

Memorandum



Date: April 2, 2024

To: Honorable Chairman Oliver G. Gilbert, III
and Members, Board of County Commissioners

Agenda Item No. 5(E)

From: Lourdes M. Gomez, Director 
Department of Regulatory and Economic Resources

Subject: Class I Permit Application and Request for a Variance by Engage Live, LLC for the Installation of a Temporary 249 Slip Docking Facility for an Annual Boat Show including Sea Trials and Floating Structures with a Non-Water Dependent Use over Tidal Waters within the Marine Stadium Basin at 3501 Rickenbacker Causeway, Miami, Miami-Dade County, Florida, for a Period of Five Years, and Consenting to Application as to Any and All Ownership Interests of Miami-Dade County

Recommendation

I have reviewed the attached application for a Class I permit application and request for a variance by Engage Live, LLC 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 within the Marine Stadium Basin at 3501 Rickenbacker Causeway, Miami, Florida in Commission District 7, which is represented by Commissioner Raquel A. Regalado.

Delegation of Authority

This item has no delegation of authority. Upon approval of this item, Section 24-48.2(C)(2) of the Code authorizes the Department to issue the permit, provided that other Code requirements are satisfied, such as submittal of final plans and bonds, and to require additional conditions, limitations, and restrictions if consistent with this Board's approval.

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 Coastal Resources Section Manager, Rockell Alhale, in the Department of Regulatory and Economic Resources, Division of Environmental Resources Management (DERM) would be responsible for monitoring the proposed permit.

Background

The subject Class I permit application requests authorization for the installation of a temporary 249 slip docking facility, with sea trials allowed for up to 50 slips, and a variance for the installation of floating structures with a non-water dependent use over tidal waters for the Engage Live, LLC annual boat show at 3501 Rickenbacker Causeway in the City of Miami. The proposed project is required to be heard and decided upon by the Board at a public hearing because the creation of 50 or more boat slips is specifically referenced in Section 24-48.2 of the Code as work that shall be processed as a Standard Form application,

and because the scope of work includes the installation of floating structures with a non-water-dependent use. Although the docking facility has a water-dependent use, the applicant also proposes to install tents and other amenities on the floating docks that would not have a water-dependent use and are prohibited pursuant to Section 24-48.23 of the Code. However, Section 24-48.25 of the Code provides for the applicant to request a variance from the Code to be heard and ruled upon by the Board. 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. Due to the recurring nature of the proposed project, the applicant has requested that the permit be authorized for a five (5) year period. Authorization for a five (5) year period is consistent with the timeframe allowed for extensions of Standard Form Class I permits. If the request is approved, the applicant would be required to obtain administrative modifications to the permit on an annual basis and DERM staff would evaluate boat show activities for consistency with the regulatory requirements upon the completion of each annual event. In the event that significant non-compliance or environmental impacts occur as a result of construction and/or operation of the boat show, the subsequent modification to the permit would result in a substantial change to the project and said modification shall be subject to a public hearing before the Board, pursuant to Section 24-48.13. DERM recommends approval of the requested authorization for a permit for a five (5) year period with conditions as specified herein.

The proposed docking facility would include floating docks and ramps to provide for the temporary mooring of up to 249 vessels and will also include floating structures for non-water dependent uses, such as amenities and tents for the exhibitors and attendees. All proposed structures would be installed and removed within a 65-day period and the boat show is proposed to take place over a three (3) day period on an annual basis each May. In order to avoid impacts to dense seagrass beds located near the shoreline, the footprint of the docking facility and all associated non-water dependent structures have been configured to be located away from the shoreline and in deeper water. Pedestrian access to the docking facility from the uplands would occur over pile-supported walkways that are elevated above the dense nearshore seagrass beds. The Class I permit would 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 would 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 a pre- and post-event benthic survey would be a requirement to verify whether any unanticipated impacts have occurred. The Marine Stadium Basin has historically supported boat show events and no adverse or cumulative adverse environmental impacts have been documented as a result of similar scopes of work. Although non-water dependent floating structures are prohibited pursuant to Section 24-48.23 of the Code, Section 24-48.25 of the Code provides for the applicant to request a variance from the Code to be ruled upon by the Board. Section 24-48.25 lists consideration factors for such variance requests, including but not limited to: visual or physical access by the general public to Biscayne Bay and its adjacent tidal waters, historical significance, and environmental impact. Due to the limited duration of the event and the measures taken to reduce potential environmental impacts, the variance for the use of non-water dependent floating structures is recommended for approval.

In the locations where pedestrian walkways extend over and are adjacent to wetlands and wetland vegetation, the applicant would maintain fencing and signage to direct pedestrian traffic to the designated walkways and away from sensitive areas. In addition, the Class I permit would 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 would

include specific conditions to provide assurance that any unanticipated environmental impacts as determined by DERM would be restored and/or mitigated in accordance with DERM requirements, and that a performance bond would be posted prior to permit issuance.

In order to ensure that the use of the docking facility and all associated activities would not result in the discharge of pollutants or solid waste into tidal waters, the Class I permit would require the submittal of an operating plan that adequately addresses how the facility and activities would be managed. The facility would also be required to obtain a Marine Facilities Operating Permit prior to the use and throughout the duration of permitted events at the Marine Stadium Basin. In addition, the conditions of the Class I permit would 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, to be used for the removal and disposal of derelict and abandoned vessels and other marine debris located within Biscayne Bay and its foreshores.

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 Florida 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. However, the area immediately outside of the Marine Stadium Basin is designated as essential habitat for the Florida manatee, dominated by shallow water areas containing dense seagrass beds. Adjacent to the basin is the Bill Sadowski Critical Wildlife Area, a year-round no-entry zone. The Intracoastal Waterway provides suitable access to the Marine Stadium Basin from both the northern and the southern directions. The applicant has developed a map that identifies channels and required travel routes, including for the proposed sea trials, of ingress to and egress from the Marine Stadium Basin to avoid and minimize impacts to manatees and sensitive habitat as a result of show operations. This map, along with other materials required per the Class I permit conditions, would be provided to all exhibitors and sea trial operators prior to arrival at the boat show as part of an orientation package, receipt of which shall be acknowledged by said participants. The map also identifies the locations of environmentally sensitive areas that are required to be avoided by vessels associated with the boat show. Additionally, in order to avoid sensitive areas and the Bill Sadowski Critical Wildlife Area, the sea trials would be limited to a southern travel route under the Rickenbacker Causeway. The Class I permit would 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 deconstruction of the boat show. Furthermore, show organizers would be required to contract with marine law enforcement for assistance in managing show operations and ensuring compliance with permit conditions.

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 project site is located within an existing permitted boat basin with water depths of over 20 feet. In addition, the project is temporary in nature and the Class I permit would 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 performance bond shall be posted prior to permit issuance.

The proposed project has been designed in accordance with all relevant Miami-Dade County coastal construction criteria and is consistent with all other Miami-Dade County coastal protection provisions. The

attached Project Report sets forth the reasons the proposed project and variance request are 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 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

Attachment B
Owner/Agent Letter, Engineer Letter, and Project Sketches

PERMIT APPLICANT / AUTHORIZED AGENT STATEMENT

Date: 3/13/24

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-2024-0029

By the attached Class I Standard Form permit application with supporting documents, I, Glen Larson, am the permit applicant/applicant's authorized agent (circle one) and hereby request permission to perform the work associated with Class I Permit Application CLI-2024-0029. 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,

(Permit Applicants Name), Permit Applicant

Glen Larson

(Authorized Agent's Name), Authorized Agent

ENGINEER LETTER OF CERTIFICATION

Date: 3/6/2024

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-2024-0029

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:

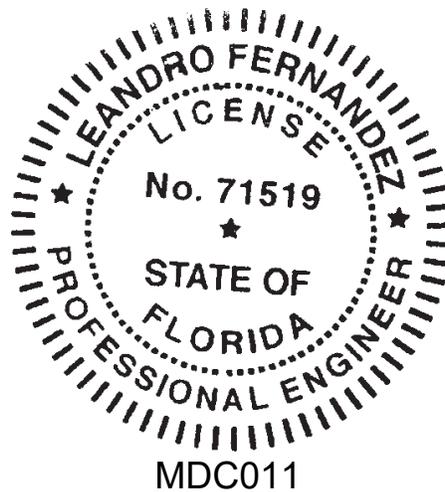
- a. Harmful obstruction or undesirable alteration of the natural flow of the water within the area of the proposed work.
- b. Harmful or increased erosion, shoaling of channels or stagnant areas of water. (Not applicable to class IV permits)
- c. Material injury to adjacent property.
- d. Adverse environmental 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.

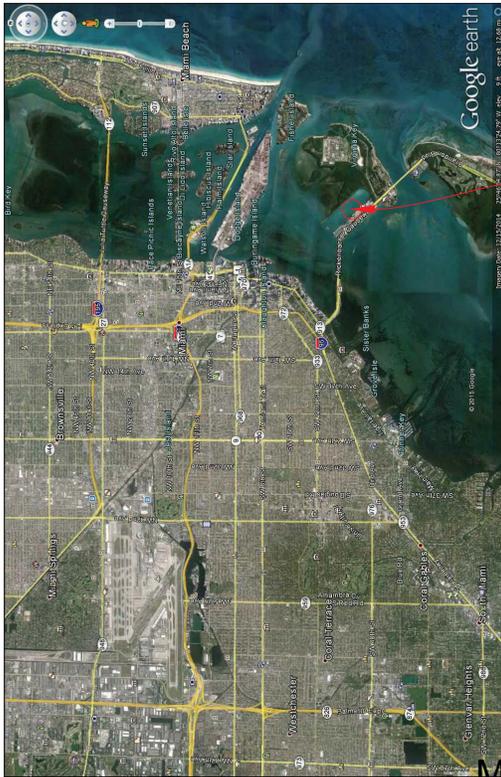
Sincerely,

LEANDRO FERNANDEZ, PE

P.E. # 71519



Digitally signed
by Leandro
Fernandez
Date:
2024.03.06
10:34:58 -05'00'



MDC012

JOB LOCATION



THIS PROJECT IS FOR THE CONSTRUCTION OF A TEMPORARY ART EXHIBIT AT MIAMI MARINE STADIUM

SHOW DATE FOR EVENT :

MAY 17 - MAY 19 2024

GENERAL NOTES:

DESIGN:

IN ACCORDANCE WITH 2023 FBC AND ANY APPLICABLE ADDENDUMS

WAVE LOAD DESIGN: HT = 1', T = 2.9 SEC

LIVE LOAD = 50 PSF

PROPOSED WORK IS TEMPORARY ALL DOCKS, PILING AND ASSOCIATED STRUCTURES TO BE REMOVED AT SHOWS END.

IN THE EVENT OF A DISCREET STORM OR THE THREAT OF A HURRICANE, DOCK STRUCTURES SHALL BE RELOCATED TO SAFE HARBOR.

PILES AND ANCHORS:

PILING SHALL BE NON TREATED GREENHEART HARDWOOD PILING DRIVEN UNDER SUPERVISION OF SPECIAL INSPECTOR. PILING AND ANCHOR LOCATIONS SHALL BE VERIFIED BY DIVER OR UNDERWATER CAMERA SYSTEM TO AVOID UNNECESSARY IMPACTS TO S.A.V. PILING ATTACHMENT/ANCHOR SYSTEMS TO BE AS PER NOTED ON PLANS

FLOATING DOCK STRUCTURE:

FLOATING DOCKS ARE ALUMINUM WELDED FRAME TYP. WITH WOOD DECK. FLOTATION IS ENCAPSULATED FOAM ATTACHMENT IS BY GALVANIZED STEEL RING FLATE DETAILS ON PAGE 4

WIND MITIGATION:

IN THE EVENT OF A THREAT OF A TROPICAL STORM WARNING OR HURRICANE WARNING, ALL BOATS TO BE REMOVED FROM THE BASIN AND ALL M.E.P. CONNECTIONS SHALL BE TERMINATED

TEMPORARY TENT STRUCTURES ON THE FLOATING DOCK SYSTEM AS SHOWN ON PAGE 3

THERE WILL BE NO PERMANENT ELECTRICAL SERVICE ON THE DOCK STRUCTURES

RAMPS AND DECKING:

RAMPS AND DECK OVERLAY ARE ALL APA RATED STRUCTURAL 1, EXT. EXPOSURE PLYWOOD.

DECORATIVE COMPONENTS SHALL BE GALVANIZED STEEL (A307) 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 PROJECT LOCATION. ALL BOATS SHALL BE KEPT OFF 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. MAPS SHALL BE GIVEN TO VESSELS FOR SEA TRIALS INDICATING THE LOCATION OF THE SHOW AREA.

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 PERMIT AGENCIES ..

G. BEST MARINE CONSTRUCTION PRACTICES SHALL BE USED AT ALL TIMES, INCLUDING BUT NOT LIMITED TO: GOOD HOUSEKEEPING, FULL SPILL RESPONSE KITS, SHALLOW DRAFT VESSELS, IDLE 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 AS NECESSARY.

EQUIPMENT:

STAGING BARGE TO BE 30' WIDE BY 80' LONG WITH A LOADED DRAFT OF 24"

HIG BOATS TO BE 32' FIBERGLASS WITH A DRAFT OF 24" AND 37' FIBERGLASS WITH A DRAFT OF 30"

ALL VESSELS SHALL BE KEPT OFF SITE AND DEPLOYED IF ANY VISIBLE PLUM OCCURS. IN THE EVENT THERE IS TURBIDITY, CURTAINS SHALL BE KEPT ON SITE AND DEPLOYED IF ANY VISIBLE PLUM OCCURS.

CONTAINMENT TUBE EACH ANCHOR SITE SHALL BE INSPECTED SO THAT NO SEAGRASSES ARE DAMAGED DURING INSTALLATION OR EXTRACTION

OPERATION DATES:

UPLAND:

APRIL 11 - DELIVER FLOATING DOCKS TO MARINE STADIUM MARINA, LOAD / UNLOAD LOCATION: MIAMI MARINE STADIUM

APRIL 5 - MARK ANCHOR/PILING LOCATIONS WITH NO SEAGRASS CONFLICT IN WATER:

APRIL 6 - BEGIN ASSEMBLY OF FLOATING WALKWAYS

MAY 6 - 17 LOAD IN AND ASSEMBLE FLOATING DOCK SYSTEM

MAY 8 RECEIVE DISPLAY PLATFORM AND ATTACH TO ACCESS WALKWAY, CONSTRUCT RAMP SYSTEMS

MAY 10TH RAILING INSTALLATION FIRE INSTALLATION DECORATIONS

MAY 16H PRE-SHOW INSPECTIONS, DRY RUN

MAY 17TH - MAY 19TH EVENT DATES

MAY 22ST LOAD OUT TEAR DOWN OF DECORATION, FIRE, HANDRAIL AND ALL OTHER EVENT COMPONENTS

MAY 23 JUNE 5TH DISASSEMBLE DOCKS AND REMOVE HELICAL ANCHOR/PILES STAGE ON UPLANDS FOR REMOVAL

END OF IN WATER OPERATIONS

JUNE 5TH - JUNE 11 TH LOADOUT OF STORED MATERIALS FROM UPLAND SITE

MAP NOTES
PAGE: 1 OF 6

DOCK AND MARINE
CONSTRUCTION, CORP
752 NE 79TH STREET
MIAMI, FL 33138
F: 305-751-4825
305-751-9911

TEMPORARY IN
WATER EXHIBITION

SOUTH FLORIDA
SUMMER BOAT
SHOW 2024

DATE: 01-29-2024

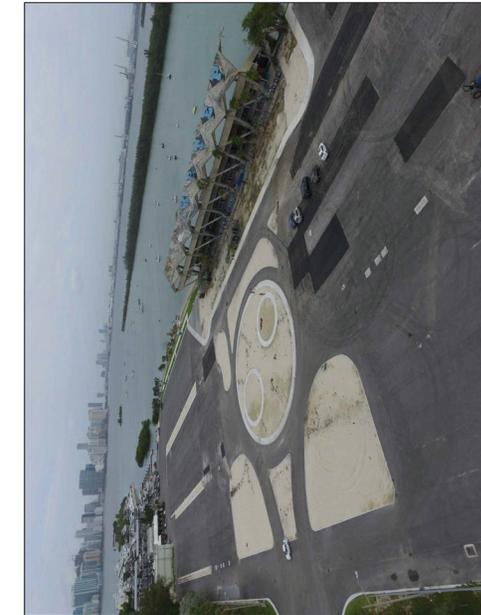
STRUCTURAL ENGINEER
FL PE 71519

JOB No.

LEAF ENGINEERING.

LEAF ENGINEERING
CA #29777
LEANDRO FERNANDEZ
FL PE#71519
756 NE 79th STREET
MIAMI, Florida 33150
Tel: 786-390-7493
leaf@leafengineering.net





VIEW OF EVENT AREA



LEAF ENGINEERING. JOB No. DATE: 01-29-2024

DOCK AND MARINE CONSTRUCTION, CORP.
 752 NE 79TH STREET
 MIAMI, FL 33138
 305-751-9911
 F: 305-751-4825



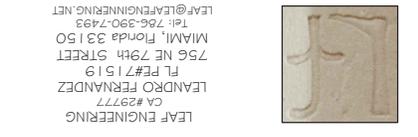
TEMPORARY IN WATER EXHIBITION

SOUTH FLORIDA SUMMER BOAT SHOW 2024

STRUCTURAL ENGINEER
 FL PE 71519

LEAF ENGINEERING
 CA #29777
 LEANDRO FERNANDEZ
 FL PE#71519
 756 NE 79th STREET
 MIAMI, Florida 33150
 Tel: 786-390-7493
 LEAF@LEAFENGINEERING.NET

PAGE: 2 OF 6 EXISTING CONDITIONS





DOCK AND MARINE
CONSTRUCTION, CORP.
752 NE 79TH STREET
MIAMI, FL 33138
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F: 305-751-4825

SOUTH FLORIDA
SUMMER BOAT
SHOW 2024

STRUCTURAL ENGINEERS
FL PE 71519

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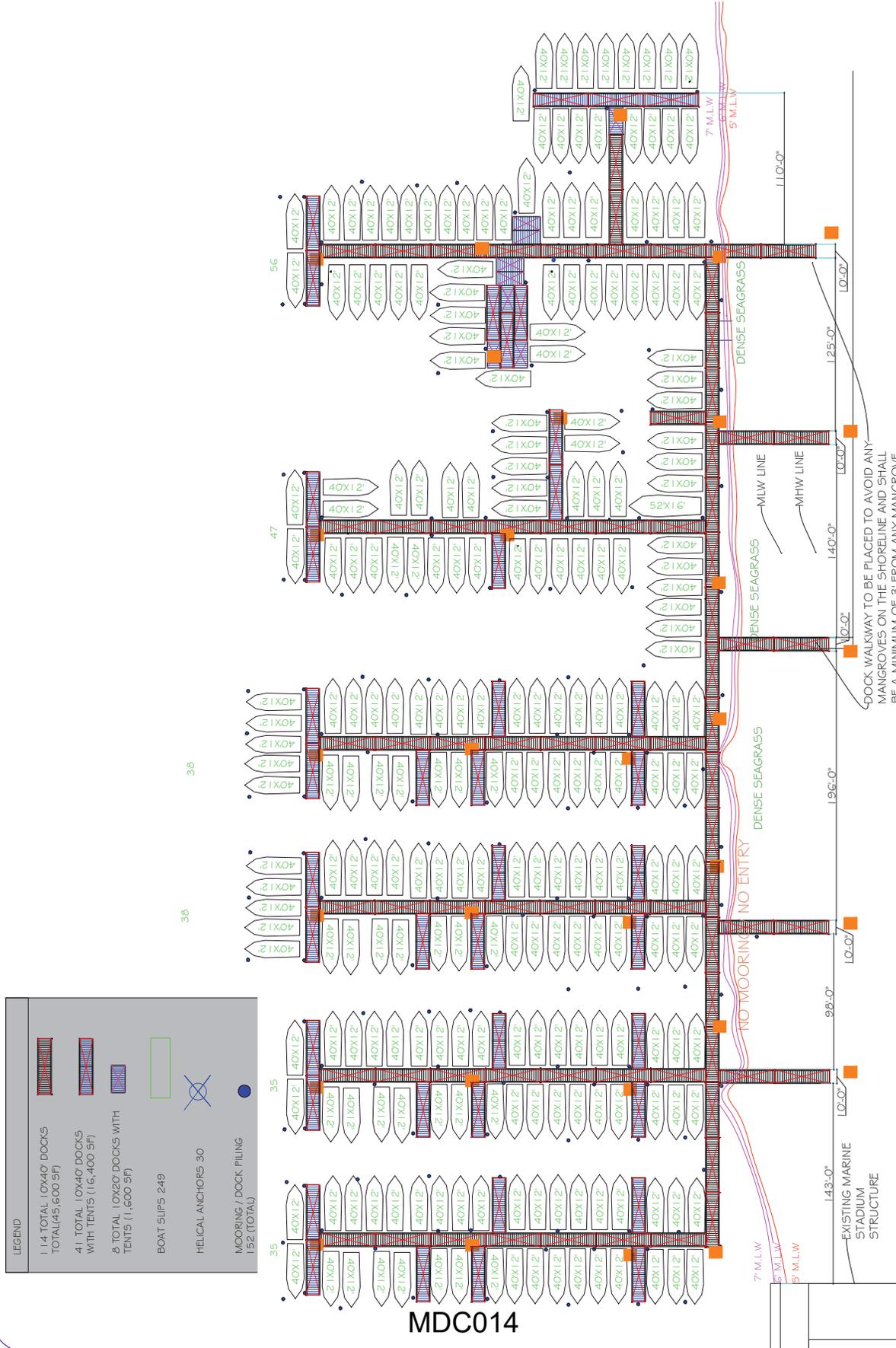
PAGE: 3 OF 6

DOCK LAYOUT

TEMPORARY IN
WATER EXHIBITION

DATE: 01-29-2024

JOB No.



MDC014

LEGEND

- 114 TOTAL 10X40' DOCKS
TOTAL 145,600 SF
- 41 TOTAL 10X40' DOCKS
WITH TENTS (16,400 SF)
- 8 TOTAL 10X20' DOCKS WITH
TENTS (1,600 SF)
- BOAT SLIPS 249
- HELICAL ANCHORS 30
- MOORING / DOCK PILING
152 (TOTAL)



DOCK AND MARINE

CONSTRUCTION CORP.
752 NE 79TH STREET
MIAMI, FL 33136
305-751-9911
F: 305-751-4825

**SOUTH FLORIDA
SUMMER BOAT
SHOW 2024**

FL PE 71519
STRUCTURAL ENGINEER

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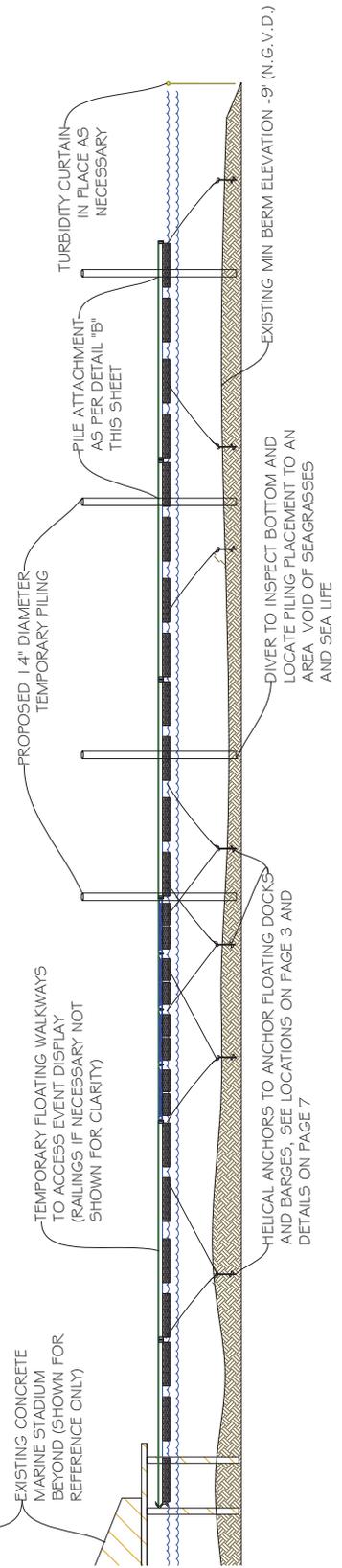
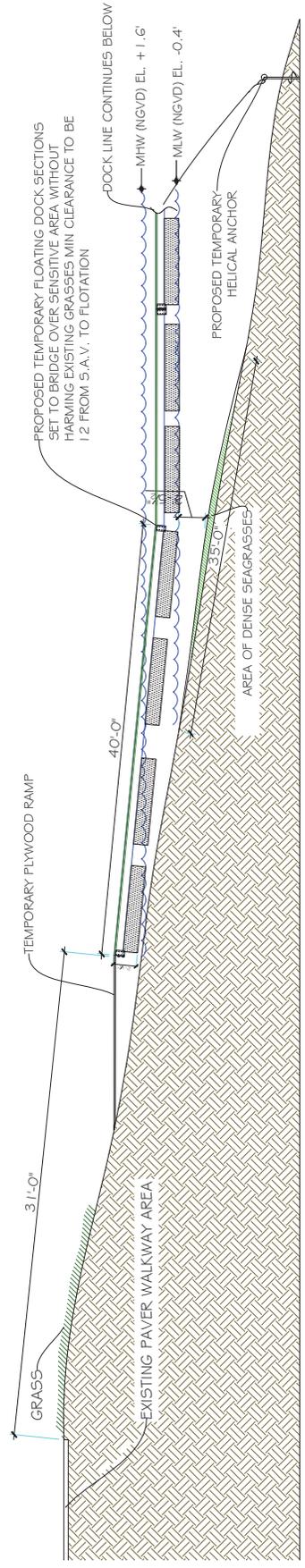
SECTIONS

TEMPORARY IN
WATER EXHIBITION

DATE: 01-29-2024

JOB No. LEAF ENGINEERING.

DOCK WALKWAY AND RAMP TO BE LOCATED AS TO NOT IMPACT ANY WETLANDS VEGETATION OR MANGROVES. PUBLIC ACCESS FROM THE UPLANDS TO BE SET IN A PATH TO PREVENT PUBLIC ACCESS INTO THE WETLANDS. ANY RAMPS OR WALKWAYS WILL BE PLACED SO THAT WETLANDS REMAIN OUT OF REACH OF ANY MANGROVES OR NATIVE WETLAND VEGETATION



MDC016



DOCK AND MARINE
CONSTRUCTION CORP.

752 NE 79TH STREET
MIAMI, FL 33138
F: 305-751-4825

SOUTH FLORIDA
SUMMER BOAT
SHOW 2024

STRUCTURAL ENGINEER
FL PE 71519

LEAF ENGINEERING
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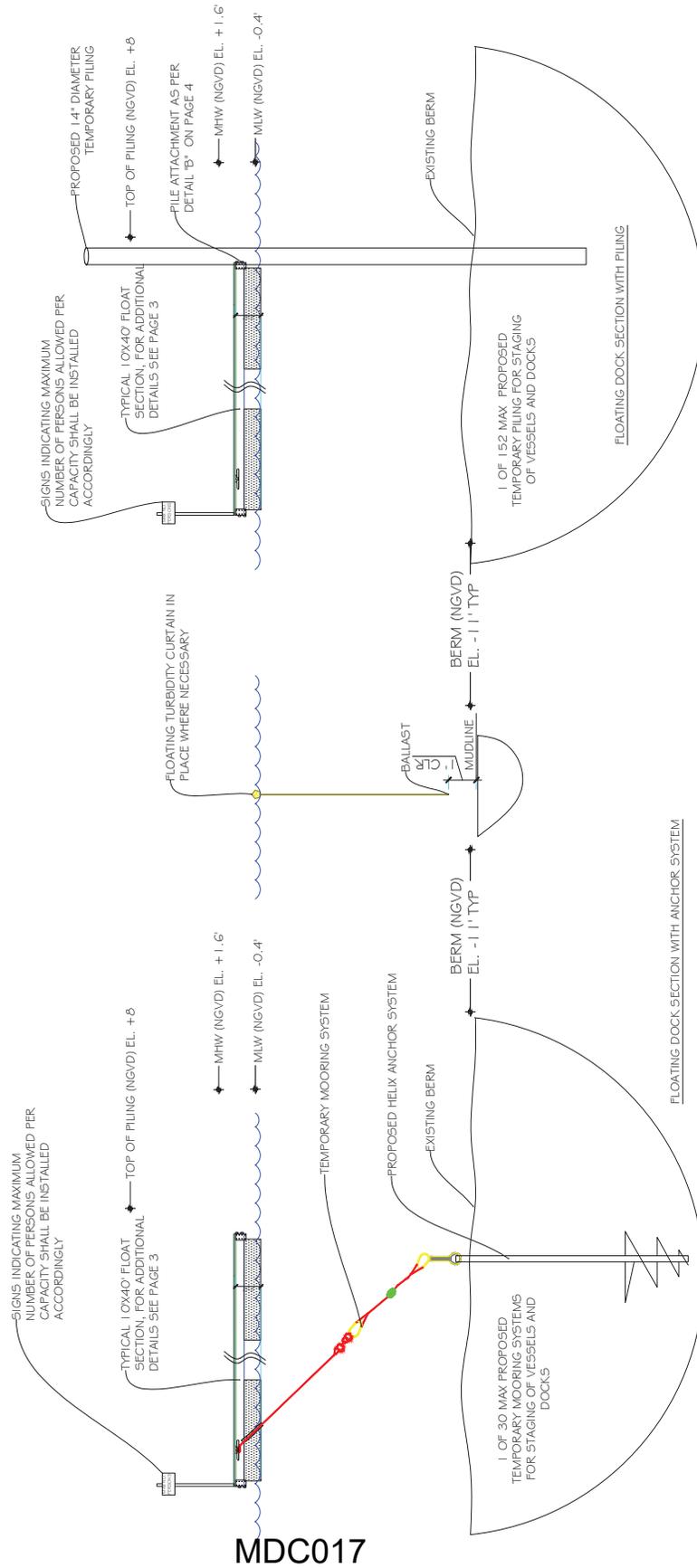
SECTIONS

TEMPORARY IN
WATER EXHIBITION

DATE: 01-29-2024

JOB No.

LEAF ENGINEERING.



MDC017

Attachment C

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

City Of Miami Dept Of P & D
Asset Management Division
444 SW 2nd Ave 3rd Floor
Miami, FL 33130-1910

City Of Miami Dept Of P & D
Asset Management Division
444 SW 2nd Ave Ste 325
Miami, FL 33130-1910

Miami Dade County Gsa
Public Works Causeways Div
111 NW 1st St Ste 2460
Miami, FL 33128-1929

City Of Miami
444 SW 2nd Ave # 2Fl
Miami, FL 33130-1910

City Of Miami Rick Marin
Asset Management Division
444 SW 2nd Ave Ste 325
Miami, FL 33130-1910

City Of Miami City Hall
3500 Pan American Dr
Miami, FL 33133-5504

City Of Miami
Asset Management Division
444 SW 2nd Ave Ste 325
Miami, FL 33130-1910

City Of Miami Rustydeli Asset
Management Division
444 SW 2nd Ave Ste 325
Miami, FL 33130-1910

City Of Miami /Asset Management
Rickenbacker Marina
444 SW 2nd Ave Ste 325
Miami, FL 33130-1910

Miami Dade County
Parks And Recreation
275 NW 2nd St., 4th Floor
Miami, FL 33128-1794

Board Of Public Instruction
1450 NE 2nd Ave
Miami, FL 33132-1308

Miami Dade County
Water And Sewer
3071 SW 38th Ave
Miami, FL 33146-1520

Miami Dade County
Parks & Recreation
275 NW 2nd St Ste 542
Miami, FL 33128-1722

U S A
301 N Miami Ave Ste 205
Miami, FL 33128-7703

Order number: 240301
Total non-repetitive labels: 14

Attachment D
Zoning Memorandum

Memorandum



Date: March 13, 2024

To: Rockell Alhale, Manager *Rockell Alhale*
Coastal Resources Section
Department of Regulatory and Economic Resources

From: Steven Olayon, Biologist II *Steven Olayon*
Coastal Resources Section
Department of Regulatory and Economic Resources

Subject: Class I Permit Application and Request for a Variance by Engage Live, LLC for the Installation of a Temporary 249 Slip Docking Facility for an Annual Boat Show including Sea Trials and Floating Structures with a Non-Water Dependent Use over Tidal Waters within the Marine Stadium Basin at 3501 Rickenbacker Causeway, Miami, Miami-Dade County, Florida, for a Period of Five (5) Years, and Consenting to Application as to Any and All Ownership Interests of Miami-Dade County

Pursuant to Section 24-48.2(II)(B)(7), of the Code of Miami-Dade County, Florida, a substantiating letter or plan approval shall be submitted by the applicant stating that the proposed project does not violate any zoning laws. Said letter or plan approval would 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

CLASS I PERMIT APPLICATION NO. CLI-2024-0029

Class I Permit Application and Request for a Variance by Engage Live, LLC for the Installation of a Temporary 249 Slip Docking Facility for an Annual Boat Show including Sea Trials and Floating Structures with a Non-Water Dependent Use over Tidal Waters within the Marine Stadium Basin at 3501 Rickenbacker Causeway, Miami, Miami-Dade County, Florida, for a Period of Five Years, and Consenting to Application as to Any and All Ownership Interests of Miami-Dade County

DATE: March 13, 2024

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** – 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. Due to the recurring nature of the proposed project, the applicant has requested that the permit be authorized for a five (5) year period. Authorization for a five (5) year period is consistent with the timeframe allowed for extensions of Standard Form Class I permits. If the request is approved, the applicant would be required to obtain administrative modifications to the permit on an annual basis and DERM staff would evaluate boat show activities for consistency with the regulatory requirements upon the completion of each annual event. In the event that significant non-compliance or environmental impacts occur as a result of construction and/or operation of the boat show, the subsequent modification to the permit would result in a substantial change to the project and said modification shall be subject to a public hearing before the Board, pursuant to Section 24-48.13. DERM recommends approval of the requested authorization for a permit for a five (5) year period with conditions as specified herein.

The proposed docking facility would include floating docks and ramps to provide for the temporary mooring of up to 249 vessels and will also include floating structures for non-water dependent uses, such as amenities and tents for the exhibitors and attendees. All proposed structures would be installed and removed within a 65-day period and the boat show is proposed to take place over a three (3) day period on an annual basis each May. In order to avoid impacts to dense seagrass beds located near the shoreline, the footprint of the docking facility and all associated non-water dependent structures have been configured to be located away from the shoreline and in deeper water. Pedestrian access to the docking facility from the uplands would occur over pile-supported walkways that are elevated above the dense nearshore seagrass beds. The Class I permit would 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 would 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 a pre- and post-event benthic survey would be a requirement to verify whether any unanticipated impacts have occurred. The Marine Stadium Basin has historically supported boat show events and no adverse or cumulative adverse environmental impacts have been documented as a result of similar scopes of work. Although non-water dependent floating structures are prohibited pursuant to Section 24-48.23 of the Code, Section 24-48.25 of the Code provides for the applicant to request a variance from the Code to be ruled upon by the Board. Section 24-48.25 lists consideration factors for such variance requests, including but not limited to: visual or physical access by the general public to Biscayne Bay and its adjacent tidal waters, historical significance, and environmental impact. Due to the limited duration of the event and the measures taken to reduce potential environmental impacts, the variance for the use of non-water dependent floating structures is recommended for approval.

In the locations where pedestrian walkways extend over and are adjacent to wetlands and wetland vegetation, the applicant would maintain fencing and signage to direct pedestrian traffic to the designated walkways and away from sensitive areas. In addition, the Class I permit would 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 would include specific conditions to provide assurance that any unanticipated environmental impacts as determined by DERM would be restored and/or mitigated in accordance with DERM requirements, and that a performance bond would be posted prior to permit issuance.

In order to ensure that the use of the docking facility and all associated activities would not result in the discharge of pollutants or solid waste into tidal waters, the Class I permit would require the submittal of an operating plan that adequately addresses how the facility and activities would be managed. The facility would also be required to obtain a Marine Facilities Operating Permit prior to the use and throughout the duration of permitted events at the Marine Stadium Basin. In addition, the conditions of the Class I permit would 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, to be used for the removal and disposal of derelict and abandoned vessels and other marine debris located within Biscayne Bay and its foreshores.

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 Florida 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. However, the area immediately outside of the Marine Stadium Basin is designated as essential habitat for the Florida manatee, dominated by shallow water areas containing dense seagrass beds. Adjacent to the basin is the Bill Sadowski Critical Wildlife Area, a year-round no-entry zone. The Intracoastal Waterway provides suitable access to the Marine Stadium Basin from both the northern and the southern directions. The applicant has developed a map that identifies channels and required travel routes, including for the proposed sea trials, of ingress to and egress from the Marine Stadium Basin to avoid and minimize impacts to manatees and sensitive habitat as a result of show operations. This map, along with other materials required per the Class I permit conditions, would be provided to all exhibitors and sea trial operators prior to arrival at the boat show as part of an orientation package, receipt of which shall be acknowledged by said participants. The map also identifies the locations of environmentally sensitive areas that are required to be avoided by vessels associated with the boat show. Additionally, in order to avoid sensitive areas and the Bill Sadowski Critical Wildlife Area, the sea trials would be limited to a southern travel route under the Rickenbacker Causeway. The Class I permit would 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 deconstruction of the boat show. Furthermore, show

organizers would be required to contract with marine law enforcement for assistance in managing show operations and ensuring compliance with permit conditions.

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 project site is located within an existing permitted boat basin with water depths of over 20 feet. In addition, the project is temporary in nature and the Class I permit would 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 performance bond shall be posted prior to permit issuance.

The proposed project has been designed in accordance with all relevant Miami-Dade County coastal construction criteria and is consistent with all other Miami-Dade County coastal protection provisions. The attached Project Report sets forth the reasons the proposed project and variance request are 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.

2. **Potential Cumulative Adverse Environmental Impact** – The proposed project is not reasonably expected to result in cumulative adverse environmental impacts as set forth in Number 1 above.
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. 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 would be used for the removal of derelict vessels, structures, or debris located within Biscayne Bay. In addition, the applicant would be required to distribute information on “Best Management Practices” to each exhibitor and sales awareness to increase awareness of potential environmental impacts and would be required to submit an operating plan that adequately addresses how the facility and activities would be managed to prevent pollutants from entering tidal waters.
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 would be located within the Marine Stadium Basin and is temporary in nature. The temporary vessels, structures, and equipment associated with the boat show would be installed and removed within a 65 day period.

9. **Navigation** – The proposed project would temporarily affect navigation within the Marine Stadium Basin during the 65 day period between the start of installation of the facility and the completion of removal of all structures and associated equipment. However, significant impacts to navigation are not reasonably expected to occur, provided that all structures are lighted in accordance with applicable laws, and all vessels follow safe boating practices as required by all applicable laws and the proposed structures would be fully contained within the basin.
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 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, 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 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 adversely affect 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 or plan approval shall be submitted stating that the proposed project does not violate any zoning laws. Said letter or plan approval would 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 applicant is proposing to operate the boat show on a parcel of publicly owned submerged lands.
24. **Conformance with Standard Construction Procedures and Practices and Design and Performance Standards** – The proposed project involves the temporary installation of a docking facility that has a water-dependent use. In addition, the applicant proposes to install tents and other amenities on the floating docks that would not have a water-dependent use and are prohibited pursuant to Section 24-48.23 of the Code. However, Section 24-48.25 provides for applications for variances to the prohibition of non-water-dependent floating structures to be heard and ruled upon by the Board. The applicant is requesting a variance to the water dependency requirement of the Code, and the proposed 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 as set forth in Number 1 above. Therefore, a CEIS was not required by DERM to evaluate the proposed 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 (provided a variance is granted pursuant to Section 24-48.25)
b) Florida Department of Environmental Protection (Environmental Regulatory permit is required)
c) United States Clean Water Act (US Army Corps of Engineers permit is required)
27. **Conformance with the Miami-Dade County Comprehensive Development Master Plan (CDMP)**
– In the opinion of the Director, the proposed project is consistent as required by CDMP policy LU-3A, with the goals, objectives and policies contained in the Conservation, Aquifer Recharge and Drainage and Coastal Management Elements of this Plan, and with all applicable environmental regulations, as well as other elements 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 the surrounding land uses in Biscayne Bay 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 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 reasonably expected to result in impacts to marine resources as set forth in Number 1 above.

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 located within a wetland.

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 1 above.

COASTAL MANAGEMENT ELEMENT VII:

Objective 1/Policy 1A – Mangrove wetlands within 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 will not affect natural surface flow into and through coastal wetlands as set forth in Number 1 above.

Objective 1/Policy 1C - Elevated boardwalk access through mangroves. – The proposed project does not involve the construction of an elevated walkway through mangroves.

Objective 1/Policy 1D – Protection and maintenance of mangrove forests and related natural vegetational communities. – The proposed project is not located within mangrove forests and related natural vegetational communities.

Objective 1/Policy 1E – Mitigation for the degradation and destruction of coastal wetlands. Monitoring and maintenance of mitigation areas. – The proposed project site is not reasonably expected to impact coastal wetlands 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 1 above.

Objective 5/Policy 5B – Existing and new areas for water-dependent and water-related uses. – The project site is appropriate for and environmentally compatible with the proposed activities 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 is consistent with the criteria used to determine appropriateness of the project site as set forth in Number 1 above.

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 consistent with the recommendations of the Biscayne Bay Management Plan in that although the applicant proposes to install tents and other amenities on the floating docks that would not have a water-dependent use, the docking facility is water-dependent.

30. **Conformance with the Miami-Dade County Manatee Protection Plan** - The proposed project has been evaluated for conformance with the recommendations of the MPP. The Marine Stadium Basin is not located within an area designated as essential habitat for the Florida 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 proposed use is temporary in nature and the conditions associated with its use 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) of the Code of Miami-Dade County, Florida, a substantiating letter or plan approval shall be submitted stating that the proposed project does not violate any zoning laws. Said letter or plan approval would be submitted after the approval by the Board of County Commissioners and prior to the issuance of the Class I permit.
33. **Coastal Resources Management Line** - A coastal resources management line was not required for the proposed project, pursuant to Section 24-48.2(II)(B)(10)(b) of the Code of Miami-Dade County.
34. **Maximum Protection of a Wetland’s Hydrological and Biological Functions** – The proposed project is not 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 would temporarily affect vessel access within the Marine Stadium Basin during the 65 day period of between the start of installation of the facility and the completion of removal of all structures and associated equipment. However, the event would be open to the

general public and will not affect visual or physical access to Biscayne Bay from land.

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 would temporarily affect navigation within the Marine Stadium Basin during the 65 day period between the start of installation of the facility and the completion of removal of all structures and associated equipment. However, significant impacts to navigation are not reasonably expected to occur, all of the proposed slips and structures would be fully contained within the basin.
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 structures and equipment associated with the boat show would be installed and removed within a 65 day period.
43. **Biscayne Bay Management Plan** – The proposed project is consistent with the recommendations of the Biscayne Bay Management Plan in that although the applicant proposes to install tents and other amenities on the floating docks that would not have a water-dependent use, the docking facility is water-dependent.
44. **Biscayne Bay Aquatic Preserve Act** – The proposed project is consistent with the recommendations of the Biscayne Bay Aquatic Preserve Act in that although the applicant proposes to install tents and other amenities on some of the floating docks that would not have a water-dependent use, the docking facility is water-dependent.
45. **Rules of the Biscayne Bay Aquatic Preserve** - The proposed project is consistent with the rules of the Biscayne Bay Aquatic Preserve in that although the applicant proposes to install tents and other amenities on some of the floating docks that would not have a water-dependent use, the docking facility is water-dependent.

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

R. Alhale

Rockell Alhale, Manager
Coastal Resources Section

Steven Olayon

Steven Olayon, Biologist II
Coastal Resources Section

Memorandum



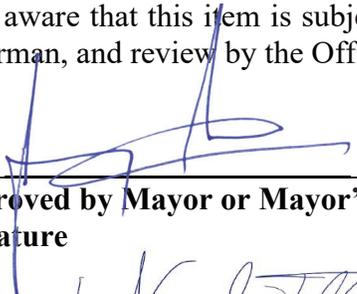
Date: March 20, 2024
To: Honorable Chairman Oliver G. Gilbert, III
and Members, Board of County Commissioners
From: Lourdes M. Gomez, Director 
Department of Regulatory and Economic Resources
Subject: Request to process late Class 1 Permit Application for the April 2, 2024 Board
of County Commissioners Meeting Agenda

Please accept this late item request from RER for the Class 1 Permit Application listed below to be processed for agenda placement. Although this item has not met the noticed deadline and has been provided to the Agenda Coordination Office late, it is important that the item be heard at the April 2, 2024 Board of County Commissioners meeting.

The applicant, Engage Live, LLC, did not apply for the Class I permit application to allow for sufficient processing time prior to the start of construction necessary to assemble the 2024 South Florida Summer Boat Show. The event is scheduled to be held in Marine Stadium between May 17th -May 19th. Due to the nature of the event and the need to allow for vessels associated with the boat show to move in several days prior to the event start date, the applicant has indicated that construction must start in early April. Therefore, I am respectfully requesting that this item be placed on the April 2, 2024 agenda.

RESOLUTION TAKING ACTION ON A CLASS I PERMIT APPLICATION AND REQUEST FOR A VARIANCE FROM SECTION 24-48.23 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA, BY ENGAGE LIVE, LLC FOR THE INSTALLATION OF A TEMPORARY 249 SLIP DOCKING FACILITY FOR AN ANNUAL BOAT SHOW, INCLUDING SEA TRIALS AND FLOATING STRUCTURES WITH A NON-WATER DEPENDENT USE, OVER TIDAL WATERS WITHIN THE MARINE STADIUM BASIN AT 3501 RICKENBACKER CAUSEWAY, MIAMI-DADE COUNTY, FLORIDA, INCLUDING A REQUEST TO AUTHORIZE THE COMPLETION OF WORK OF THE SUBJECT PERMIT FOR A PERIOD OF FIVE YEARS, AND CONSENTING TO APPLICATION AS TO ANY AND ALL OWNERSHIP INTERESTS OF MIAMI-DADE COUNTY

I am aware that this item is subject to approval for placement on the agenda by the Board Chairman, and review by the Office of the County Attorney.



Approved by Mayor or Mayor's Designee
Signature

Jimmy Morales

Print Name



Approved by Policy Director or Designee
Signature

Nicole Tallman

Print Name

c: Geri Bonzon-Keenan, County Attorney
CAOagenda@miamidade.gov



MEMORANDUM
(Revised)

TO: Honorable Chairman Oliver G. Gilbert, III
and Members, Board of County Commissioners

DATE: April 2, 2024

FROM: 
Gen Bonzon-Keenan
County Attorney

SUBJECT: Agenda Item No. 5(E)

Please note any items checked.

- "3-Day Rule" for committees applicable if raised
- 6 weeks required between first reading and public hearing
- 4 weeks notification to municipal officials required prior to public hearing
- Decreases revenues or increases expenditures without balancing budget
- Budget required
- Statement of fiscal impact required
- 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. 5(E)
4-2-24

RESOLUTION NO. _____

RESOLUTION TAKING ACTION ON A CLASS I PERMIT APPLICATION AND REQUEST FOR A VARIANCE FROM SECTION 24-48.23 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA, BY ENGAGE LIVE, LLC FOR THE INSTALLATION OF A TEMPORARY 249 SLIP DOCKING FACILITY FOR AN ANNUAL BOAT SHOW, INCLUDING SEA TRIALS AND FLOATING STRUCTURES WITH A NON-WATER DEPENDENT USE, OVER TIDAL WATERS WITHIN THE MARINE STADIUM BASIN AT 3501 RICKENBACKER CAUSEWAY, MIAMI-DADE COUNTY, FLORIDA, INCLUDING A REQUEST TO AUTHORIZE THE COMPLETION OF WORK OF THE SUBJECT PERMIT FOR A PERIOD OF FIVE 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 his Board, having considered all the applicable factors contained within section 24-48.3 and 24-48.25 of the Code of Miami-Dade County, hereby approves the application by Engage Live, LLC for a Class I permit for the installation of a temporary 249-slip docking facility for an annual boat show, including sea trials and to authorize the time of completion of work of the subject permit for a maximum period of five years and for a variance from section 24-48.23 of the Code of Miami-Dade County for floating structures with a non-water dependent use over tidal waters within the Marine Stadium Basin, at 3501 Rickenbacker Causeway, Miami, Miami-Dade County, Florida, subject to conditions as set forth in the memorandum from the Miami-Dade County Department of

Regulatory and Economic Resources. 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 _____, who moved its adoption. The motion was seconded by Commissioner _____ and upon being put to a vote, the vote was as follows:

Oliver G. Gilbert, III, Chairman	
Anthony Rodríguez, Vice Chairman	
Marleine Bastien	Juan Carlos Bermudez
Kevin Marino Cabrera	Sen. René García
Roberto J. Gonzalez	Keon Hardemon
Danielle Cohen Higgins	Eileen Higgins
Kionne L. McGhee	Raquel A. Regalado
Micky Steinberg	

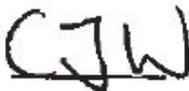
The Chairperson thereupon declared this resolution duly passed and adopted this 2nd day of April, 2024. This resolution shall become effective upon the earlier of (1) 10 days after the date of its adoption unless vetoed by the County Mayor, and if vetoed, shall become effective only upon an override 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

JUAN FERNANDEZ-BARQUIN, CLERK

By: _____
Deputy Clerk

Approved by County Attorney
as to form and legal sufficiency.



Christopher J. Wahl