with the provisions for trimming within a Mangrove Protection Area because the project is water dependent and no reasonable upland alternative exists.

Objective 1/ Policy 1B - Natural surface flow into and through coastal wetlands. – The proposed project is not reasonably expected to adversely affect natural surface flow into and through coastal wetlands.

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

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 and 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. – Although the proposed project will result in the removal of 540 square feet of mangrove canopy, the project site is part of a larger high-quality wetland system and the work is not reasonably expected to result in the degradation or destruction of coastal wetlands. In addition, the impacts will be mitigated 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 result in impacts to endangered or threatened species as set forth in Number 18 above.

Objective 5/Policy 5B - Existing and new areas for water-dependent uses. - The proposed project does not involve the use of new areas for water-dependent uses. The current water-dependent use of the residential marina will continue.

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

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

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

29. **Conformance with Miami-Dade County Ordinance 81-19** (Biscayne Bay Management Plan Sections 33D-1 through 33D-4 of the Code of Miami-Dade County) - The proposed project is in conformance with the Biscayne Bay Management Plan.

30. **Conformance with the Miami-Dade County Manatee Protection Plan** - The proposed project was evaluated for consistency with the Miami-Dade County Manatee Protection Plan (MPP). The project site is located in an area designated by the MPP as essential habitat for *Trichechus manatus* (West Indian Manatee). The proposed work is not reasonably expected to adversely affect manatees, and the Class I permit shall require that all standard permit conditions regarding manatees be followed during all in-water operations.

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

32. **Municipality Recommendation** – Pursuant to Section 24-48.2(II)(B)(7), Code of Miami-Dade County, Florida, a plan approval or substantiating letter stating that the proposed usage of the property upon which the proposed work will occur does not violate any zoning laws applicable to the area of the proposed work from the applicable zoning authority shall be submitted. Said plan approval or letter will be submitted after approval by the Miami-Dade County Board of County Commissioners and prior to issuance of the Class I permit.

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

33. **Maximum Protection of a Wetland's Hydrological and Biological Functions** – The proposed project will result in the removal of 540 square feet of mangrove canopy; however, the impacts to wetlands have been minimized and shall be mitigated as set forth in Number 1 above.

34. **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 - Not applicable.

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

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

Pamela Sweeney, Manager
Coastal and Wetlands Resources Section

Rockell Alhale, Biologist II
Coastal and Wetlands Resources Section

MEMORANDUM

(Revised)

TO: Honorable Chairman Esteban L. Bovo, Jr. and Members, Board of County Commissioners

DATE: March 20, 2018

FROM: Abigail Price-Williams County Attorney

SUBJECT: Agenda Item No. 5(F)

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 _____

Agenda Item No. 5(F)
3-20-18

RESOLUTION NO. _____

RESOLUTION TAKING ACTION ON A CLASS I PERMIT APPLICATION BY THE JOURNEY'S END HOMEOWNER'S ASSOCIATION, INC. TO TRIM AND ALTER MANGROVE TREES IN A COASTAL BAND COMMUNITY TO MAINTAIN NAVIGABILITY TO AN EXISTING RESIDENTIAL MARINA AT 9590 JOURNEY'S END LANE IN THE CITY OF CORAL GABLES, MIAMI-DADE COUNTY, FLORIDA

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

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that this Board having considered all the applicable factors contained within Section 24-48.3 of the Code of Miami-Dade County, hereby approves the application by the Journey's End Homeowner's Association, Inc. for a Class I permit to trim and alter mangrove trees in a Coastal Band Community to maintain navigability to an existing residential marina at 9590 Journey's End Lane in the City of Coral Gables, Miami-Dade County, subject to the conditions set forth in the memorandum from the Miami-Dade County Department of Regulatory and Economic Resources, a copy of which is attached hereto and made a part hereof. The issuance of this approval does not relieve the applicant from obtaining all applicable Federal, State, and local permits.

The foregoing resolution was offered by Commissioner ,

who moved its adoption. The motion was seconded by Commissioner

and upon being put to a vote, the vote was as follows:

Esteban L. Bovo, Jr., Chairman
Audrey M. Edmonson, Vice Chairwoman

Bruno A. Barreiro	Daniella Levine Cava
Jose "Pepe" Diaz	Sally A. Heyman
Barbara J. Jordan	Joe A. Martinez
Jean Monestime	Dennis C. Moss
Rebeca Sosa	Sen. Javier D. Souto
Xavier L. Suarez	

The Chairperson thereupon declared the resolution duly passed and adopted this 20th day of March, 2018. 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:_____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

Abbie Schwaderer-Raurell