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

# Memorandum

MIAMI-DADE COUNTY

**Date:** February 19, 2014

Agenda Item No. 5(B)

**To:** Honorable Chairwoman Rebeca Sosa
and Members, Board of County Commissioners

**From:** Carlos A. Gimenez
Mayor

**Subject:** Class I Permit Application by the City of Miami to Excavate Wetlands and Marine Sediments to Provide Navigational Access within the Rockerman Canal and to Authorize the Acceptance of a Restrictive Covenant Running with the Land in Favor of Miami-Dade County at, near, or in the vicinity of 2130 South Bayshore Drive in the City of Miami

Resolution No. R-162-14

Attached, please find for your consideration an application by the City of Miami for a Class I permit and a restrictive covenant running with the land in favor of Miami-Dade County. Also attached is the recommendation of the Director of the Department of Regulatory and Economic Resources and a proposed resolution approving the issuance of the Class I permit and accepting the restrictive covenant.

Jack Osterholt, Deputy Mayor

# Memorandum

MIAMI-DADE COUNTY

**Date:** February 4, 2014

**To:** Carlos A. Gimenez
Mayor

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

**Subject:** Class I Permit Application by the City of Miami to Excavate Wetlands and Marine Sediments to Provide Navigational Access within the Rockerman Canal and to Authorize the Acceptance of a Restrictive Covenant Running with the Land in Favor of Miami-Dade County at, near, or in the vicinity of 2130 South Bayshore Drive in the City of Miami

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**Recommendation**

I have reviewed the attached Class I permit application submitted by the City of Miami. 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.

**Scope**

The project site is along Rockerman Canal at, near, or in the vicinity of 2130 South Bayshore Drive, in the Coconut Grove area of Miami, in Commission District 7 (Commissioner Suarez). See diagram in Attachment B.

**Fiscal Impact/Funding Source**

Not applicable.

**Track Record/Monitor**

The Coastal and Wetlands Resources Section Manager, Lisa Spadafina, within the Department of Regulatory and Economic Resources, Division of Environmental Resources Management, will be responsible for monitoring the terms of the proposed permit.

**Background**

The subject Class I permit application requests authorization to remove 0.26 acres of halophytic (salt tolerant) wetlands and accumulated marine sediments to provide navigational access along the Rockerman Canal located adjacent to, and in the vicinity of, 2130 South Bayshore Drive in the City of Miami. The proposed project is required to be reviewed and approved by the Board at a public hearing because the scope of work is specifically referenced in Section 24-48.2 of the Code as work that shall be processed as a standard form application. Therefore, a standard form application including a public hearing is required.

The project site is located along the southwest shoreline of Rockerman Canal, which was created through the excavation of uplands and the dredging and filling of tidal waters in the early 1950s. The canal extends from Biscayne Bay approximately 840 feet to the northwest and opens into a small basin. Along the northern side of the canal are upland residential properties located on Rockerman Road, whose residents use the canal for boating access to Biscayne Bay. Along the southern side of the canal is Kennedy Park, a municipal public park owned by the City of Miami.

The Kennedy Park shoreline is populated with halophytic wetland vegetation, primarily consisting of mangrove and buttonwood trees. The trees and roots currently extend waterward

into the canal, restricting vessel navigation and maneuverability along the northern portion of the canal. To maintain navigational access, the City of Miami is proposing to trim and remove mangrove trees and to excavate wetland and tidal areas where vessel access is most limited. The shoreline will be stabilized with limestone riprap boulders.

In order to minimize impacts associated with the project, the amount of halophytic wetlands to be removed has been reduced to the areas of the canal where vessel access is most limited. The work along the remaining portion of the canal will include the trimming and alteration of mangroves that extend within the navigable area. Dredging of accumulated marine sediment will occur in an area having no submerged resources.

Section 24-48.3 of the Code requires mitigation for permittable projects that result in adverse environmental impacts. The proposed work will result in removal of approximately 0.26 acres of mangrove and buttonwood habitat. To mitigate for any adverse environmental impacts associated with the work, the uplands along the shoreline of Kennedy Park, immediately adjacent to the proposed work, will be scraped down to wetland elevation and planted with mangrove seedlings to create approximately 0.57 acres of halophytic wetlands. The amount of mitigation required to offset the impacts of the proposed work was calculated using the Uniform Mitigation Assessment Method rule under Chapter 62-345 of the Florida Administrative Code.

To provide for the future preservation of the remaining and proposed halophytic wetland areas, a restrictive covenant running with the land in favor of Miami-Dade County is included in this application. The restrictive covenant designates the remaining and proposed halophytic wetlands as mitigation areas and requires that they be monitored for success, managed appropriately, and maintained free of exotics in perpetuity (Attachment D).

The proposed project is not located within an area designated as essential manatee habitat for the West Indian Manatee by the Miami-Dade County Manatee Protection Plan. However, the canal does have the potential to be used by manatees, so the Class I permit will require that all standard construction permit conditions regarding manatees be followed during all in-water construction operations.

The proposed project complies with Section 24-48.3(2) of the Code as it relates to the criteria for the minimum dredging and spoiling for the creation and maintenance of marinas, piers, docks and attendant navigational channels. The project has been designed in accordance with all relevant Miami-Dade County coastal and wetland construction criteria and is consistent with all other Miami-Dade County coastal and wetland protection provisions. Please find attached a Project Report which sets forth the reasons the proposed project is recommended for approval by the Department pursuant to the applicable evaluation factors set forth in Section 24-48.3 of the Code. The conditions, limitations, and restrictions set forth in the Project Report attached hereto are incorporated herein by references hereto.

**Attachments**

Attachment A: Class I Permit Application
Attachment B: Owner/Agent Letter, Engineer Certification Letter and Project Sketches
Attachment C: Names and Addresses of Owners of All Riparian or Wetland Property within Three Hundred (300) Feet of the Proposed Work
Attachment D: Restrictive Covenant Running with the Land in Favor of Miami-Dade County
Attachment E: Department of Regulatory and Economic Resources Project Report

# MEMORANDUM

**(Revised)**

**TO:** Honorable Chairwoman Rebeca Sosa
and Members, Board of County Commissioners

**DATE:** February 19, 2014

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

**SUBJECT:** Agenda Item No. 5(B)

**Please note any items checked.**

| | |
|---|---|
| _____ | **"3-Day Rule" for committees applicable if raised** |
| _____ | **6 weeks required between first reading and public hearing** |
| _____ | **4 weeks notification to municipal officials required prior to public hearing** |
| _____ | **Decreases revenues or increases expenditures without balancing budget** |
| _____ | **Budget required** |
| _____ | **Statement of fiscal impact required** |
| _____ | **Ordinance creating a new board requires detailed County Mayor's report for public hearing** |
| ✓ | **No committee review** |
| _____ | **Applicable legislation requires more than a majority vote (i.e., 2/3's ____, 3/5's ____, unanimous _____ ) to approve** |
| _____ | **Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required** |

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 5(B)
2-19-14

RESOLUTION NO. R-162-14

RESOLUTION APPROVING AN APPLICATION BY THE CITY OF MIAMI FOR A CLASS I PERMIT TO EXCAVATE WETLANDS AND MARINE SEDIMENTS TO PROVIDE NAVIGATIONAL ACCESS WITHIN THE ROCKERMAN CANAL AND TO AUTHORIZE THE ACCEPTANCE OF A RESTRICTIVE COVENANT RUNING WITH THE LAND IN FAVOR OF MIAMI-DADE COUNTY AT, NEAR, OR IN THE VICINITY OF 2130 SOUTH BAYSHORE DRIVE IN THE CITY OF MIAMI, 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 City of Miami for a Class I permit to excavate wetlands and marine sediments to provide navigational access within the Rockerman Canal and to authorize the acceptance of a Restrictive Covenant Running with the Land in Favor of Miami-Dade County at, near, or in the vicinity of 2130 South Bayshore Drive in the City of Miami, Florida, subject to the conditions set forth in the memorandum from the Director of 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 **Sally A. Heyman**, who moved its adoption. The motion was seconded by Commissioner **Bruno A. Barreiro** and upon being put to a vote, the vote was as follows:

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

The Chairperson thereupon declared the resolution duly passed and adopted this 19th day of February, 2014. This resolution shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By: *Christopher Agrippa*
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

Abbie Schwaderer-Raurell

# Attachment A

# Class I Permit Application

# Class I Permit Application

**FOR DEPARTMENTAL USE ONLY**

**Date Received:** RECEIVED DEC 13 2013 DERM Coastal Resources Section Natural Resources Regulation & Restoration Division (NRRRD)

**Application Number: CLI-2011-0176**

**Application Fee: Not Applicable**

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

**1. Applicant Information:**

Name: Johnny Martinez, Manager, City of Miami

Address: 3500 Pan American Drive

Miami, Florida Zip Code: 33133

Phone #: (305)416-1025 Fax#: (305) 416-1019

Email:

* 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: Kirk Lofgren, Managing Member, Ocean Consulting, LLC

Address: 340 Minorca Avenue, Suite 5

Miami, Florida Zip Code: 33134

Phone #: (305)921-9344 Fax #:(305)667-3254

Email: kirk@oceanconsultingfl.com

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

Folio #(s): 01-4115-011-0370, 01-4115-011-0380, 01-4115-010-0090, 01-4115-011-0170, 01-4115-011-0310, 01-4115-011-0320, 01-4115-011-0330, 01-4115-011-0340 Latitude: Longitude:

Street Address: 2130 South Bayshore Drive Section: 15 Township: 54N Range: 41E

In City or Town: Miami Near City or Town:

Name of waterway at location of the activity: Rockerman Canal

**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 = $100,000.00**

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): Not Applicable

Vessel Make/Model (If known): Not Applicable

Draft (s)(range in inches.): Not Applicable Length (s)(range in feet,): Not Applicable

Total Number of Slips: Not Applicable

**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 |
|---|---|---|---|---|

**8. Contractor Information (If known):**

Name: To Be Determined 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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Natural Resources Regulation & Restoration
Division (NRRRD)

- 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.)

| City of Miami | Government | Florida |
|---|---|---|
| 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. *****

| | Johnny Martinez | Manager | 3-11-13 |
|---|---|---|---|
| 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) Registration/Incorporation | Type (Corp, LLC, LLP, etc.) | State of |
| Print Name of Applicant (Enter the complete name as registered) Registration/Incorporation | Type (Corp, LLC, LLP, etc.) | State of |

**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 2130 South Bayshore Drive, Miami, Miami-Dade County, Florida, otherwise identified in the public records of Miami-Dade County as Folio Numbers 01-4115-011-0370, 01-4115-011-0380, and 01-4115-010-0090. 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.

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Division (NRRRD)

### A. IF THE OWNER(S) IS AN INDIVIDUAL

| Signature of Owner | Print Owner's Name | Date |
|---|---|---|
| Signature of Owner | Print Owner's Name | Date |

### B. IF THE OWNER IS OTHER THAN AN INDIVIDUAL OR NATURAL PERSON

(Examples: Corporation, Partnership, Joint Venture, Trust, LLC, LLP, etc.)

| City of Miami | Government | Florida |
|---|---|---|
| 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 |
|---|---|---|---|
| | Johnny Martinez | Manager | 3-11-13 |
| 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 identified in the public records of Miami-Dade County as Folio Number 01-4115-011-0170. 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 |
|---|---|---|
| Nancy L Brown | Nancy L Brown | 1-19-14 |
| | | |
| 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 |

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01-4115-011-0310
KAREN ANSELL & MARY LOU KING
3240 MORRIS LN., MIAMI, FL. 33133

**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 identified in the public records of Miami-Dade County as Folio Number 01-4115-011-~~0770~~ 0310. 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 |
|---|---|---|
| Mary Lou King | MARY LOU KING | 4-20-13 |
| Signature of Owner | Print Owner's Name | Date |
| Karen H. Ansell | KAREN H. ANSELL | 4-20-13 |

**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

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Natural Resources Regulation & Restoration
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**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 |
| | | | |

## 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 identified in the public records of Miami-Dade County as Folio Number 01-4115-011-0310. 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.)

| MIAMI DADE COUNTY | GOVERNMENT | FLORIDA |
|---|---|---|
| Print Name of Owner (Enter the complete name as registered) | Type (Corp, LLC, LLP, etc.) | State of Registration/Incorporation |

111 NW 1 Street, Suite 2460, Miami, Florida 33128

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 |
|---|---|---|---|
| | Lester Sola | ISD Director | 9/30/13 |
| Signature of Authorized Representative | Print Authorized Representative's Name | Title | Date |
| | | | |

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01-4115-011-0330
ROBERT MILLER
3210 MORRIS LA, MIAMI, FL. 33133

**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 identified in the public records of Miami-Dade County as Folio Number 01-4115-011-~~0170~~ 0330. 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 |
|---|---|---|
| X Robert F Miller | | April 8-2013 |
| | | |
| 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 |

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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 identified in the public records of Miami-Dade County as Folio Number 01-4115-011-0340. 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 |
|---|---|---|
| Ana Cabanas | ANA CABANAS | 12/13/13 |
| | | |

| 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 |
|---|---|---|---|
| | | | |

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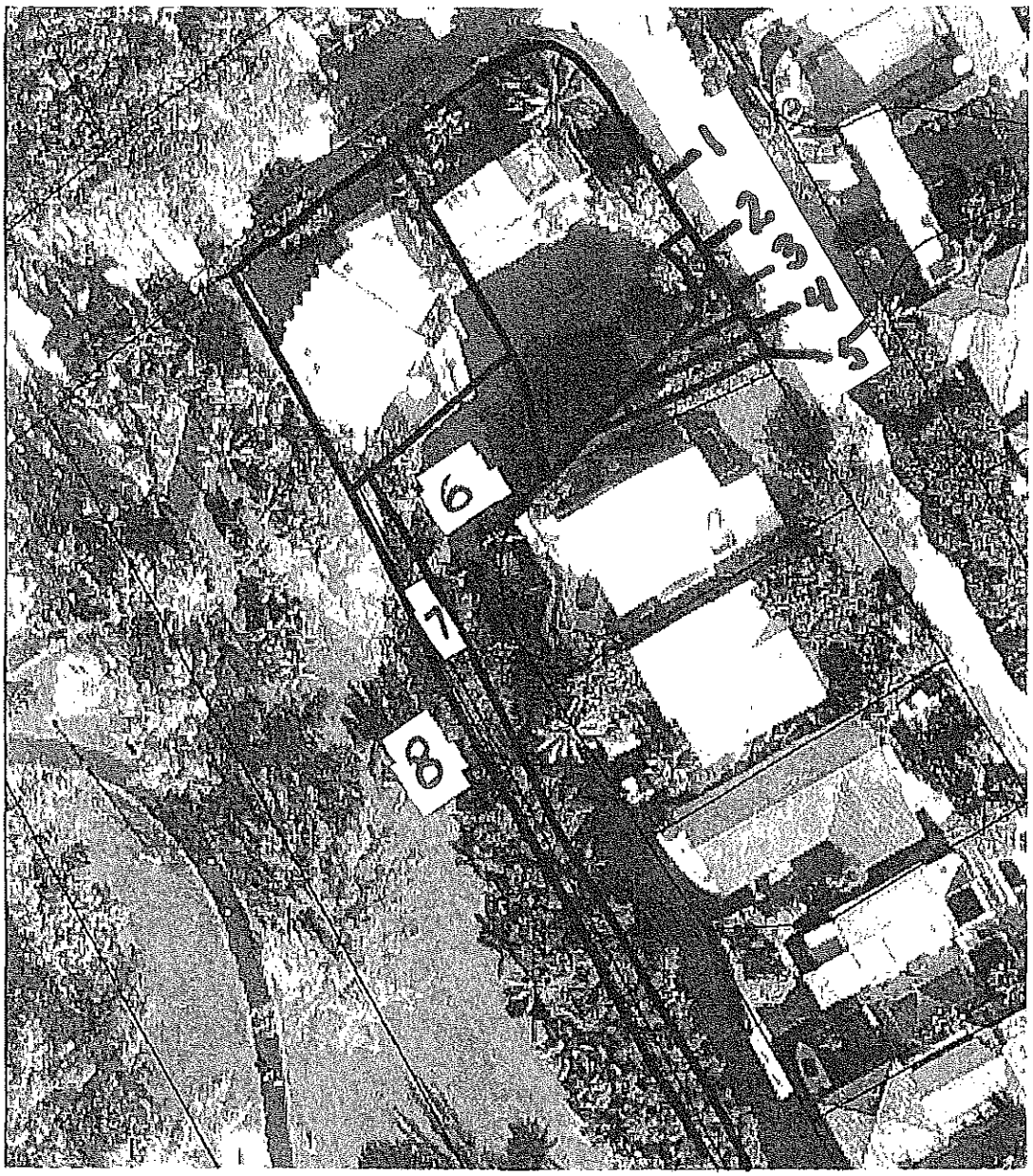



① 01-4115-011-0170
② 01-4115-011-0310
③ 01-4115-011-0320
④ 01-4115-011-0330
⑤ 01-4115-011-0340
⑥ 01-4115-011-0380
⑦ 01-4115-011-0370
⑧ 01-4115-010-0090

## Attachment B

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

## PERMIT APPLICANT / AUTHORIZED AGENT STATEMENT

RECEIVED
OCT 10 2013
DERM Coastal Resources Section
Natural Resources Regulation & Restoration
Division (NRRRD)

October 10, 2013

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 2011-CLI-PER-00176

By the attached Class I Standard Form permit application with supporting documents, I, Kirk Lofgren, Managing Member, Ocean Consulting, LLC, am the applicant's authorized agent and hereby request permission to perform the work associated with Class I Permit Application 2011-CLI-PER-00176. 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,

Kirk Lofgren,
Managing Member, Ocean Consulting, LLC
Applicant's Authorized Agent

Environmental Re... ...ement
E.D...S.
Document D... ...ged

**Dynamic Engineering Solutions, Inc.**
**John H. Omslaer, PE 52733, EB26829**
**950 N. Federal Hwy. Suite212**
**Pompano Beach, FL 33062**

## ENGINEER LETTER OF CERTIFICATION

RECEIVED
OCT 10 2013
DERM Coastal Resources Section
Natural Resources Regulation & Restoration
Division (NRRRD)

Oct 9, 2013

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 2011-CLI-PER-00176

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 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,

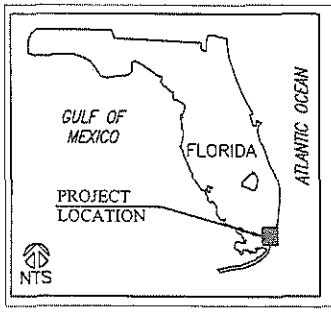
10/9/13

John H. Omslaer, PE
P.E. #52733

Environmental
E.
Document

N
Rockerman Canal
Kennedy Park
Bayshore Drive
Bayshore Mills Dr
Rockerman Rd

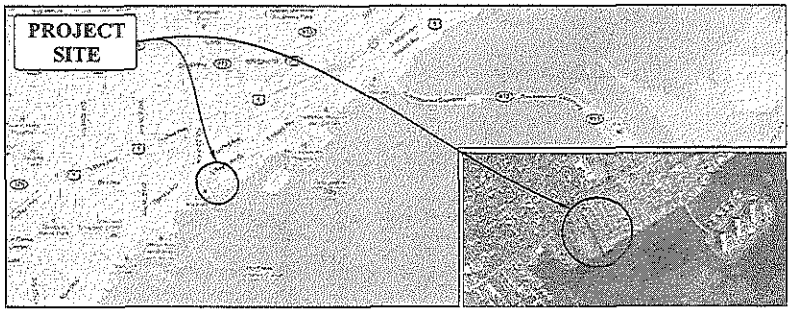
# ROCKERMAN SHORELINE STABILIZATION & CANAL IMPROVEMENTS PROJECT



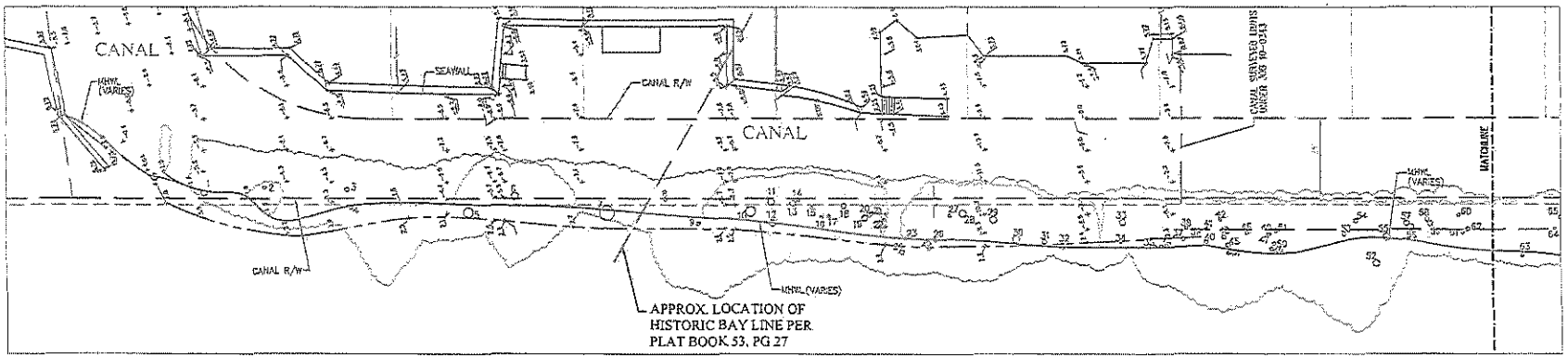

LOCATION:
ROCKERMAN RD.
MIAMI, FL 33133

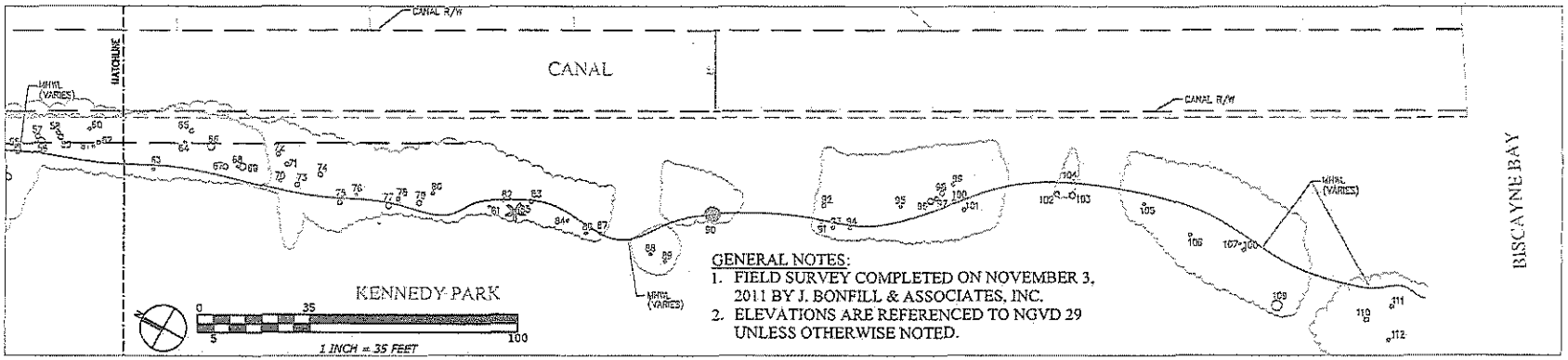
LAT/LONG:
25 DEG 44'6.01"N / 80 DEG 13'36.59"W

LEGAL DESCRIPTION:
A portion of canal, ROCKERMAN HEIGHTS, as per Plat Book 53, Page 27, lying and being in Sections 15 and 22, Township 54 South, Range 41 East, Miami-Dade County, Florida.




KEY MAP




GENERAL NOTES:
1. FIELD SURVEY COMPLETED ON NOVEMBER 3, 2011 BY J. BONFILL & ASSOCIATES, INC.
2. ELEVATIONS ARE REFERENCED TO NGVD 29 UNLESS OTHERWISE NOTED.

**Rockerman Shoreline Stabilization & Canal Improvements Project**
Rockerman Road
Miami, FL, 33133

CLIENT:
**City of Miami**
3500 Pan American Drive
Miami, FL 33133

ENVIRONMENTAL CONSULTANT:
**OCEAN CONSULTING, LLC**
340 Minorca Avenue, Suite 5
Coral Gables, Florida 33134
Tel: (305) 921-9344
Fax: (305) 677-3254

CONTRACTOR:

PROJECT ENGINEER:

SEAL / SIGNATURE / DATE

**PERMIT SKETCH**

| Issue # | Issue Date |
|---|---|
| 11 | Apr. 7, 2012 |
| 12 | July 13, 2012 |
| 13 | Aug. 8, 2012 |
| 14 | Sept. 25, 2012 |

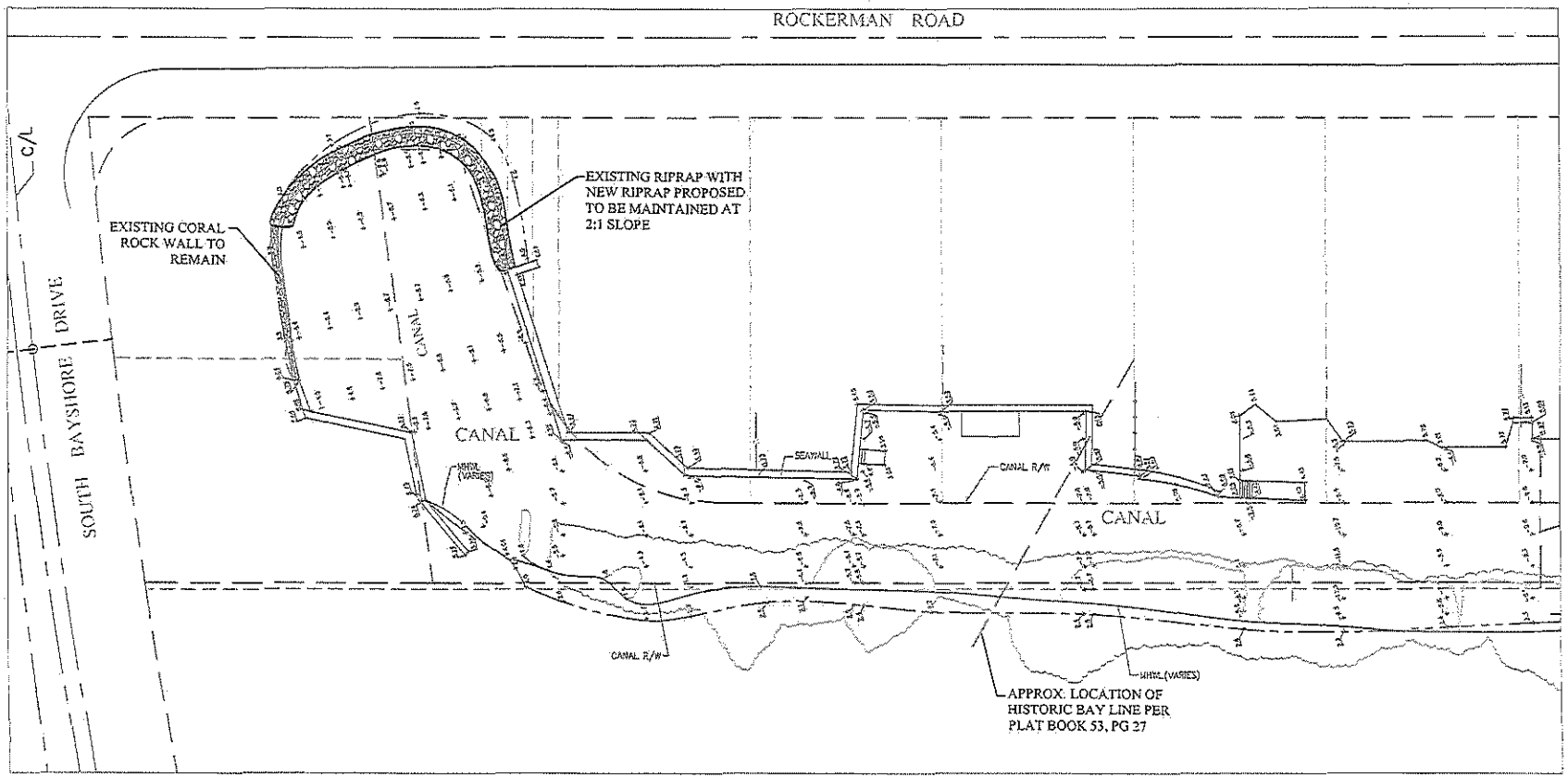
PROJECT: 8-205

COVER SHEET & EXISTING CONDITIONS

SCALE : AS SHOWN

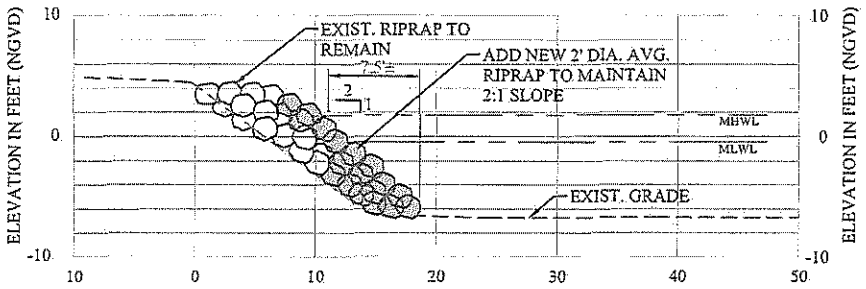
SHEET NO.

S-1



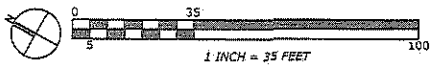

APPROXIMATE QUANTITIES

| | |
|---|---|
| NEW RIPRAP VOLUME | 1.6 CY/LF |




TYPICAL RIPRAP CROSS SECTION

GENERAL NOTES:
1. NEW RIPRAP SHALL BE ADDED TO EXISTING RIPRAP TO MAINTAIN A 2:1 SLOPE.
2. APPROXIMATELY 110 LINEAR FEET. VOLUME OF 175 CY.
3. TURBIDITY CURTAIN TO BE IN PLACE AT ALL TIMES DURING CONSTRUCTION AND SHALL BE SECURELY ATTACHED TO SHORELINE AT EACH END AS SHOWN ON SHEET S-3.

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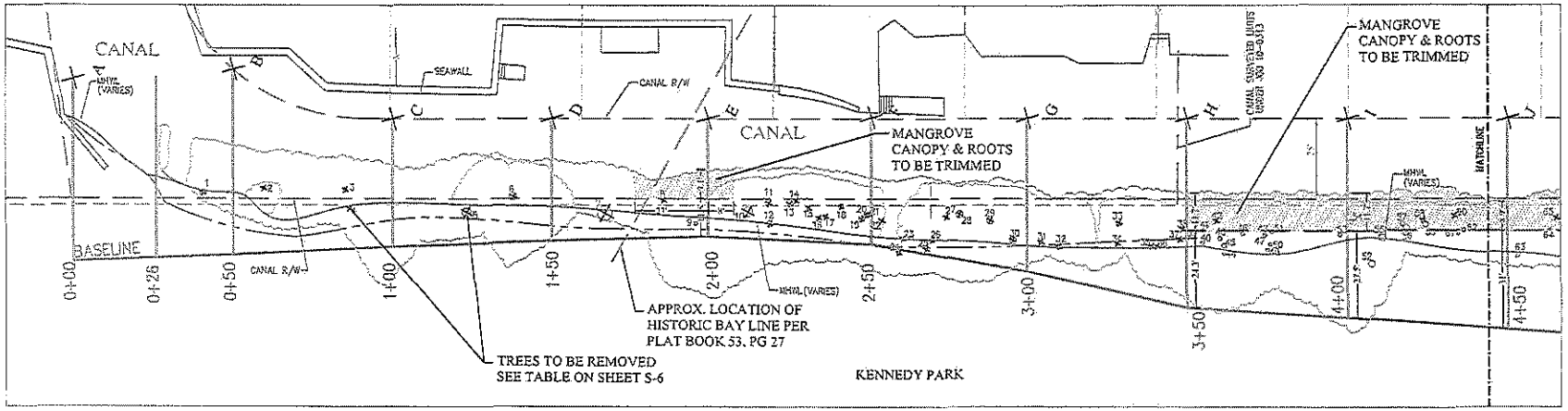
PROJECT: 8-205

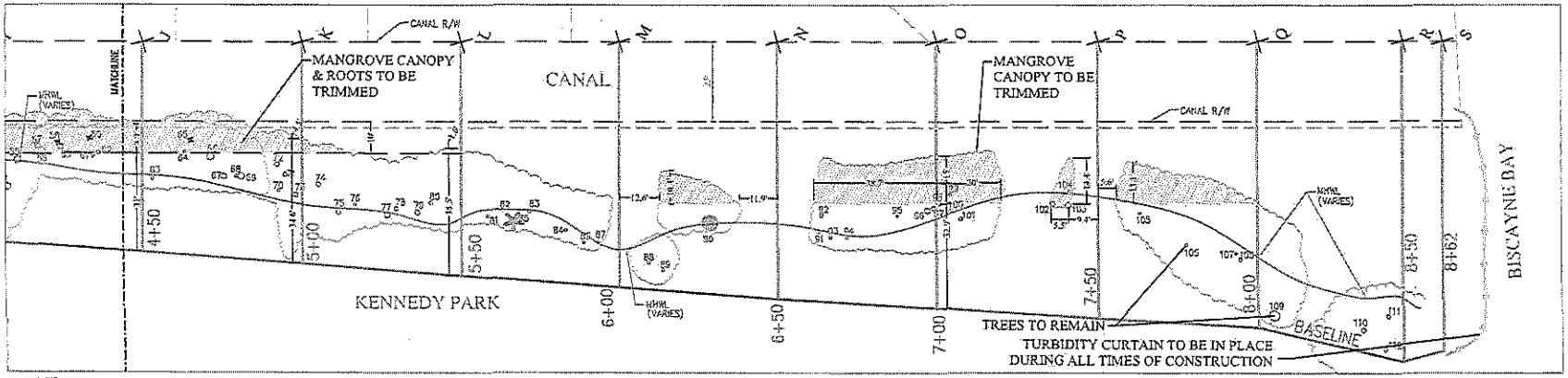
MAINTENANCE OF EXISTING SHORELINE STABILIZATION

SCALE : AS SHOWN

SHEET NO.

S-1A




GENERAL NOTES:

1. TREE SURVEY COMPLETED ON MAY 19, 2011 BY OCEAN CONSULTING, LLC.
2. ALL DEPICTED TREES TO BE RELOCATED SHALL BE RELOCATED AFTER STAKING OUT NEW RIPRAP LOCATION TO ENSURE TREES ARE PLACED LANDWARD OF NEW RIPRAP. REFER TO TREE TABLE ON SHEET S-7 FOR TREE RELOCATION INFORMATION.
3. FOLLOWING TREE RELOCATION/REMOVAL, IF ANY TREE ROOTS AND/OR CANOPIES EXTEND WATERWARD OF THE RIGHT-OF-WAY LINE, THEY ARE TO BE TRIMMED BACK TO THE RIGHT-OF-WAY LINE.
4. THE RIGHT-OF-WAY LINE IS TO BE CONSIDERED THE TRIM LINE FOR THE MANGROVE CANOPIES AND ROOTS UNLESS OTHERWISE NOTED.
5. TURBIDITY CURTAIN SHALL BE USED DURING RELOCATION/TRIMMING IF VISIBLE PLUMES ARE PRESENT.
6. ALL MANGROVE IMPROVEMENTS TO BE PERMITTED AND APPROVED BY MIAMI-DADE DERM UNDER THE MEMORANDUM AGREEMENT WITH FLORIDA DEP.

0 35
5 100
1 INCH = 35 FEET

## APPROXIMATE QUANTITIES

| | |
|---|---|
| TREES TO BE REMOVED | 41 |
| TREES TO REMAIN | 71 |
| REMOVED TREE CANOPY | 8,140 SF |
| TRIMMED ONLY CANOPY | 3,250 SF |

## LEGEND

- EXISTING MANGROVE CANOPY
- MANGROVE CANOPY TO BE TRIMMED
- EXISTING MANGROVE ROOTS
- 57 — EXISTING TREE LOCATION
- 67 — EXISTING TREE TO BE REMOVED
- 7+00 — BASELINE & STATION NUMBER
- WATERLINE (APPROXIMATES MHWL)
- RIGHT-OF-WAY LINE
- LOT LINE
- TURBIDITY CURTAIN
- XA — WATERWARD BASELINE COORDINATE (SHEET S-8)

**Rockerman Shoreline Stabilization & Canal Improvements Project**

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Fax: (305) 677-3254

CONTRACTOR:

PROJECT ENGINEER:

SEAL / SIGNATURE / DATE

**PERMIT SKETCH**

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|---|---|
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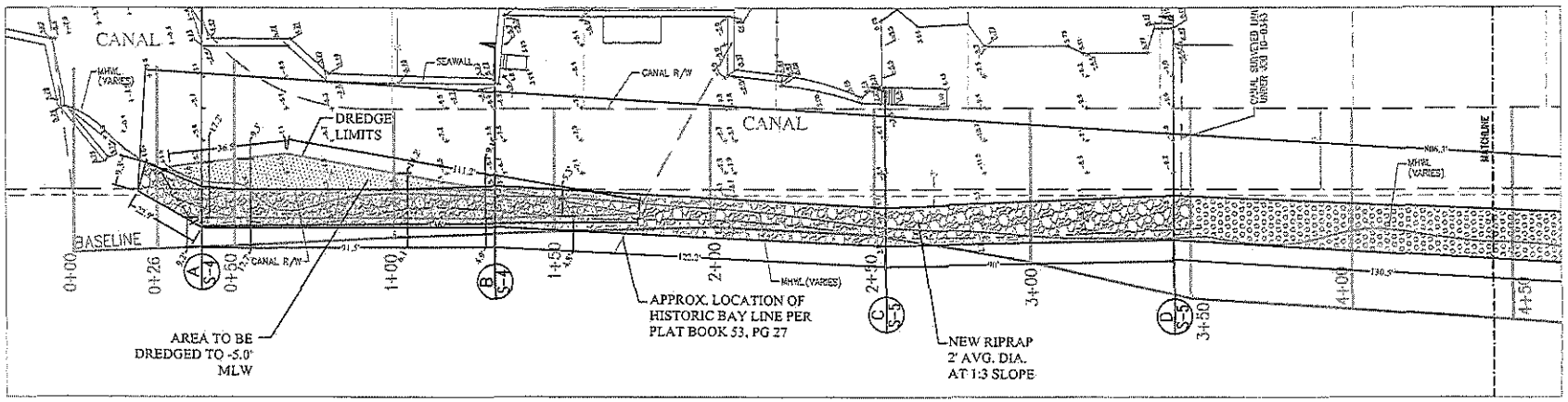
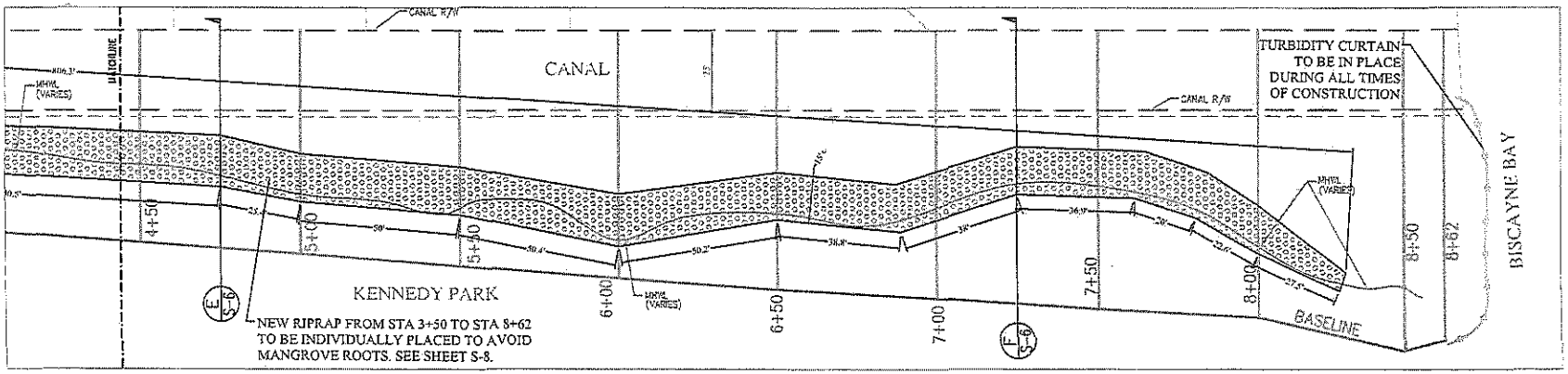
PROJECT: 8-205

TREE REMOVAL & RELOCATION PLAN

SCALE : AS SHOWN
SHEET NO.

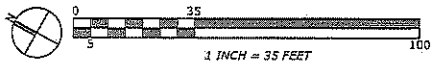
S-2




GENERAL NOTES:

1. FIELD SURVEY COMPLETED ON NOVEMBER 3, 2011 BY J. BONFILL & ASSOCIATES, INC.
2. ELEVATIONS ARE REFERENCED TO NGVD 29 UNLESS OTHERWISE NOTED.
3. DREDGE TO DEPTH OF -5.0' MLW. PROVIDE 1:1 SLOPE AT SHORELINE.
4. RIPRAP TO HAVE AN AVERAGE OF 2' DIA. BOULDERS AND PLACED AT A 1:3 SLOPE AN AVERAGE WIDTH OF 15'.
5. NEW RIPRAP FROM STA 3+50 TO STA 8+62 TO BE INDIVIDUALLY PLACED TO AVOID MANGROVE ROOTS. SEE SHEET S-8 FOR DETAIL.
6. TURBIDITY CURTAIN TO BE IN PLACE AT ALL TIMES DURING CONSTRUCTION AND SHALL BE SECURELY ATTACHED TO SHORELINE AT EACH END.




## APPROXIMATE QUANTITIES

| | |
|---|---|
| DREDGE AREA NORTH OF BAY LINE | 1,720 SF |
| DREDGE AREA SOUTH OF BAY LINE | NONE |
| DREDGE VOLUME NORTH OF BAY LINE | 170 CY |
| DREDGE VOL. SOUTH OF BAY LINE | NONE |
| DREDGE VOL. BELOW MHWL | 145 CY |
| DREDGE VOL. ABOVE MHWL | 25 CY |
| RIPRAP LENGTH NORTH OF BAY LINE | 156 LF |
| RIPRAP LENGTH SOUTH OF BAY LINE | 661 LF |
| RIPRAP VOLUME NORTH OF BAY LINE | 234 CY |
| RIPRAP VOL. SOUTH OF BAY LINE | 992 CY |

DEPICTED MAINTENANCE DREDGE AREA IS INTENDED TO MEET AND MATCH THE -5' MLW DREDGE ELEVATION OF APPROVED PROJECT 2010-CLI-PER 00214.

## LEGEND

- PROPOSED DREDGE AREA
- PROPOSED RIPRAP
- PROPOSED RIPRAP (INDIVIDUALLY PLACED)
- 7+00 — BASELINE & STATION NUMBER
- WATERLINE (APPROXIMATE MHWL)
- RIGHT-OF-WAY LINE
- LOT LINE
- TURBIDITY CURTAIN

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CONTRACTOR:

PROJECT ENGINEER:

SEAL / SIGNATURE / DATE

**PERMIT SKETCH**

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| 11 | Apr. 7, 2012 |
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| 14 | Sept. 25, 2012 |

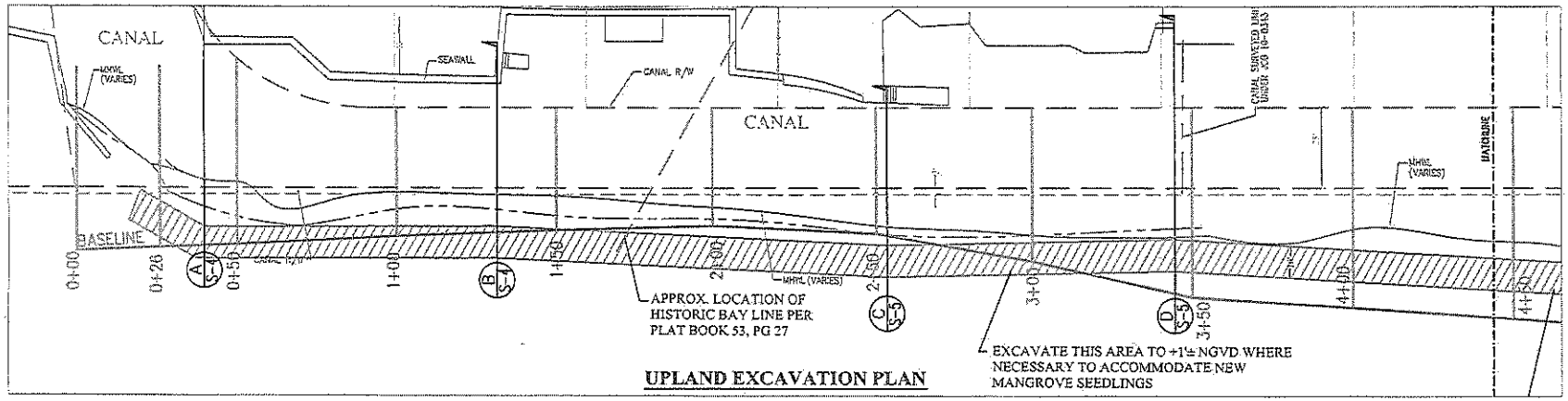
PROJECT: S-205

DREDGING & SHORELINE STABILIZATION

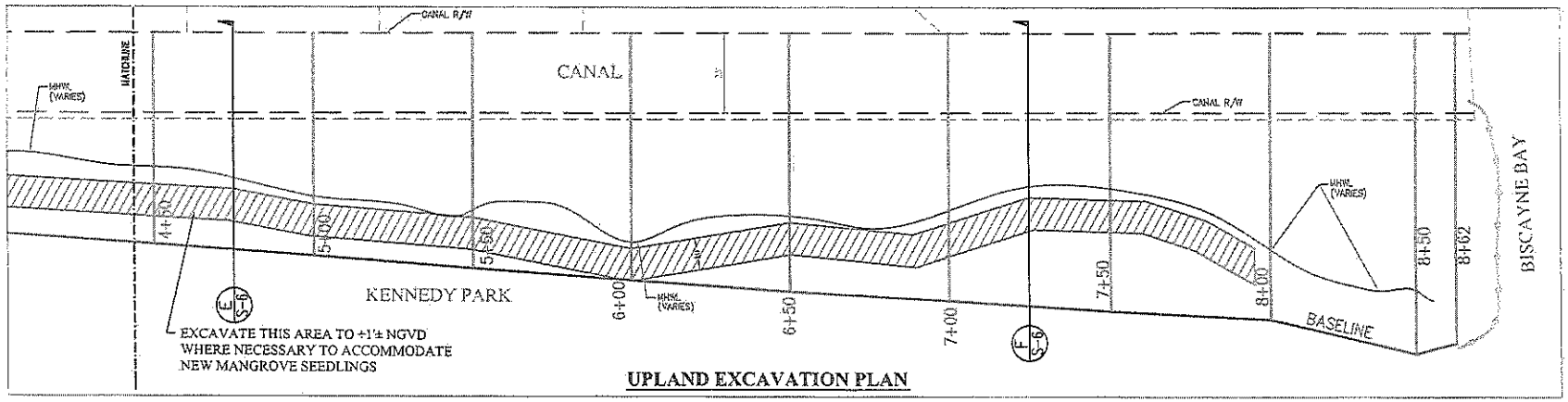
SCALE : AS SHOWN

SHEET NO.

S-3




**UPLAND EXCAVATION PLAN**




**UPLAND EXCAVATION PLAN**

GENERAL NOTES:

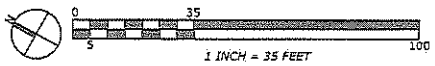
1. FROM STA 0+18 TO STA 7+95 EXCAVATE TO +1.0'± NGVD APPROXIMATELY 10' UPLAND FROM LANDWARD EDGE OF NEW RIPRAP WHERE NECESSARY TO ACCOMMODATE NEW MANGROVE SEEDLINGS.
2. TURBIDITY CURTAIN TO BE IN PLACE AT ALL TIMES DURING CONSTRUCTION AND SHALL BE SECURELY ATTACHED TO SHORELINE AT EACH END.

**APPROXIMATE QUANTITIES**

| | |
|---|---|
| EXCAVATION AREA NORTH OF BAY LINE | 1,543 SF |
| EXCAVATION AREA SOUTH OF BAY LINE | 6,315 SF |
| EXCAVATION VOLUME NORTH OF BAY LINE | 115 CY |
| EXCAVATION VOLUME SOUTH OF BAY LINE | 315 CY |

**LEGEND**

- PROPOSED EXCAVATION AREA
- 7+00 — BASELINE & STATION NUMBER
- WATERLINE (APPROXIMATE MHWL)
- RIGHT-OF-WAY LINE
- LOT LINE
- TURBIDITY CURTAIN




**Rockerman Shoreline Stabilization & Canal Improvements Project**

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SEAL / SIGNATURE / DATE

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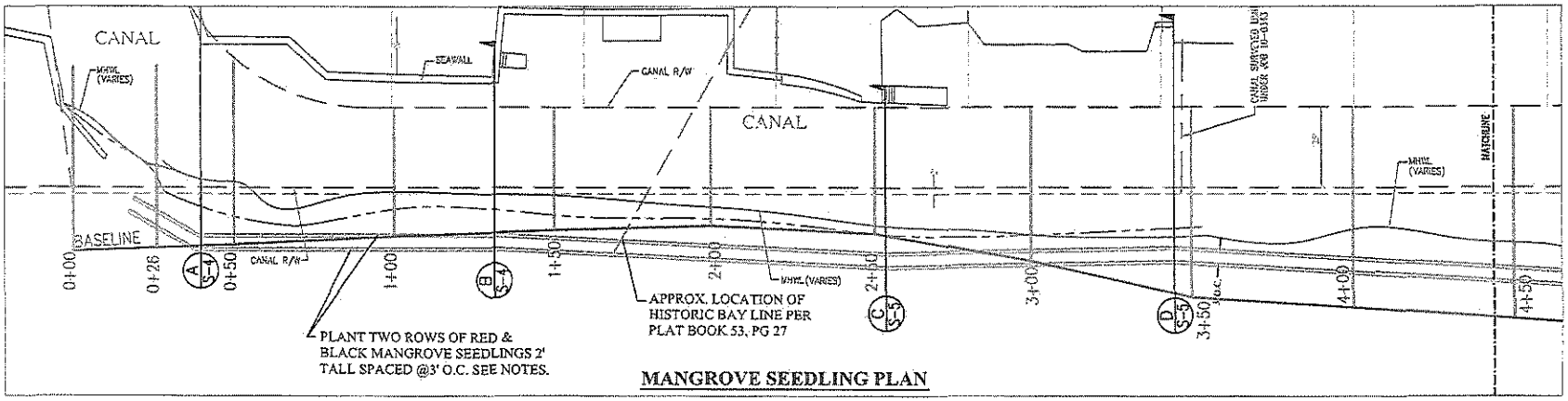
PROJECT: 8-205

UPLAND EXCAVATION FOR MANGROVE SEEDLINGS

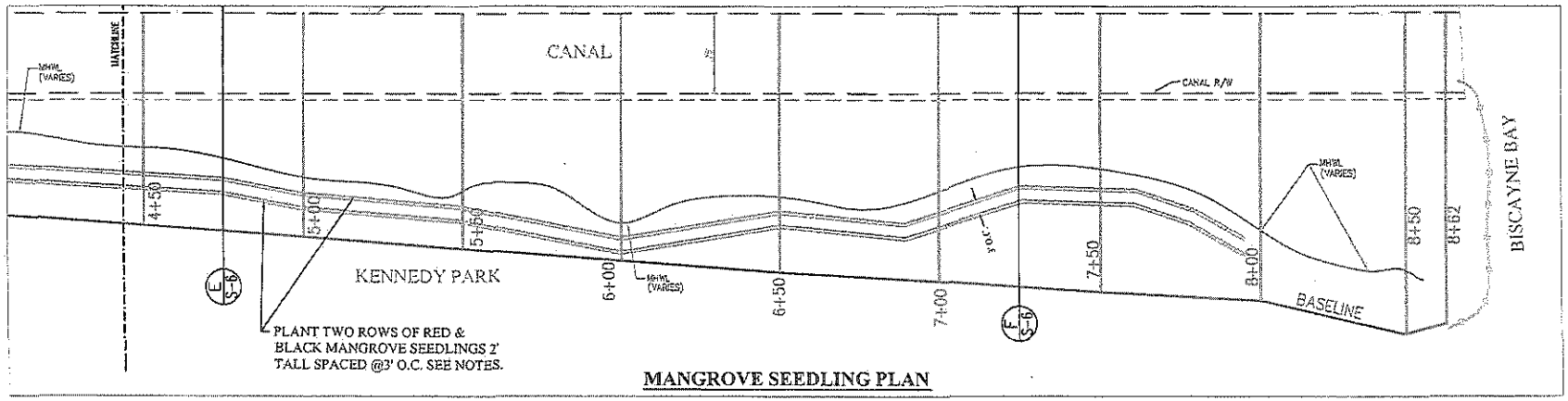
SCALE : AS SHOWN

SHEET NO.

S-3A




MANGROVE SEEDLING PLAN




MANGROVE SEEDLING PLAN

GENERAL NOTES:

1. NEW 2' TALL RED & BLACK MANGROVE SEEDLINGS TO BE PLACED IN TWO ROWS AND SPACED AT 3' O.C. FROM STA 0+18 TO STA 7+95. SEEDLINGS WILL BE MONITORED QUARTERLY FOR 2 YEARS AND ANY EXPIRED SEEDLINGS WILL BE REPLACED DURING THAT PERIOD.
2. TURBIDITY CURTAIN TO BE IN PLACE AT ALL TIMES DURING CONSTRUCTION AND SHALL BE SECURELY ATTACHED TO SHORELINE AT EACH END.

**APPROXIMATE QUANTITIES**

| |
|---|
| NEW MANGROVE SEEDLINGS 2 ROWS X 777 LF @ 3' O.C. = 518 EA |

**MITIGATION CALCULATION**

| |
|---|
| 518 SEEDLINGS X 48 SF/SEEDLING = 24,864 SF (0.57 ACRES) |

**LEGEND**

- PROPOSED MANGROVE SEEDLINGS
- 7+00 BASELINE & STATION NUMBER
- WATERLINE (APPROXIMATE MHWL)
- RIGHT-OF-WAY LINE
- LOT LINE
- TURBIDITY CURTAIN

0 35 5 100

1 INCH = 35 FEET

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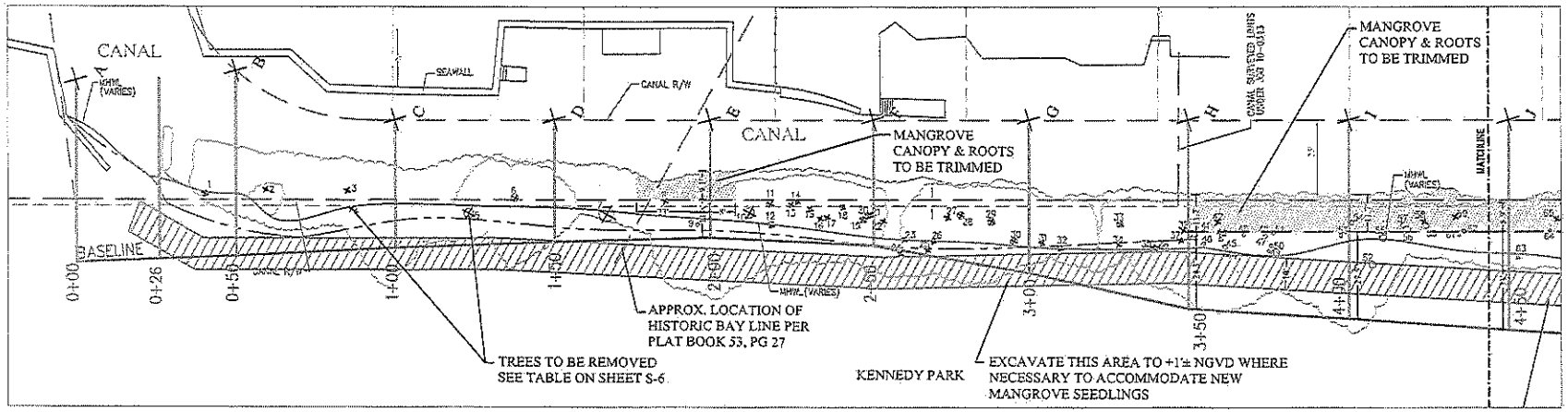
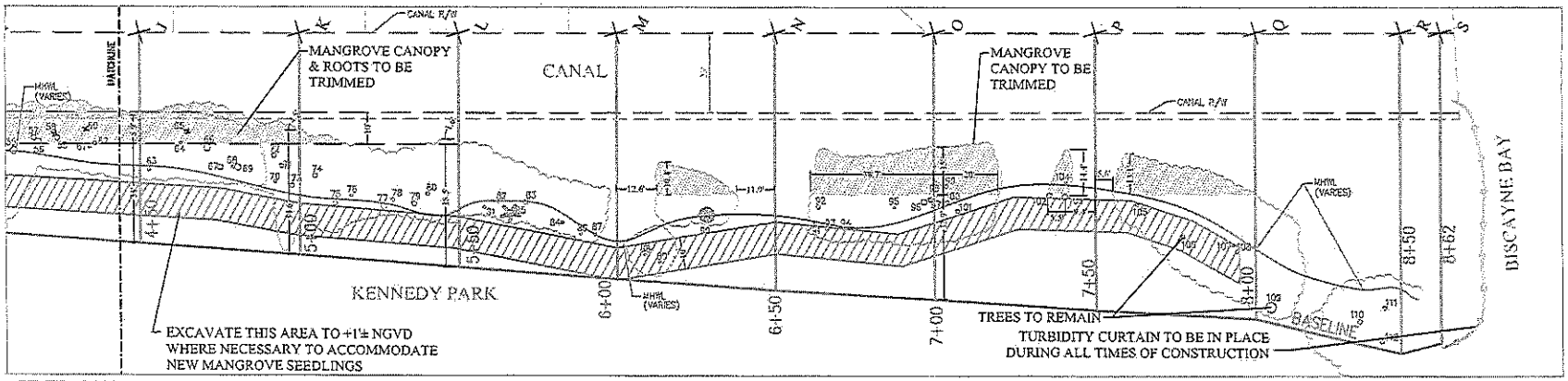
PROJECT: 8-205

MANGROVE SEEDLING PLAN

SCALE : AS SHOWN
SHEET NO.

S-3B




GENERAL NOTES:

1. TREE SURVEY COMPLETED ON MAY 19, 2011 BY OCEAN CONSULTING, LLC.
2. ALL DEPICTED TREES TO BE RELOCATED SHALL BE RELOCATED AFTER STAKING OUT NEW RIPRAP LOCATION TO ENSURE TREES ARE PLACED LANDWARD OF NEW RIPRAP. REFER TO TREE TABLE ON SHEET S-7 FOR TREE RELOCATION INFORMATION.
3. FOLLOWING TREE RELOCATION/REMOVAL, IF ANY TREE ROOTS AND/OR CANOPIES EXTEND WATERWARD OF THE RIGHT-OF-WAY LINE, THEY ARE TO BE TRIMMED BACK TO THE RIGHT-OF-WAY LINE.
4. THE RIGHT-OF-WAY LINE IS TO BE CONSIDERED THE TRIM LINE FOR THE MANGROVE CANOPIES AND ROOTS UNLESS OTHERWISE NOTED.
5. TURBIDITY CURTAIN SHALL BE USED DURING RELOCATION/TRIMMING IF VISIBLE PLUMES ARE PRESENT.
6. ALL MANGROVE IMPROVEMENTS TO BE PERMITTED AND APPROVED BY MIAMI-DADE DERM UNDER THE MEMORANDUM AGREEMENT WITH FLORIDA DEP.

0 35
5 100
1 INCH = 35 FEET

## APPROXIMATE QUANTITIES

| | |
|---|---|
| TREES TO BE REMOVED | 41 |
| TREES TO REMAIN | 71 |
| REMOVED TREE CANOPY | 8,140 SF |
| TRIMMED ONLY CANOPY | 3,250 SF |

| | |
|---|---|
| EXCAVATION AREA NORTH OF BAY LINE | 1,543 SF |
| EXCAVATION AREA SOUTH OF BAY LINE | 6,315 SF |
| EXCAVATION VOLUME NORTH OF BAY LINE | 115 CY |
| EXCAVATION VOLUME SOUTH OF BAY LINE | 315 CY |

PROPOSED EXCAVATION AREA

## LEGEND

- EXISTING MANGROVE CANOPY
- MANGROVE CANOPY TO BE TRIMMED
- EXISTING MANGROVE ROOTS
- 67 ○ EXISTING TREE LOCATION
- 67 ⊠ EXISTING TREE TO BE REMOVED
- 7+00 BASELINE & STATION NUMBER
- WATERLINE (APPROXIMATES MHWL)
- RIGHT-OF-WAY LINE
- LOT LINE
- TURBIDITY CURTAIN
- XA WATERWARD BASELINE COORDINATE (SHEET S-8)

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CONTRACTOR:

PROJECT ENGINEER:

SEAL / SIGNATURE / DATE

PERMIT SKETCH

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PROJECT: S-205

TREE REMOVAL, RELOCATION & EXCAVATION PLAN

SCALE : AS SHOWN

SHEET NO.

S-3C

## Attachment C

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

0141150100080

GEORGE SUAREZ
2131 S BAYSHORE DR
MIAMI, FL 33133-3220

0141150100090

CITY OF MIAMI
DEPT OF P & D ASSET MNGMNT DIVISION
444 SW 2ND AVE STE 325
MIAMI, FL 33130-1910

0141150100100

CITY OF MIAMI
DEPT OF P & D ASSET MNGMNT DIVISION
444 SW 2ND AVE STE 325
MIAMI, FL 33130-1910

0141150100110

CITY OF MIAMI
DEPT OF P & D ASSET MNGMNT DIVISION
444 SW 2ND AVE STE 325
MIAMI, FL 33130-1910

0141150100111

COCONUT GROVE PK HOLDINGS INC
PO BOX 331428
MIAMI, FL 33233-1428

0141150100120

CITY OF MIAMI
DEPT OF P & D ASSET MNGMNT DIVISION
444 SW 2ND AVE STE 325
MIAMI, FL 33130-1910

0141150110060

ALLAN MCLEOD &W DORIS
3251 MORRIS LN
MIAMI, FL 33133-3230

0141150110080

AUGUSTIN A ANDRADE &W GLORIA M
2121 S BAYSHORE DR
MIAMI, FL 33133-3220

0141150110085

JORGE ORTEGA
MARIA H ANDRADE DE ORTEGA
2125 S BAYSHORE DR
MIAMI, FL 33133-3220

0141150110100

JOSEPH X CAROLLO
3230 MORRIS LN
MIAMI, FL 33133-3231

0141150110110

KAREN ANSELL &
MARY LOU KING
3240 MORRIS LN
MIAMI, FL 33133-3231

0141150110160

ELSA C PATTON
PO BOX 451135
MIAMI, FL 33245-1135

0141150110170

NANCY BROWN
3510 ROCKERMAN RD
MIAMI, FL 33133-3233

0141150110180

MANUEL ALONSO POCH
3520 ROCKERMAN RD
MIAMI, FL 33133-3233

0141150110190

DERICK J FERRAO &W YVONNE J
3530 ROCKERMAN RD
MIAMI, FL 33133-3233

0141150110200

ROBERT A DIXON &W
SHARON Q DIXON
3536 ROCKERMAN RD
MIAMI, FL 33133-3233

0141150110220

HAIM TURGMAN &W MARVA
3542 ROCKERMAN RD
MIAMI, FL 33133-3233

0141150110230

JEAN M ROGLIANO
LAURENCE ROGLIANO
3544 ROCKERMAN RD
MIAMI, FL 33133-3233

0141150110240

FRANK GUTIERREZ &W MARIA TRS
3546 ROCKEMAN RD
COCONUT GROVE, FL 33133-3233

0141150110250

DIVARDO J MESA &
WAYNE R PORTER
3550 ROCKERMAN RD
MIAMI, FL 33133-3233

0141150110260

WILLIAM L HARVEY &W LORI
3566 ROCKERMAN RD
MIAMI, FL 33133-3233

0141150110270

YAMIL KURI
3580 ROCKERMAN RD
MIAMI, FL 33133-3233

0141150110300

HILARIE BASS
3925 PARK DR
MIAMI, FL 33133-6740

0141150110310

KAREN ANSELL &
MARY LOU KING
3240 MORRIS LN,
MIAMI, FL 33133-3231

0141150110320

MIAMI DADE COUNTY
GSA R/E MGMT
111 NW 1ST ST STE 2460
MIAMI, FL 33128-1929

0141150110330

ROBERT F MILLER
3210 MORRIS LN
MIAMI, FL 33133-3231

0141150110350

MAP FAMILY TRUST
C/O MANUEL ALONSO POCH
3138 COMMODORE PLZ STE 102
MIAMI, FL 33133-5814

0141150110370

CITY OF MAIMI
DEPT OF P & D ASSET MGMNT DIVISION
444 SW 2ND AVE STE 325
MIAMI, FL 33130-1910

0141150240090

EVERGLADES SCHOOL FOR GIRLS
3575 MAIN HWY
MIAMI, FL 33133-5903

0141150820010

MARJORIE B SANDERS
3504 BAYSHORE VILLAS DR
MIAMI, FL 33133-3200

0141150820020

DANTE FIORINI
3506 BAYSHORE VILLAS DR
MIAMI, FL 33133-3200

0141150820030

BARBARA SCHIFF
3508 BAYSHORE VILLAS DR
MIAMI, FL 33133-3200

0141150820040

TRENTON INC
C/O MARIA L GONZALEZ
PO BOX 824467
PEMBROKE PINES, FL 33082-4467

0141150820050

BRISTALIA INTERNACIONAL S A
3512 BAYSHORE VILLAS DR
MIAMI, FL 33133-3200

0141150820060

ANNA GUILLERMINA SMITH RIVERA
3516 BAYSHORE VILLAS DR
MIAMI, FL 33133-3200

0141150820070

LAURANS A MENDELSON &W ARLENE H
3518 BAYSHORE VILLAS DR
MIAMI, FL 33133-3254

0141150820080

LANGDALE INVESTMENT N
C/O HIGHMARK ATLANTIC INC
PO BOX 331197
MIAMI, FL 33233-1197

0141150820090

CHARLES R LIPCON &W IRMGARD
3522 BAYSHORE VILLAS DR
MIAMI, FL 33133-3254

0141150820100

J H SOKOLOWICZ &W LINDA
3524 BAYSHORE VILLAS DR
MIAMI, FL 33133-3254

0141150820110

LUCY J HAGER
3503 BAYSHORE VILLAS DR
MIAMI, FL 33133-3200

0141150820120

JOSEPH BOOLBOL
450 ALTON RD # 4025
MIAMI BEACH, FL 33139-6713

0141150820130

FRANKLIN A REYES &W BERTA
3507 BAYSHORE VILLAS DR
MIAMI, FL 33133-3200

0141150820140

KYMO LTD
3509 BAYSHORE VILLAS DR
MIAMI, FL 33133-3200

0141150820150

MICHAEL H MALE &W JUDITH R
3511 BAYSHORE VILLAS DR
MIAMI, FL 33133-3200

0141150820160

ANDREW C HALL
GAIL S MEYERS
3515 BAYSHORE VILLAS DR
MIAMI, FL 33133-3200

0141150820170

BERNARD SEGALL &W MICHAELA
3517 BAYSHORE VILLAS DR
MIAMI, FL 33133-3254

0141150820180

MORRIS D LEVITT &W RHODA
3519 BAYSHORE VILLAS DR
MIAMI, FL 33133-3254

0141150820190

FREDRIC S BRANDT
3521 BAYSHORE VILLAS DR
MIAMI, FL 33133-3254

0141150820200

CAPSICUM INVESTMENTS CORP
C/O LOTT & LEVINE
9155 S DADELAND BLVD STE 1014
MIAMI, FL 33156-2738

0141150820230

MANOR COURT INVESTMENTS CORP
C/O LOTT & LEVINE
9155 S DADELAND BLVD STE 1014
MIAMI, FL 33156-2738

0141150820240

JAN PAULSSON
3528 BAYSHORE VILLAS DR
MIAMI, FL 33133-3254

0141150820250

MARK E OREN &W NEDRA
3526 BAYSHORE VILLAS DR
MIAMI, FL 33133-3254

0141150850020

MARIELLA PEREZ SERRANO JTRS
PO BOX 190957
SAN JUAN, PR 00919-0957

0141150910001

ROCKERMAN WATERWAYS CONDO
ASSOCIATION, INC.
C/O MARK D PEGRAM &W NORA C KU
3594 ROCKERMAN RD # 1
MIAMI, FL 33133-3233

0141150820210

LARRY J HOFFMAN &W DEBORAH
3525 BAYSHORE VILLAS DR
MIAMI, FL 33133-3254

## Attachment D

## Restrictive Covenant Running with the Land in Favor of Miami-Dade County

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MAY 2 1 2013

DERM Coastal Resources Section
Environmental Resources Regulation Division (NRRRD)

**RESTRICTIVE COVENANT RUNNING WITH THE LAND IN FAVOR OF MIAMI-DADE COUNTY**

The undersigned, City of Miami, being the present owner of the following real property (hereinafter called "the Property"), lying, being and situated in Miami-Dade County, Florida, to wit:

[Exhibit A]

pursuant to Chapter 24 of the Code of Miami-Dade County, Florida hereby proffers this executed Restrictive Covenant Running with the Land in Favor of Miami-Dade County, Florida as part of Miami-Dade County Department of Regulatory and Economic Resources Class I Permit Application Number 2011-CLI-PER-00176:

1. The owner covenants to Miami-Dade County that the following areas on the Property shall be considered "Mitigation Areas" and be preserved and managed such that they are not disturbed or removed, and shall remain free from invasive and exotic vegetation for the life of this Covenant:

    a) All mangroves remaining on the Property after the work approved pursuant to Class I Permit 2011-CLI-PER-00176 has been properly completed, as determined by the Director of the Miami-Dade County Department of Regulatory and Economic Resources or the Director's designee.

    b) The mangrove planting areas as shown on the site plan attached hereto as Exhibit B and incorporated herein by reference.

2. There shall be no work in within the "Mitigation Areas", including, but not limited to, trimming or cutting of any mangroves or buttonwoods, without first obtaining a Class I permit.

3. Mooring of vessels along the southwest bank of the canal is prohibited

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

5. The owner covenants and represents that any and all persons holding a security interest of any kind whatsoever in the Property has been advised of, and has agreed to, the execution of this Covenant Running with the Land.

6. The owner shall notify Miami-Dade County in writing not later than thirty (30) days after any conveyance, sale, grant or transfer of the Property or any portion thereof, to any heirs, successors, assigns or grantees.

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MAY 2 1 2013

DERM Coastal Resources S[illegible]ion
Natural Resources Regulation & [illegible]
[illegible]NRRRD



7. The term Owner shall include the Owner, and its heirs, successors and assigns.

8. The undersigned agree(s) and covenant(s) that approval of this Restrictive Covenant neither authorizes nor constitutes a permit of any kind for work in wetlands or tidal waters at the Property.

9. This Restrictive Covenant shall run with the land and shall be recorded in the Public Records of Miami-Dade County, Florida and shall remain in full force and effect and be binding upon the undersigned, and their heirs, successors, grantees and assigns until such time as same is modified or released in writing by Miami-Dade County pursuant to the provisions of Section 24-48 of the Code of Miami-Dade County.

10. The Restrictive Covenant and the provisions contained herein may be enforced against any person permitting, allowing, letting, causing or suffering any violation of the terms of this Restrictive Covenant by the Department of Regulatory and Economic Resources Department, or its successor, by temporary, permanent, prohibitory, and mandatory injunctive relief as well as otherwise provided by law or ordinance and also may include an action for and to recover civil penalties, damages, costs and expenses, and attorney's fees in favor of Miami-Dade County against said person(s) as authorized by law or ordinance. All of the remedies provided herein shall be deemed to be independent and cumulative and shall be deemed to be supplemental to any remedies provided by law or ordinance.

11. No cancellation, revision, alteration or amendment of the Covenant shall be effective without prior approval from Miami-Dade County pursuant to the provisions of Section 24-48 of the Code of Miami-Dade County.

12. This Covenant is to run with the land and shall be binding on all parties and all persons claiming under it for a period of thirty (30) years after the date this Covenant is recorded, after which time it shall be extended automatically for successive periods of ten (10) years each, unless the Covenant is modified or released by Miami-Dade County.

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MAY 2 1 2013

DERM Coastal Resources Sec.
Natural Resources Regulation & Rest[illegible]
Division (NRRRD)



IN WITNESS WHEREOF, the undersigned have caused this Covenant to be executed this 20th day of May, 2013.

Witnesses:

sign [signature]
print Mayben Franco
sign [signature]
print KIRK LOFGREN

Property Owner

sign [signature]
print Johnny Martinez, P.E.
Title City Manager
Address 444 SW 2nd Ave 10th Floor
Miami, FL 33130

STATE OF FLORIDA, COUNTY OF DADE

The foregoing instrument was acknowledged before me this 14th day of May, 2013 by Johnny Martinez, PE as City Manager, who is personally known to me or who has produced _____ as identification and who did take an oath.

NOTARY PUBLIC:

sign [signature]
print _____
State of Florida at Large (Seal)
My Commission Expires:

OFELIA E. PEREZ
MY COMMISSION # EE 109268
EXPIRES: August 2, 2015
Bonded Thru Notary Public Underwriters

WITNESS/ATTEST:

APPROVED AS TO INSURANCE REQUIREMENTS:

Calvin Ellis, Director
Risk Management Department

APPROVED AS TO LEGAL FORM AND CORRECTNESS:

Julie O. Bru, City Attorney

RAR

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MAY 2 1 2013
DERM Coastal Resources Section
Natural Resources Regulation & Restoratio
Division (NRRRD)

**Exhibit A**

JOHN T PEACOCK EST A SUB PB 2-12 LOT 23 LYG SELY OF BAYSHORE DR & SUBMERGED & PARTIALLY FILLED LANDS LYG ADJ & EXTDG SELY TO BLKHD/L AS PER TIIF DEED #23473 LOT SIZE 78410 SQUARE FEET

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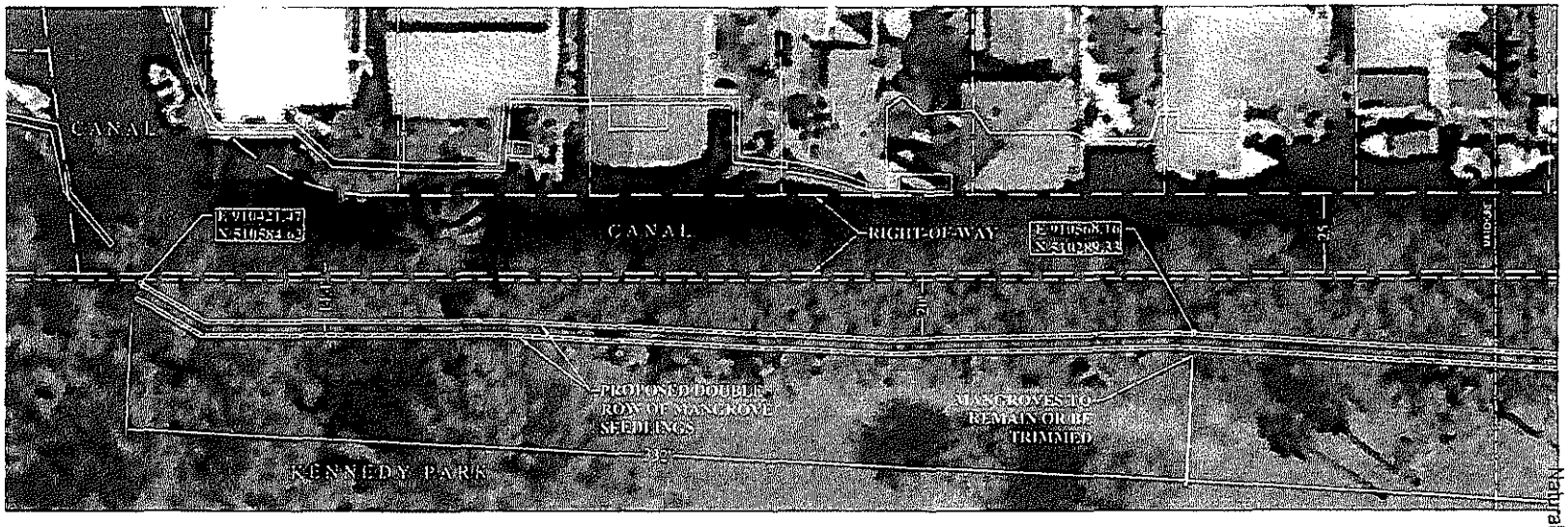
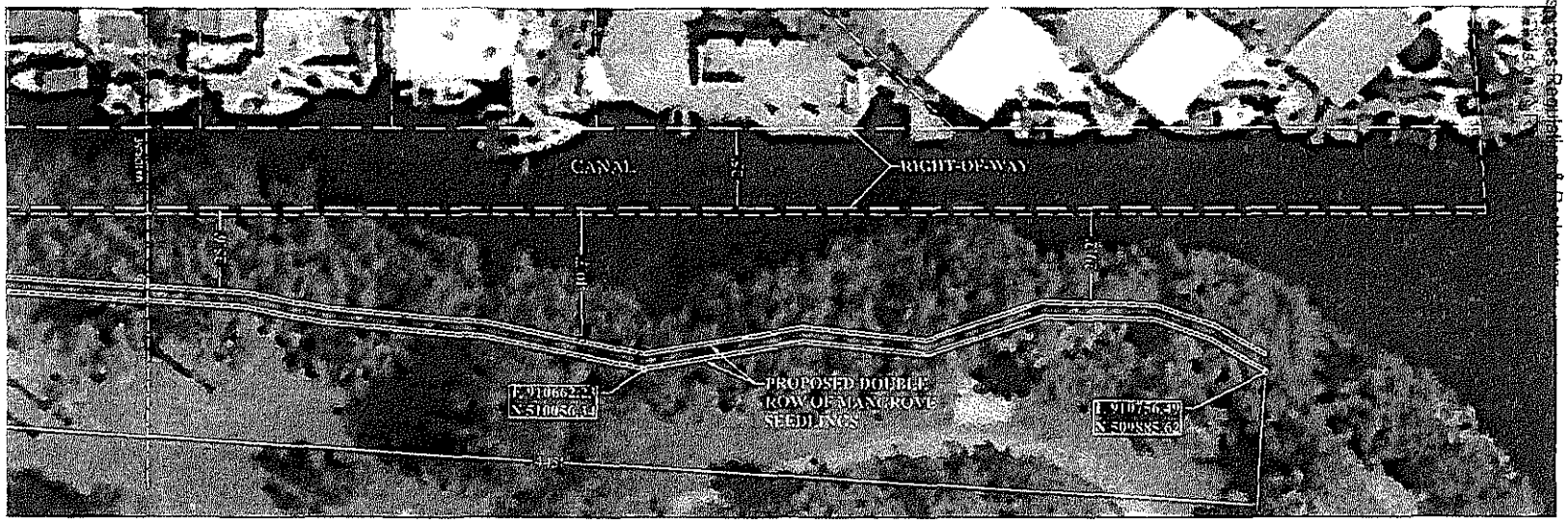
MAY 2 1 2013
DERM Coastal Resource
Natural Resources Regulation
Division (NRRRD)

# Exhibit B

## ROCKERMAN CANAL - WEST END




## ROCKERMAN CANAL - EAST END




0 5 35 100
1 INCH = 35 FEET

**Rockerman Shoreline Stabilization & Canal Improvements Project**
Rockerman Road
Miami, FL, 33133

CLIENT:
**City of Miami**
3500 Pan American Drive
Miami, FL 33133

ENVIRONMENTAL CONSULTANT:
**OCEAN CONSULTING, LLC**
340 Minorca Avenue, Suite 5
Coral Gables, Florida 33134
Tel: (305) 921-9344
Fax: (305) 677-3254

CONTRACTOR:

PROJECT ENGINEER:

SEAL / SIGNATURE / DATE

RECEIVED
MAY 21 2013
DERM Coastal Resources Section
Natural Resources Regulation & Restoration

**PERMIT SKETCH**

| Issue # | Issue Date |
|---|---|
| 1 | February 12, 2013 |

PROJECT: 8-205

PROPOSED GENERAL PLAN VIEW

SCALE : AS SHOWN
SHEET NO.
S-1

# Attachment E

# Department of Regulatory and Economic Resources Project Report

**PROJECT REPORT**
**CLASS I PERMIT APPLICATION NO. 2011-CLI-PER-00176**

Application by the City of Miami for a Class I Permit to Excavate Wetlands and Marine Sediments to Provide Navigational Access within the Rockerman Canal and to Authorize the Acceptance of a Restrictive Covenant Running with the Land in Favor of Miami-Dade County at 2130 South Bayshore Drive, in the City of Miami, Miami-Dade County, Florida

**DATE: January 4, 2013**

Staff's recommendation of approval for the above-referenced permit application is based on the applicable evaluation factors set forth in Section 24-48.3 of the Code of Miami-Dade County (Code), Florida. The following is a summary of the proposed project with respect to each applicable evaluation factor:

1. **Potential Adverse Environmental Impact** – The proposed project will result in the removal of 0.26 acres of halophytic (salt tolerant) wetlands and accumulated marine sediment, in association with the trimming, alteration and removal of trees along the shoreline. The project area is primarily vegetated by *Rhizophora mangle* (red mangroves), *Laguncularia racemosa* (white mangroves), *Avicennia germinans* (black mangroves), and *Conocarpus erectus* (green buttonwoods). Benthic resources were not documented within the canal in the area of the proposed work. In order to minimize impacts associated with the project, the amount of halophytic wetland area proposed to be removed has been reduced to areas of the canal where vessel access is most limited. Work along the remaining portion of the canal will include the trimming and alteration of mangroves that extend into the navigable area.

   To mitigate for adverse environmental impacts associated with work, the uplands along the shoreline of Kennedy Park immediately adjacent to the proposed work will be scraped down to wetland elevation and planted with mangrove seedlings to create approximately 0.57 acres of halophytic wetlands. Mitigation required to offset the impacts of the proposed work was calculated using the Uniform Mitigation Assessment Method rule under Chapter 62-345, FAC.

   To provide for the future preservation of the remaining and proposed halophytic wetland areas, a Restrictive Covenant Running with the Land in Favor of Miami-Dade County is included in this application. The Restrictive Covenant designates the remaining and proposed halophytic wetlands as mitigation areas, and requires that they be monitored for success, managed appropriately, and maintained free of exotics in perpetuity.

   The proposed project is not located within an area designated as essential manatee habitat for the *Trichechus manatus* (West Indian Manatee) by the Miami-Dade County Manatee Protection Plan (MDCMPP). However, the project site is located within an area that has the potential to be utilized by the West Indian Manatee. Therefore, the Class I permit will require that all standard manatee construction permit conditions be followed during all in-water construction operations.

2. **Potential Cumulative Adverse Environmental Impact** – The proposed project will result in permanent impacts to 0.26 acres of halophytic wetlands. However, impacts have been minimized and will be mitigated 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 may affect surface water quality on a temporary basis during construction operations. In order to minimize impacts to surface waters, the Class I permit shall require that a water quality monitoring plan and proper turbidity controls be implemented during the proposed work to ensure turbidity levels within the surrounding waters do not exceed State and County water quality standards.

5. **Wellfields** – Not applicable.

6. **Water Supply** – Not applicable.

7. **Aquifer Recharge** – Not applicable.

8. **Aesthetics** – The project is designed to be aesthetically compatible with the surrounding area. Although a portion of the existing trees along the shoreline will be removed, the seedling trees planted in the mitigation area will grow to provide similar cover, and will be maintained free of exotic vegetation. During the construction process there may be temporary aesthetic impacts related to the presence of barges and equipment associated with the construction activities

9. **Navigation** – The proposed project will restore, and provide for the maintenance of, navigational access along the proposed project area. Temporary navigational impacts associated with the in-water portion of the work are expected due to the presence of barges; however, the waterfront residents will be notified prior to the start of any in-water work.

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** – A biological assessment revealed no significant benthic resources along the canal. Therefore, the proposed project is not reasonably expected to adversely affect marine habitats. The proposed project involves the removal of 0.26 acres of halophytic wetlands, resulting in temporary impacts to wetland habitat for wildlife such as small mammals and wading birds. However, new wetland habitat will be created as mitigation for the proposed project, and unavoidable impacts to wildlife habitats have been minimized and shall be mitigated as set forth in Number 1 above.

    The proposed project is not located within an area designated as essential manatee habitat for the West Indian Manatee by the MDCMPP. However, the project site is located within an area that has the potential to be used by manatees. Therefore, the Class I permit will require that all standard manatee construction permit conditions be followed during all in-water construction operations.

15. **Wetland Soils Suitable for Habitat** – The proposed project will result in permanent impacts to approximately 0.09 acres of wetland soils. However, the upland area immediately landward of the project site will be scraped down to wetland elevation and planted with halophytic wetland vegetation. Unavoidable impacts to wetland soils suitable for habitat have been minimized and shall be mitigated as set forth in Number 1 above.

16. **Floral Values** – The proposed project will result in impacts to floral values as a result of the removal of vegetation and the excavation of halophytic wetland areas. However, impacts to floral values have been minimized and shall be mitigated as set forth in Number 1 above.

17. **Fauna Values** – The proposed project may result in temporary impacts to fauna values due to the displacement of fauna such as small mammals and wading birds. However, new wetland habitat is required to be created as mitigation for the proposed project, and unavoidable impacts to fauna have been minimized and shall be mitigated as set forth in Number 1 above.

18. **Rare, Threatened and Endangered Species** – The proposed project is not located within *Halophila Johnsonii* (Johnson's Seagrass) Critical Habitat, and a biological assessment done by Department biologists revealed no significant benthic resources along the canal.

    Although the project site is located within an area that has the potential to be utilized by the *Crocodylus acutus* (American Crocodile), *Mycteria americana* (Wood Stork) and the West Indian Manatee, the proposed project is not located within the areas designated as critical/essential habitat for these species, and is not reasonably expected to adversely affect rare, threatened and endangered species. In addition, new wetland habitat is required to be created as mitigation for the proposed project, and all standard construction permit conditions regarding manatees shall be followed during all in-water construction operations 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 will result in the removal of 0.26 acres of halophytic wetlands and accumulated marine sediment. However, impacts to wetland habitats have been minimized and shall be mitigated 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, applications for Class I permits by a municipality within its own jurisdiction shall not be required to submit a substantiating letter from the local zoning authority.

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 lands over which the project will occur are owned by the applicant and the Board of Trustees of the Internal Improvement Trust Fund. The applicant has obtained authorization for the portion of the work that occurs over land owned by the Board of Trustees of the Internal Improvement Trust Fund.

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 the following:
    a) Chapter 33B of the Code of Miami-Dade County
    b) Miami-Dade County Public Works Manual

c) **Comprehensive Environmental Impact Statement (CEIS)** – In the opinion of the Director, the proposed project will not result in environmental impacts and is not reasonably expected to result in cumulative adverse environmental impacts. Therefore, a CEIS was not required by the Department of Regulatory and Economic Resources to evaluate the project.

d) **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) United States Clean Water Act (US Army Corps of Engineers permit is required)
    c) Florida Department of Environmental Protection (permit is required)

e) **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 the Conservation and Coastal Management Elements of the CDMP. The project is compatible with surrounding land uses and does not involve development in the Big Cypress area of Critical State concern or the East Everglades.

**TRANSPORTATION ELEMENT II**

**Aviation Subelement/Objective 9** - 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 will not take place within the tidal waters of 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, NW 12 Street and Okeechobee Road. - The project is not 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 does not compromise flood protection, involve filling for development purposes, and is not related to cut and fill activities.

**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 6/Policy 6D** - Suitable fill material for the support of development. – The proposed project does not involve filling for the purposes of development.

**Objective 7/Policy 7A** - No net loss of high quality, relatively unstressed wetlands. – The proposed project will result in impacts to 0.26 acres of halophytic wetland areas, however, the impacts have been minimized and shall be mitigated as set forth in Number 1 above.

**Objective 9/Policies 9A, 9B, 9C** – Protection of habitat critical to Federal, State-designated threatened or endangered species. – The proposed project is not located within Johnson's Seagrass Critical Habitat. Although the project site is located within an area that has the potential to be utilized by the American Crocodile, Wood Stork, and the West Indian Manatee, the proposed project is not located within the areas designated as critical/essential habitat for these species, and is not reasonably expected to adversely affect rare, threatened and endangered species. In addition, the impacts have been minimized and shall 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 not located within a designated "Mangrove Protection Area."

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

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

**Objective 1/Policy 1D** - Protection and maintenance of mangrove forests and related natural vegetational communities. - The proposed project will result in impacts to approximately 0.26 acres of halophytic wetlands. However, the area immediately upland of the project site will be scraped down to wetland elevation and planted with halophytic wetland vegetation. Unavoidable impacts have been minimized and shall be mitigated 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. – To mitigate for adverse environmental impacts, the uplands along the shoreline of Kennedy Park immediately adjacent to the proposed project will be scraped down to wetland elevation and planted with mangrove seedlings to create approximately 0.57 acres of halophytic wetlands. Mitigation required to offset the impacts of the proposed work was calculated using the Uniform Mitigation Assessment Method rule under Chapter 62-345, FAC.

To provide for the future preservation of the remaining and proposed halophytic wetland areas, a Restrictive Covenant Running with the Land in Favor of Miami-Dade County is included in this application. The Restrictive Covenant designates the remaining and proposed halophytic wetlands as mitigation areas, and requires that they be monitored for success, managed appropriately, and maintained free of exotics in perpetuity.

**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. – A biological survey conducted by Department staff revealed no significant benthic resources within the project area. Therefore, the proposed project does not involve the 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/Policy 3E, 3F** - Location of new cut and spoil areas for proper stabilization and minimization of damages. - The proposed project does not involve the development or identification of new cut or spoil areas.

**Objective 4/Policy 4A, 4C, 4E, 4F** – Protection of endangered or threatened animal species. - The proposed project is not reasonably expected to affect endangered or threatened animal species, as set forth in Number 18 above.

**Objective 5/Policy 5B** - Existing and new areas for water-dependent uses - The proposed project does not include a new development.

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

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

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

29. **Conformance with Miami-Dade County Ordinance 81-19** (Biscayne Bay Management Plan Sections 33D-1 through 33D-4 of the Code of Miami-Dade County) - The proposed project is not located within Biscayne Bay.

30. **Conformance with the Miami-Dade County Manatee Protection Plan** - The proposed project is not located within an area identified by the MDCMPP as essential habitat for the West Indian Manatee. However, all standard construction permit conditions regarding manatees shall be followed during all in-water construction operations as set forth in Number 1 above.

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

32. **Municipality Recommendation** – Pursuant to Section 24-48.2(II)(B)(7), Code of Miami-Dade County, Florida, applications for Class I permits by a municipality within its own jurisdiction shall not be required to submit a substantiating letter from the local zoning authority.

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** – Although the proposed project will result in impacts to 0.26 acres of halophytic wetlands, the impacts have been minimized and shall be mitigated 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 evaluated for compliance with the standards contained in Section 24-48.3(2), (3), and (4) of the Code. 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** - The proposed project complies with the following dredge and fill criteria specified in Section 24-48.3(2):

a) Minimum dredging and filling for the creation and maintenance of marina, piers, docks and attendant navigational channels.

**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 does not involve the creation of boat slips.

**24-48.3 (4) Clean Fill in Wetlands** – The proposed project does not involve placing clean fill in wetlands.

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

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Coastal Resources Section