

MEMORANDUM

Agenda Item No. 14(A)(6)

TO: Honorable Chairman Jose "Pepe" Diaz
and Members, Board of County Commissioners

DATE: July 20, 2021

FROM: Geri Bonzon-Keenan
County Attorney

SUBJECT: Resolution directing the County Mayor to file an application to amend the Comprehensive Development Master Plan (CDMP) to add a figure depicting mangrove wetlands, develop a geographic information system (GIS) layer map of mangrove areas in the County and create illustrations showing changes in mangrove areas, and prepare a report

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Raquel A. Regalado.



Geri Bonzon-Keenan
County Attorney

GBK/smm



MEMORANDUM

(Revised)

TO: Honorable Chairman Jose "Pepe" Diaz
and Members, Board of County Commissioners

DATE: July 20, 2021

FROM: 
Gen Bonzon-Keenan
County Attorney

SUBJECT: Agenda Item No. 14(A)(6)

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 present ____, 2/3 membership ____, 3/5's ____, unanimous ____, CDMP 7 vote requirement per 2-116.1(3)(h) or (4)(c) ____, CDMP 2/3 vote requirement per 2-116.1(3)(h) or (4)(c) ____, or CDMP 9 vote requirement per 2-116.1(4)(c)(2) ____ 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. 14(A)(6)
7-20-21

RESOLUTION NO. _____

RESOLUTION DIRECTING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO FILE AN APPLICATION TO AMEND THE COMPREHENSIVE DEVELOPMENT MASTER PLAN (CDMP) TO ADD A FIGURE DEPICTING MANGROVE WETLANDS, DEVELOP A GEOGRAPHIC INFORMATION SYSTEM (GIS) LAYER MAP OF MANGROVE AREAS IN THE COUNTY AND CREATE ILLUSTRATIONS SHOWING CHANGES IN MANGROVE AREAS, AND PREPARE A REPORT

WHEREAS, mangrove wetlands stabilize Florida's coastline ecosystem and protect coastal communities by preventing erosion and absorbing storm surge impacts; and

WHEREAS, mangroves may also provide nesting and roosting habitat for resident and migrating birds and provide shelter and a safe nursery to growing marine life; and

WHEREAS, according to the Florida Department of Environmental Protection, mangroves protect species that are the basis of a \$7,600,000,000.00 seafood industry, which employs 109,000 people in Florida; and

WHEREAS, development pressures on mangrove wetlands have reduced their size over the last 40 years; and

WHEREAS, with this loss of mangrove wetlands, a subsequent decline in the animal and plant life supported by these ecosystems—including a number of commercial fish—has been observed; and

WHEREAS, the Miami-Dade County Comprehensive Development Master Plan ("CDMP") includes policies to protect and conserve mangroves; and

WHEREAS, Policy CM-1A of the CDMP provides that mangrove wetlands within the areas designated as “Environmental Protection” on the CDMP Land Use Plan Map, as well as mangrove wetlands in certain specifically listed locations, are designated as Mangrove Protection Areas and subject to additional protections; and

WHEREAS, in addition, Policy CM-1D also provides other policies for the protection and maintenance of mangroves; and

WHEREAS, including in the CDMP a figure depicting the locations of mangrove wetlands may be helpful to implement these and other mangrove wetland protection policies; and

WHEREAS, mangroves that are not within designated Mangrove Protection Areas are also important natural resources that may provide valuable habitat for marine life and storm and flood protection to coastal areas; and

WHEREAS, section 24-48.1(1)(a) of the Code generally requires a Class I permit to trim or remove a mangrove in the incorporated and unincorporated areas of the County, and this Code requirement applies both in designated Mangrove Protection Areas and in other wetland areas; and

WHEREAS, visual depictions of mangrove wetland areas within the County may be a useful tool for this Board’s and the County administration’s planning purposes and may also provide useful information to the public; and

WHEREAS, mapping the above-referenced mangrove areas in a geographic information system (“GIS”) layer would enhance the County’s abilities to use this information quickly and efficiently; and

WHEREAS, for educational purposes, it would also be helpful to create illustrations showing changes in mangrove areas, by comparing current mangrove areas with the historical distribution of mangroves in Miami-Dade County; and

WHEREAS, the CDMP figure, GIS maps, and illustrations referenced herein should also provide appropriate disclaimers, such as that they are provided as supplementary information for County planning and public educational purposes only, do not represent legal or regulatory wetland delineation boundaries, and cannot be relied upon for regulatory permitting, which typically requires a site inspection; and

WHEREAS, accordingly, this Board wishes to direct the County Mayor or County Mayor's designee to file an application to amend the CDMP to add a figure showing mangrove wetlands, to develop a GIS layer map of County mangrove areas, and to create mangrove illustrations showing changes in mangrove areas,

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

Section 1. This Board hereby directs the County Mayor or County Mayor's designee to file an application to amend the Comprehensive Development Master Plan ("CDMP") to add a figure to the CDMP showing the general extent of mangrove wetlands. Such application shall be filed within 365 days of the effective date of this resolution and may be filed in an appropriate cycle or as an out-of-cycle application.

Section 2. This Board hereby directs the County Mayor or County Mayor's designee to develop a geographic information system ("GIS") layer map of mangrove areas in Miami-Dade County and to make such GIS layer map available to the public online. Such map shall be completed and made available within 365 days of the effective date of this resolution.

Section 3. This Board hereby directs the County Mayor or County Mayor’s designee to create illustrations showing changes in mangrove areas in Miami-Dade County by comparing current mangrove areas with the historical distribution of mangroves in Miami-Dade County. Such illustrations shall be completed and made available to the public online within 365 days of the effective date of this resolution.

Section 4. The CDMP figure, GIS maps, and illustrations referenced in sections 1, 2, and 3 shall include appropriate disclaimers, including that they are provided as supplementary information for County planning and public educational purposes only, do not represent legal or regulatory wetland delineation boundaries, and cannot be relied upon for regulatory permitting, which typically requires a site inspection.

Section 5. This Board hereby directs that the County Mayor or County Mayor’s designee prepare a written status report as to the actions required in sections 1, 2, and 3 of this resolution, including links to the online GIS layer map and the illustrations. The completed report shall be placed on an agenda of this Board pursuant to Ordinance No. 14-65 within 365 days of the effective date of this resolution.

The Prime Sponsor of the foregoing resolution is Commissioner Raquel A. Regalado. It 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:

Jose “Pepe” Diaz, Chairman	
Oliver G. Gilbert, III, Vice-Chairman	
Sen. René García	Keon Hardemon
Sally A. Heyman	Danielle Cohen Higgins
Eileen Higgins	Joe A. Martinez
Kionne L. McGhee	Jean Monestime
Raquel A. Regalado	Rebeca Sosa
Sen. Javier D. Souto	

The Chairperson thereupon declared this resolution duly passed and adopted this 20th day of July, 2021. 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.

A handwritten signature in black ink, appearing to be 'ASR', enclosed within a circular scribble.

Abbie Schwaderer-Raurell