

Memorandum



Date: May 18, 2021

To: Honorable Chairman Jose “Pepe” Diaz
and Members, Board of County Commissioners

Agenda Item No. 5(I)

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

Resolution No. R-501-21

Subject: Class I Permit Application by Nautilus Enterprises, LLC

Recommendation

I have reviewed the attached application for a Class I permit by Nautilus Enterprises, 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 at 980 MacArthur Causeway, Miami, Florida, in Commission District 5, which is represented by Commissioner Eileen Higgins.

Delegation of Authority

This item has no delegation of authority.

Fiscal Impact/Funding Source

This resolution is a regulatory approval and does not have a fiscal impact.

Track Record/Monitor

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

Background

The subject Class I permit application requests authorization for the redevelopment of an existing seaplane ramp facility, to include the filling of tidal waters, at 980 MacArthur Causeway, Miami. The proposed scope of work also includes the installation of a seawall, seawall cap, and riprap. The project is required to be reviewed and approved by the Board at a public hearing because the filling associated with the ramp replacement is specifically referenced in Section 24-48.2 of the Code as work that shall be processed with a standard form application, including a public hearing.

The subject property is located on Watson Island within Biscayne Bay and contains a facility used for the launching and retrieval of seaplanes. The shoreline is stabilized by an existing concrete seawall with the exception of several areas of unconsolidated shoreline where the seawall has collapsed. In order to make the ramp more structurally sound and safe for use by seaplanes, the Applicant is proposing to replace the ramp in the same footprint through the removal of the existing concrete ramp

and the installation of a 47 foot long by 38-foot-wide concrete ramp resulting in the filling of 698.4 square feet of tidal waters.

According to Section 24-48.3(2) of the Code, dredging and filling work proposed in a Class I permit application shall comply with at least one of the criteria listed in that section of the Code. Over time, the surface of the existing ramp has degraded resulting in an uneven surface that is not functional and safe for use by the seaplanes. The proposed filling is the minimum necessary to maintain the ramp, specifically to adequately and safely facilitate the launching and retrieval of seaplanes, and therefore complies with the criteria listed in Section 24-48.3(2)(c) of the Code because it is the minimum necessary for the creation and maintenance of marinas, piers, docks and attendant navigational channels.

In addition to the above proposed filling, the Applicant is also proposing to install a sheet pile seawall, seawall cap, and riprap along the length of the property. The proposed seawall work and riprap placement are identified by the Code as work that can be processed administratively and are only coming before the Board because the aforementioned work is included in the subject application.

Based on the reasons herein and in the Project Report, DERM recommends approval of the filling of tidal waters in association with the installation of a seaplane ramp, and the installation of the seawall, seawall cap, and riprap.

The proposed project has been evaluated for consistency with the Miami-Dade County Manatee Protection Plan. The project is not located within an area designated as essential habitat for the Florida manatee and the Miami-Dade County Manatee Protection Plan recommends the project area for “Special Use Marinas and Transitory Docks.” Although the Manatee Protection Plan does not contemplate this specific type of use (i.e. seaplane), seaplanes have historically launched from the property for over 40 years and the ramp is to be used solely for the launching and retrieval of seaplanes. Furthermore, the proposed ramp would be installed within the footprint of the existing ramp and the Class I permit would require that all standard construction permit conditions regarding manatee protection be followed during all in-water operations.

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. Section 24-48.4 of the Code also requires mitigation for permissible projects that otherwise result in unavoidable environmental impacts. The area of the existing ramp that would be filled in association with the new ramp does not provide significant benthic habitat and no federally or State-designated threatened or endangered species of coral or seagrass were documented within the proposed fill footprint. The proposed work is not reasonably expected to result in cumulative environmental impacts to water quality. However, the construction phase of the proposed project may result in temporary water quality impacts. In order to minimize the temporary impacts to water quality as a result of the construction activities associated with the proposed work, the Class I permit would require that turbidity controls be utilized during all phases of construction to ensure compliance with State and County water quality standards. Mitigation for unavoidable temporary impacts to water quality associated with the filling of tidal waters and seawall installation would be satisfied through the placement of riprap along the new seawall to provide shoreline stabilization and create habitat. Any portion of the required mitigation that cannot be accommodated on-site would be satisfied through a contribution to the Biscayne Bay Environmental Enhancement Trust Fund.

The 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. Please find attached a DERM Project Report which also sets forth the reasons the proposed project is recommended for approval by DERM pursuant to the applicable evaluation factors and criteria as 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 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

Class I Permit Application

FOR DEPARTMENTAL USE ONLY

Date Received:	Application Number:
	Application Fee:

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

1. Applicant Information: Name: <u>Nautilus Enterprises, LLC c/o Mr. Ignacio Vega-Penichet Lopez</u> Address: <u>1000 MacArthur Causeway</u> <u>Miami, FL</u> Zip Code: <u>33132</u> Phone #: <u>305-801-0866</u> Fax #: _____ Email: <u>ivp@nautilusenterprises.net</u> * 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: <u>Kirk Lofgren, Ocean Consulting, LLC</u> Address: <u>340 Minorca Ave, Suite 7</u> <u>Coral Gables, FL</u> Zip Code: <u>33134</u> Phone #: <u>305-921-9344</u> Fax #: <u>305-677-3254</u> Email: <u>kirk@oceanconsultingfl.com, justina@oceanconsultingfl.com</u>
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3. Location where proposed activity exists or will occur (latitude and longitude are only necessary for properties without address or folio #):

Folio #(s): 01-3231-061-0040 Latitude: _____ Longitude: _____

Street Address: 980 MacArthur Causeway Section: 31 Township: 53 Range: 42

In City or Town: Miami Near City or Town: _____

Name of waterway at location of the activity: Biscayne Bay

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

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

☒ Other: Concrete ramp, return walls

Estimated project cost = \$ 250,000

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): <u>N/A</u> Vessel Make/Model (If known): <u>N/A</u> Draft (s)(range in inches.): <u>N/A</u> Length (s)(range in feet.): <u>N/A</u> Total Number of Slips: <u>N/A</u>
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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
DEP	ERP	TBD	TBD	TBD
US COE	GP/NWP	TBD	TBD	TBD

8. Contractor Information (If known):

Name: TBD 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:

- 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.)

Nautilus Enterprises _____ LLC _____ FL _____

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

Registration/Incorporation _____

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

Ignacio Vega-Penichet Lopez _____ Managing Member _____ 6/4/2020

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

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

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

Registration/Incorporation _____

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

Registration/Incorporation _____

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

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

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

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

I/We are the fee simple owner(s) of the real property located at 980 MacArthur Causeway & adjacent submerged lands DEED #19447 Miami-Dade County, Florida, otherwise identified in the public records of Miami-Dade County as Folio No. 01-3231-061-0040.

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

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

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

3500 Pan American Drive Miami FL 33133
Address of Owner

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

Signature of Authorized Representative Daniel Rotenberg City Manager Director
Print Authorized Representative's Name Title Sen. of Real Date 6/

Signature of Authorized Representative	Print Authorized Representative's Name	Title	Date
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Please Review Above

Appropriate signature(s) must be included in:

Box 9: either A, B or C

AND

Box 10: either A or B

Class I Permit Application Additional Signatures Page
(Please attach to Class I permit application)

Applicant Name: _____

Owner Name: _____

Project Location: _____

Additional signatures for:

☐ Applicant

☐ Owner

1. IF THE APPLICANT/OWNER IS AN INDIVIDUAL

Signature of Applicant/Owner _____ Print Name of Applicant/Owner _____ Date _____

Signature of Applicant/Owner _____ Print Name of Applicant/Owner _____ Date _____

2. IF THE APPLICANT/OWNER IS OTHER THAN AN INDIVIDUAL OR NATURAL PERSON
(Examples: Corporation, Partnership, Trust, LLC, LLP, etc.)

Print Name of Applicant/Owner (Enter the complete name as registered)	Type (Corp, LLC, LLP, etc.)	State of Registration/Incorporation
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Under the penalty of perjury, we certify that we have the authority to sign this application on behalf of the Applicant/Owner, to bind the Applicant/Owner, and if so required to authorize the issuance of a bond on behalf of the Applicant/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	Print Name	Title	Date
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Signature	Print Name	Title	Date
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Signature	Print Name	Title	Date
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Signature	Print Name	Title	Date
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INTERNAL IMPROVEMENT FUND STATE OF FLORIDA

DEED NO. 19447

KNOW ALL MEN BY THESE PRESENTS: That the undersigned, the Trustees of the Internal Improvement Fund of the State of Florida, under and by virtue of the authority of Section 253.12, Florida Statutes, 1941, and according to the provisions provided for in Section 253.13, Florida Statutes, 1941, and for and in consideration of the sum of Ten and 00/100 Dollars and other good and valuable considerations, to them in hand paid by CITY OF MIAMI, Dade County, Florida, receipt of which is hereby acknowledged, have granted, bargained, sold and conveyed to the said CITY OF MIAMI and its successors and assigns forever, the following described lands, to-wit:

Beginning at the point of intersection of the Easterly production of the Center Line of Rickmers Street (now known as N. E. 13th Street) as shown on the Amended Plat of "RICKMERS ADDITION" as recorded in Plat Book 3, Page 2, with the U. S. Harbor Line on the West side of Biscayne Bay; thence run Northerly along said U. S. Harbor Line to a point on a line four hundred and fifty feet North of and parallel to the Easterly production of the said Center Line of Rickmers Street (now known as N. E. 13th Street); thence run Easterly along said line 450 feet North of and parallel to the Easterly production of the Center Line of said Rickmers Street (now known as N. E. 13th Street) to the point of intersection with that course described in Deed Book 361, Page 353, as follows: "Thence in a southeasterly direction to the Southeast corner of the Southwest Quarter of the Southwest Quarter (SW¹/₄ of SW¹/₄) of Section 32, Township 53 South, Range 42 East"; Thence southeasterly along the said last described course to the said Southeast corner of the SW¹/₄ of SW¹/₄ of Section 32, Township 53 South, Range 42 East; Thence run South along the West line of the NE¹/₄ of NW¹/₄ of Section 5, Township 54 South, Range 42 East to a point eighty feet Northerly from and measured at right angles to the Center Line of the Miami Municipal Channel; Thence run southeasterly following that course described in Deed Book 1472, Page 474, as follows: "Commencing at the intersection of the West Line of the NE¹/₄ of NW¹/₄ of Section 5, Township 54 South, Range 42 East, and a line parallel to and eighty feet Northerly from, and measured at right angles to the Center Line of the Miami Municipal Channel", to the East boundary of the West 3/4 of said Section 5; Thence run South along the East boundary of the West 3/4 of said Section 5, and Section 6, Township 54 South, Range 42 East, to the Northerly Line of the FEC Railway Company Channel as described in aforesaid Deed Book 1472, Page 474; Thence run Westerly along the said Northerly line of the FEC Railway Company Channel to the East line of the NW¹/₄ of Section 6, Township 54 South, Range 42 East; Thence run Westerly

EXHIBIT 301A

along that line described in Chapter 13555 (No. 102) Laws of Florida - 1929 as follows: "Thence westerly to the Intersection of the P. & O. S.S. Channel and the Channel extending from the mouth of the Miami River in a Southwesterly direction", to the East line of Section 7, Township 54 South, Range 42 East; Thence run South along the said East line of Section 7, Township 54 South, Range 42 East to a point 2000 feet North of the South line of Section 7, Township 54 South, Range 42 East, being that point at the termination of the line described in Deed Book 1900, Page 355 Parcel "B" as follows: "Thence North along the East line of said Section 7 for a distance of 2000 feet to a point"; Thence along the course described in Deed Book 1900, Page 355, as follows: "Thence Southwest 2528 feet to a point on the South boundary of said Section 7", to a point 2000 feet West of the Southeast corner of said Section 7; Thence run West along the South line of said Section 7 and the South line of said Section 7 produced West, to the point of intersection with the U. S. Harbor Line on the West side of Biscayne Bay; thence run Northerly along the said U. S. Harbor Line to the point of beginning.

Except therefrom the following described BAY BOTTOM LAND AREA FOR DREDGING IN CONNECTION WITH PROPOSED 65 ACRE BURLINGAME ISLAND.

Beginning at the point of intersection of the South-easterly production of the Northerly side of S. E. 14th Street, the same being the Southerly line of Higleyman's Subdivision as recorded in Plat Book 1, Page 184 of the Public Records of Dade County, Florida, with the U. S. Harbor Line on the Westerly side of Biscayne Bay; thence Northerly along the said U. S. Harbor Line and the Northerly extension thereof 3800 feet, more or less, to the point of intersection with the Southerly line of Miami River Channel, as shown and established on Sheet No. 2 of plan prepared by U. S. Engineer Office, Jacksonville, Florida, November 1934, showing Miami River, Florida, conditions on completion of Dredging of Channel Project; thence Northeasterly along the said Southerly line of Miami River Channel and the Northeasterly production thereof 2500 feet to a point; thence Southerly 5300 feet, more or less, along a line parallel to the Southerly production of the dividing line between Township 53 South, Range 41 East and Township 53 South, Range 42 East to the point of intersection with the aforesaid Southeasterly production of the Northerly side of S. E. 14th Street; thence Northwesterly 2900 feet, more or less, along the said Southeasterly production of the Northerly side of S. E. 14th Street to the U. S. Harbor Line, the point of beginning. And further excepting therefrom all land title to which is in private parties.

TO HAVE AND TO HOLD the said above mentioned and described land and premises, and all the title and interest of the Trustees therein as granted to them by Section 253.12, Florida Statutes, 1941, unto the said CITY OF MIAMI and its successors and assigns forever.

EXHIBIT 381 B

SAVING AND RESERVING unto the Trustees of the Internal Improvement Fund of Florida, and their successors, an undivided three-fourths interest in and title in and to an undivided three-fourths interest in all the phosphate, minerals and metals that are or may be in, on or under the said above described lands, and an undivided one-half interest in and title in and to an undivided one-half interest in all the petroleum that is or may be in or under the said above described land, with the privilege to mine and develop the same.

PROVIDED, HOWEVER, anything herein to the contrary notwithstanding, this deed is given and granted upon the express condition subsequent that the Grantee herein or its successors and assigns shall never sell or convey or lease the above described land or any part thereof to any private person, firm or corporation for any private use or purpose, it being the intention of this restriction that the said lands shall be used solely for public purposes, including municipal purposes and not otherwise.

PROVIDED, FURTHER, anything herein to the contrary notwithstanding, this deed is given and granted upon the further express condition subsequent that the Grantee herein or its successors or assigns shall not give or grant any license or permit to any private person, firm or corporation to construct or make by any means, any islands, fills, embankments, structures, buildings or other similar things within or upon the above described lands or any part thereof for any private use or purpose, as distinguished from any public or municipal use or purpose.

It is covenanted and agreed that the above conditions subsequent shall run with the land and any violation thereof shall render this deed null and void and the above described lands shall, in such event, revert to the Grantors or their successors.

IN WITNESS WHEREOF, the Trustees of the Internal Improvement Fund of the State of Florida have hereunto subscribed their names and affixed their seals, and have caused the seal of the "DEPARTMENT OF AGRICULTURE OF THE STATE OF FLORIDA", to be hereunto affixed, at the Capitol, in the City of Tallahassee, on this the 24th day of February, A. D. Nineteen Hundred and

Forty-nine.

Sent to
Mr. George Salley
Hunt and Salley
Miami, Florida
Feb. 26th, 1949 ✓

Fuller Warren (SEAL)
Governor

C. M. Gay (SEAL)
Comptroller

J. Edwin Larson (SEAL)
Treasurer

Richard W. Ervin (SEAL)
Attorney General

Nathan Mayo (SEAL)
Commissioner of Agriculture

*Filed under
City of Miami
by Sec. No. 19497*

EXHIBIT 3.01C

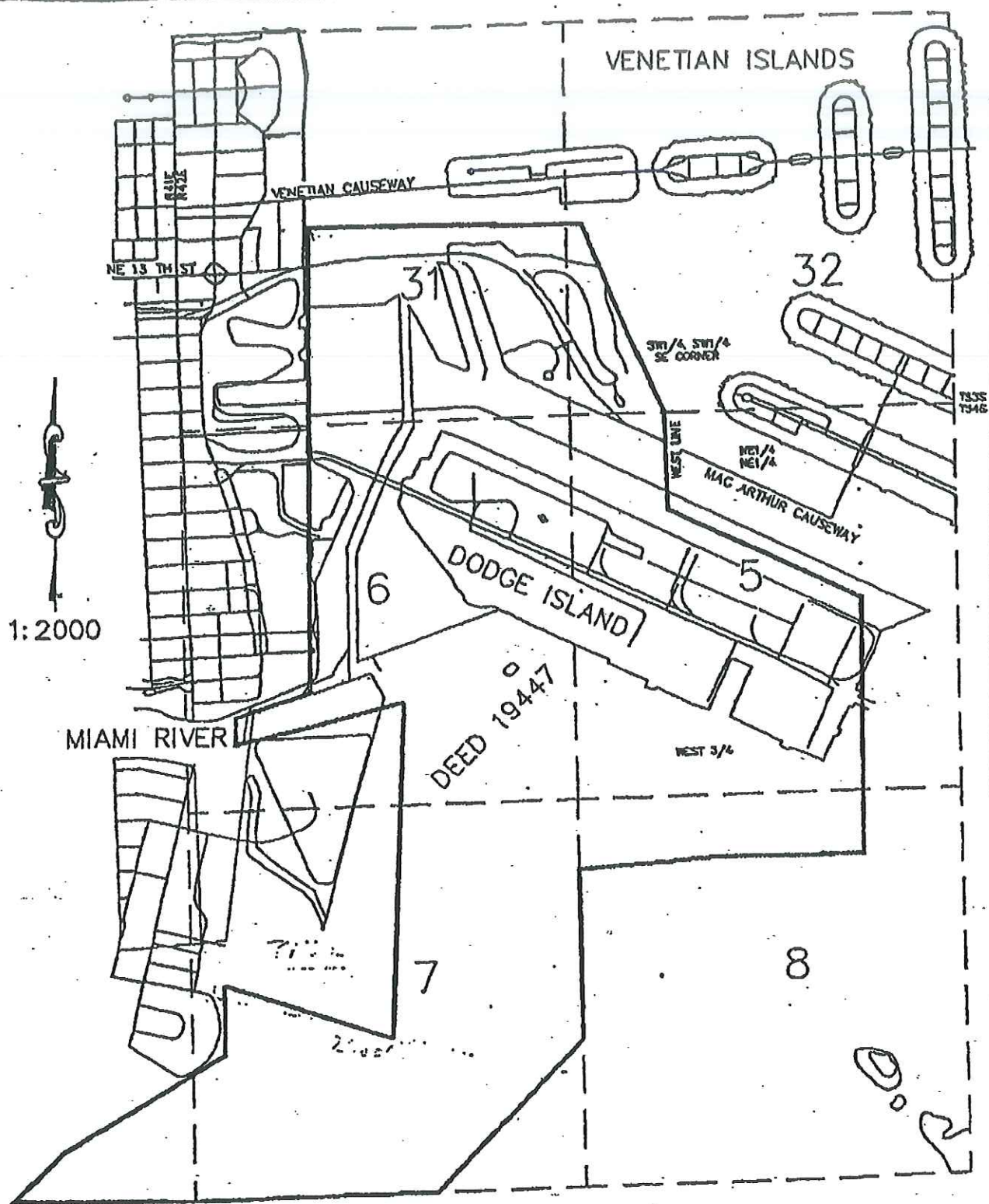


EXHIBIT 3.010

WATSON ISLAND
 QUAD: MIAMI
 DEED# 19447
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Attachment B

Owner/Agent Letter, Engineer Letter and Project Sketches

PERMIT APPLICANT / AUTHORIZED AGENT STATEMENT

Date: 9-16-2020

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-2019-0413

By the attached Class I Standard Form permit application with supporting documents, I, Kirk Lofgren, am the authorized agent and hereby request permission to perform the work associated with Class I Permit Application CLI-2019-0413. 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, Authorized Agent

ENGINEER LETTER OF CERTIFICATION

Date: 9/18/20

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-2019-0413

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,

John H Omslaer

Digitally signed by John H Omslaer
DN: c=US, st=FL, l=Pompano Beach, o=Dynamic
Engineering Solutions, Inc., cn=John H Omslaer,
email=des_inc@bellsouth.net
Date: 2020.09.18 14:42:05 -04'00'

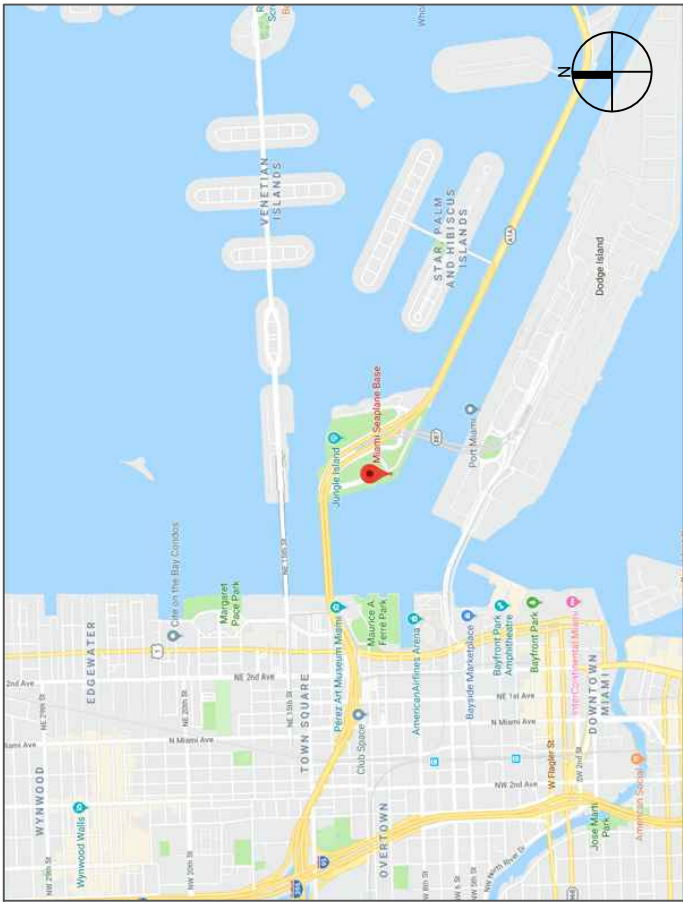
Dynamic Engineering Solutions, Inc. 351 S Cypress Rd. #303
Pompano Beach, FL 33060
John H. Omslaer, PE #52733, CA#26829

_____.

P.E. #_____



LOCATION MAP AND LEGAL DESCRIPTION



PROJECT SITE LOCATION:
1000 MacArthur Causeway
Miami , FL 33132-1613

FOLIO No.: 13-2227-001-1100

LATITUDE: 25°53'14.33"N
LONGITUDE: 80° 7'43.71"W

PROJECT LEGAL DESCRIPTION:
PORTIONS OF TRACT D, WATSON ISLAND-SOUTHWEST. AS RECORDED IN PLAT BOOK 166 AT PAGE 11 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA. BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
COMMENCE AT THE NORTHWEST CORNER OF SAID TRACT D, THENCE S17° 12'21" E ALONG THE WESTERLY LINE OF SAID TRACT D FOR 236.60 FEET TO THE POINT OF BEGINNING OF A PARCEL OF LAND HEREINAFTER DESCRIBED. THENCE CONTINUE S17°12'21"E FOR 131.00 FEET TO THE POINT OF CURVATURE OF A CIRCULAR CURVE TO THE LEFT HAVING A RADIUS OF 300.00 FEET AND A CENTRAL ANGLE OF 47°46'15", THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE AN ARC DISTANCE OF 250.13 FEET, THENCE S64°58'36"E FOR 2.15 90 FEET, THENCE N24°15'11"E FOR 229.86 FEET, THENCE N52°14'06"W FOR 41.43 FEET, THENCE N44°28'41"W FOR 165.00 FEET, THENCE N42°5'231"W FOR 114.31 FEET, THENCE S47°07'29"W FOR 78.16 FEET, THENCE N35°49'29"W FOR 97.75 FEET, THENCE S66°57'22"W FOR 160.74 FEET TO THE POINT OF BEGINNING.
SAID LANDS LYING WITHIN THE CITY OF MIAMI, FLORIDA. CONTAINING 2.90 ACRES MORE OR LESS.

GENERAL NOTES

- ELEVATIONS SHOWN REFER TO THE NATIONAL GEODETIC VERTICAL DATUM (NGVD) OF 1929.
- ALL DIMENSIONS ON PLANS ARE SUBJECT TO VERIFICATION IN THE FIELD.
- IT IS THE INTENT OF THESE PLANS TO BE IN ACCORDANCE WITH APPLICABLE CODES AND AUTHORITIES HAVING JURISDICTION. ANY DISCREPANCIES BETWEEN THESE PLANS AND APPLICABLE CODES SHALL BE IMMEDIATELY BROUGHT TO THE ATTENTION OF ENGINEER BEFORE PROCEEDING WITH WORK. CONTRACTOR AND ALL SUBCONTRACTORS ARE RESPONSIBLE FOR ALL LINES, ELEVATIONS, AND MEASUREMENTS IN CONNECTION WITH THEIR WORK.
- IT IS THE INTENT OF THESE PLANS AND THE RESPONSIBILITY OF THE CONTRACTOR TO COMPLY WITH LOCAL, STATE, AND FEDERAL ENVIRONMENTAL PERMITS ISSUED FOR THIS PROJECT. IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO FAMILIARIZE AND GOVERN HIMSELF BY ALL PROVISIONS OF THESE PERMITS.
- APPLICABLE BUILDING CODE: FLORIDA BUILDING CODE, 2017 EDITION (AND CURRENT ADDENDUMS).
- APPROVED CONTRACTOR TO DETERMINE THE SUITABILITY OF EXISTING STRUCTURES AND VERIFY ALL DIMENSIONS. THE APPROVED CONTRACTOR IS RESPONSIBLE FOR ALL METHODS, MEANS, SEQUENCES AND PROCEDURES OF WORK.
- DO NOT SCALE DRAWINGS FOR DIMENSIONS.
- CONTRACTOR TO VERIFY LOCATION OF EXISTING UTILITIES PRIOR TO COMMENCING WORK.
- CONTRACTOR TO PROPERLY FENCE AND SECURE AREA WITH BARRICADES.
- ANY DEVIATION AND/OR SUBSTITUTION FROM THE INFORMATION PROVIDED HEREIN SHALL BE SUBMITTED TO THE ENGINEER FOR APPROVAL PRIOR TO COMMENCEMENT OF WORK.
- ALL NEW MATERIALS AND/OR PATCHWORK SHALL BE PROVIDED TO MATCH EXISTING MATERIALS AND/OR ADJOINING WORK WHERE PRACTICAL EXCEPT AS SPECIFICALLY NOTED HEREIN.
- LICENSED CONTRACTOR SHALL USE ALL POSSIBLE CARE TO PROTECT ALL EXISTING MATERIALS, SURFACES, AND FURNISHINGS FROM DAMAGE DURING ALL PHASES OF CONSTRUCTION.
- THE LICENSED CONTRACTOR TO INSTALL AND REMOVE ALL SHORING AND BRACING AS REQUIRED FOR THE PROPER EXECUTION OF THE WORK.
- ALL NEW WORK AND/OR MATERIALS SHALL CONFORM TO ALL REQUIREMENTS OF EACH ADMINISTRATIVE BODY HAVING JURISDICTION IN EACH PERTAINING CIRCUMSTANCE.
- THE CONTRACTOR WILL EMPLOY AND MAINTAIN ADEQUATE SEDIMENT AND EROSION CONTROL MEASURES TO PROTECT BISCAYNE BAY FROM SEDIMENT AND CONSTRUCTION DEBRIS.

SHEET PILING NOTES

- STEEL SHEET PILING SHALL BE OF THE SECTIONS INDICATED, AND SHALL BE ASTM A572 GRADE 50.
- SHEET PILING SHALL BE COATED WITH TNE MEC TAR (46H-413) COAL TAR EPOXY; TOP 20", BOTH SIDES.
- COATING SHALL BE 16 MILS DRY FILM THICKNESS, AND APPLIED IN STRICT ACCORDANCE WITH MANUFACTURER INSTRUCTIONS.
- DRIVE SHEET PILING IN ACCORDANCE WITH FDOT 455-9.
- CONTRACTOR SHALL BE PREPARED TO DRIVE SHEET PILING THROUGH LIMESTONE LAYERS; REFER TO GEOTECHNICAL REPORT.
- ANY DAMAGED COATING DUE TO HANDLING, DRIVING, ETC, SHALL BE REPAIRED IN STRICT ACCORDANCE WITH COATING MANUFACTURER INSTRUCTIONS.

CONCRETE

- CONCRETE SHALL CONFORM TO ACI 318 (LATEST ED.) AND SHALL BE REGULAR WEIGHT, SULFATE RESISTANT, WITH A DESIGN STRENGTH OF 5,000 PSI AT 28 DAYS W/ A MAX WATER-CEMENTIOUS MATERIALS RATIO, BY WEIGHT, NORMAL WEIGHT AGGREGATE CONCRETE OF 0.40.
- OWNER SHALL EMPLOY AND PAY FOR TESTING SERVICES FROM AN INDEPENDENT TESTING LABORATORY FOR CONCRETE SAMPLING AND TESTING IN ACCORDANCE W/ ASTM.
- LICENSED CONTRACTOR IS RESPONSIBLE FOR THE ADEQUACY OF FORMS AND SHORING AND FOR SAFE PRACTICE IN THEIR USE AND REMOVAL.
- CONCRETE COVER SHALL BE 3" UNLESS OTHERWISE NOTED ON APPROVED DRAWINGS.
- REINFORCING STEEL SHALL BE IN CONFORMANCE WITH THE LATEST VERSION OF ASTM A615 GRADE 60 SPECIFICATIONS. ALL REINFORCEMENT SHALL BE PLACED IN ACCORDANCE W/ ACI 315 AND ACI MANUAL OF STANDARD PRACTICE.
- SPLICES IN REINFORCING BARS SHALL NOT BE LESS THAN 48 BAR DIAMETERS AND REINFORCING SHALL BE CONTINUOUS AROUND ALL CORNERS AND CHANGES IN DIRECTION. CONTINUITY SHALL BE PROVIDED AT CORNERS OR CHANGES IN DIRECTION BY BENDING THE LONGITUDINAL STEEL AROUND THE CORNER 48 BAR DIAMETERS.

PILE DRIVING NOTES

- PILE DRIVING OPERATIONS SHALL BE OBSERVED BY A SPECIAL INSPECTOR, INCLUDING TEST PILES SUFFICIENT TO DETERMINE THE APPROXIMATE LENGTH REQUIRED TO MEET DESIGN CAPACITY.
- PILES SHALL BE DRIVEN USING AN APPROVED CUSHION BLOCK CONSISTING OF MATERIAL SO ARRANGED SO AS TO PROVIDE THE TRANSMISSION OF THE HAMMER ENERGY.
- PILES SHALL BE DRIVEN INTO BERM TO REQUIRED CAPACITY
- PILES SHALL BE DRIVEN WITH A DROP HAMMER OR GRAVITY HAMMER PROVIDED THE HAMMER SHALL WEIGH NO LESS THAN 3,000 POUNDS, AND THE FALL OF THE HAMMER SHALL NOT EXCEED 6 FT.
- PILES SHALL BE DRIVEN WITH A VARIATION OF NOT MORE THAN 4" PER FOOT FROM THE VERTICAL OR FROM THE BATTER LINE INDICATED, WITH A MAX VARIATION OF THE HEAD OF THE PILE FROM THE POSITION SHOWN ON THE PLANS OF NOT MORE THAN 3".
- WHERE PILING MUST PENETRATE STRATA OFFERING HIGH RESISTANCE TO DRIVING, THE STRUCTURAL ENGINEER OF RECORD OR SPECIAL INSPECTOR MAY REQUIRE THAT PILES BE SET IN PRE-DRILLED OR PUNCHED HOLES. THE PILES SHALL REACH THEIR FINAL PENETRATION BY DRIVING.

MIAMI SEAPLANE BASE
SEAWALL PROJECT

CLIENT: Mr. Ignacio J. Vega-Penichet Lopez 1000 McArthur Causeway Miami, FL 33132
ENVIRONMENTAL CONSULTANT: OCEAN CONSULTING, LLC 340 Minorca Avenue, Suite 7 Coral Gables, Florida 33134 Tel: (305) 921-9344 Fax: (305) 677-3254
CONTRACTOR:
PROJECT ENGINEER: DYNAMIC ENGINEERING SOLUTIONS, INC. 351 S. Cypress Road, Suite 303 Pompano Beach, FL 33060 Office - 954-545-1740 Fax - 954-545-1721

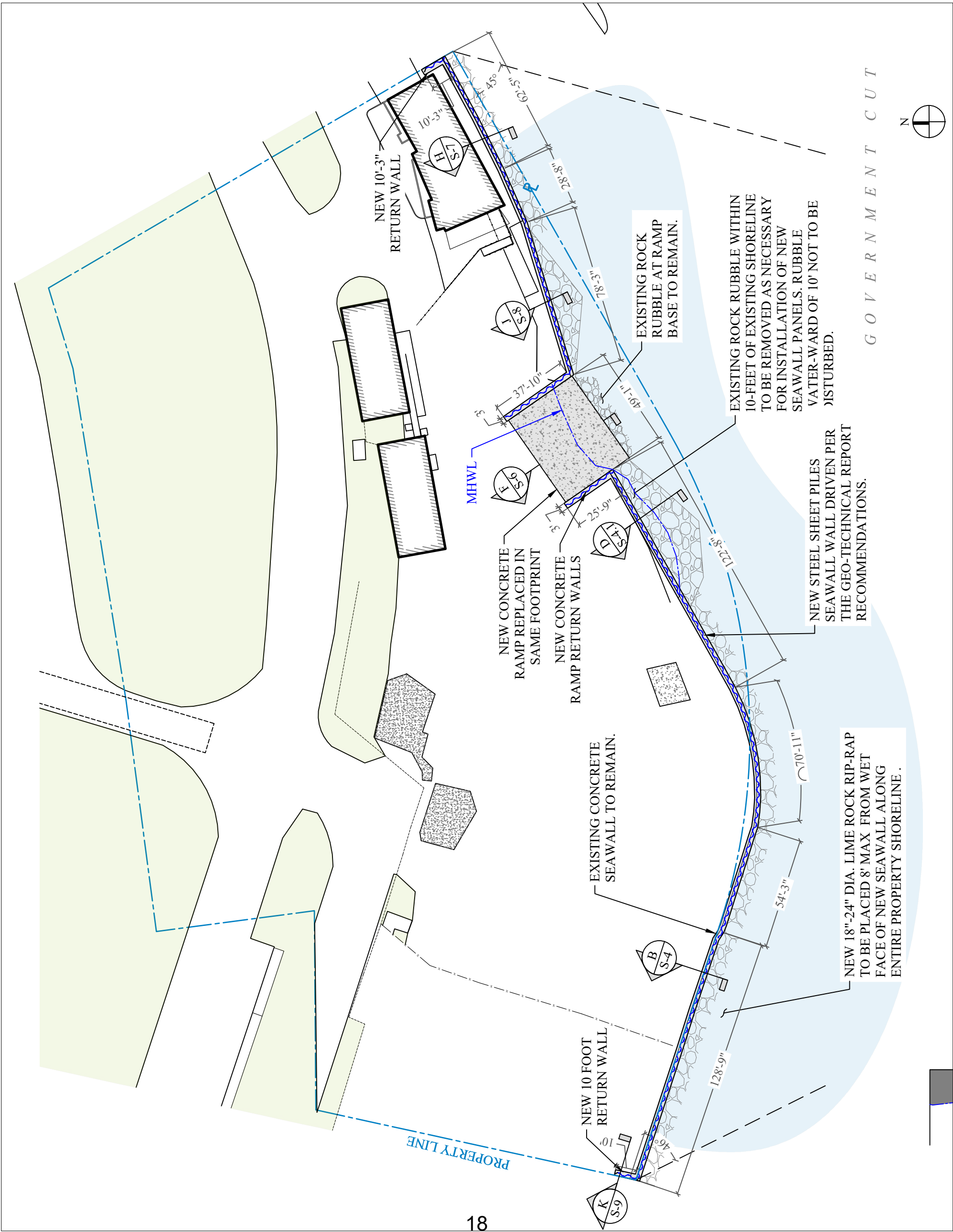
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John Omslaet
PE 52733, CA 26829

Issue # Issue Date
① October 21, 2020

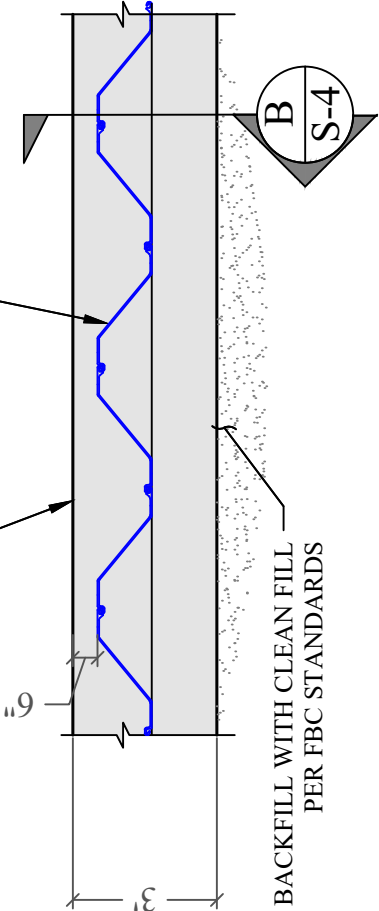
PROJECT LOCATION & NOTES	
SCALE : AS SHOWN	SHEET NO.
PERMIT DRAWINGS	S-1
PROJECT: 15-4775	
CLI-2019-0413	

MIAMI SEAPLANE BASE SEAWALL PROJECT	
CLIENT: Mr. Ignacio J. Vega-Penichet Lopez 1000 McArthur Causeway Miami, FL 33132	Miami, Florida
ENVIRONMENTAL CONSULTANT: OCEAN CONSULTING, LLC 340 Minorca Avenue, Suite 7 Coral Gables, Florida 33134 Tel: (305) 921-9344 Fax: (305) 677-3254	
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Issue # Issue Date ① October 21, 2020	
PROPOSED CONDITIONS SCALE : AS SHOWN	
PERMIT DRAWINGS PROJECT: 15-4775 CLI-2019-0413	
SHEET NO. S-3	



NEW REINFORCED
CONCRETE SEAWALL CAP.
SEE DETAILS BELOW

NEW STEEL SHEET PILE SEAWALL PANEL,
EMBED 1' MIN INTO NEW SEAWALL CAP.
INSTALL SHEET PILE PER GEO-TECHNICAL
REPORT RECOMMENDATIONS.



EXISTING CONDITIONS

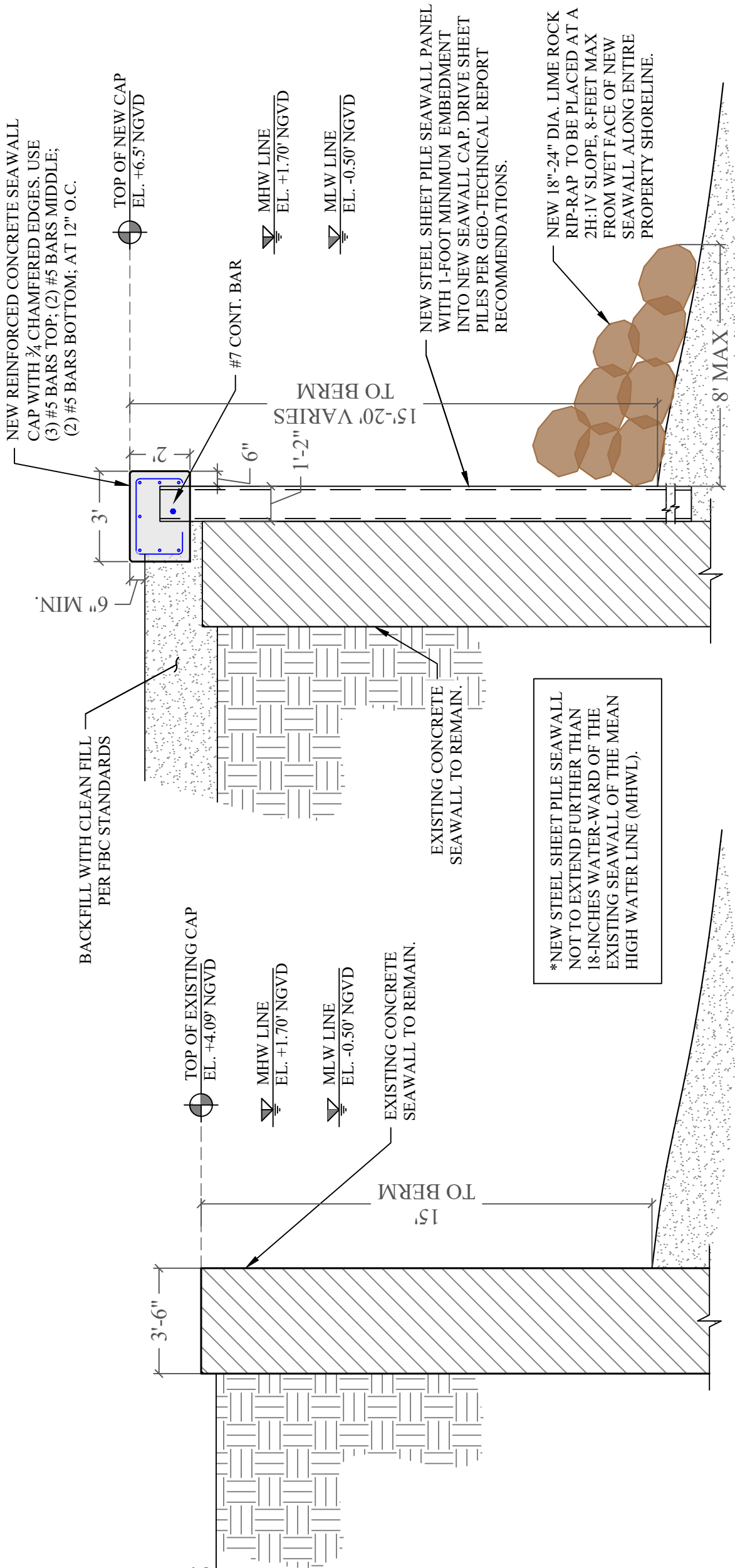
1
S-4

SCALE: 1/4" = 1'-0"

PROPOSED CONDITIONS

2
S-4

SCALE: 1/4" = 1'-0"



EXISTING SEAWALL SECTION

A
S-4

SCALE: 1/4" = 1'-0"

PROPOSED SEAWALL SECTION

B
S-4

SCALE: 1/4" = 1'-0"

MIAMI SEAPLANE BASE SEAWALL PROJECT

Miami, Florida

CLIENT:

Mr. Ignacio J. Vega-Penichet Lopez

1000 McArthur Causeway
Miami, FL 33132

ENVIRONMENTAL CONSULTANT:

OCEAN CONSULTING, LLC

340 Minorca Avenue, Suite 7
Coral Gables, Florida 33134
Tel: (305) 921-9344
Fax: (305) 677-3254

CONTRACTOR:

PROJECT ENGINEER:

DYNAMIC ENGINEERING SOLUTIONS, INC.

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John Omslaet
PE 52733, CA 26829

Issue # Issue Date

① October 21, 2020

EXISTING AND

PROPOSED SECTIONS

SCALE : AS SHOWN

PERMIT DRAWINGS

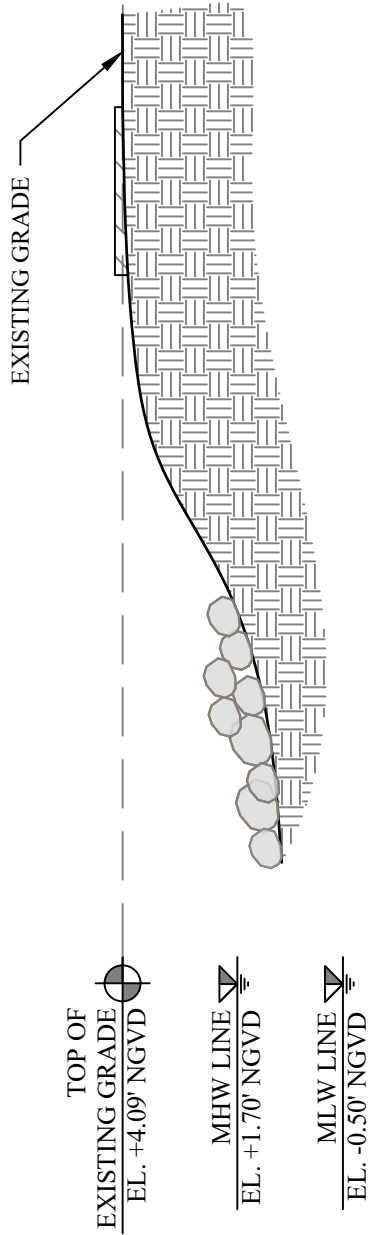
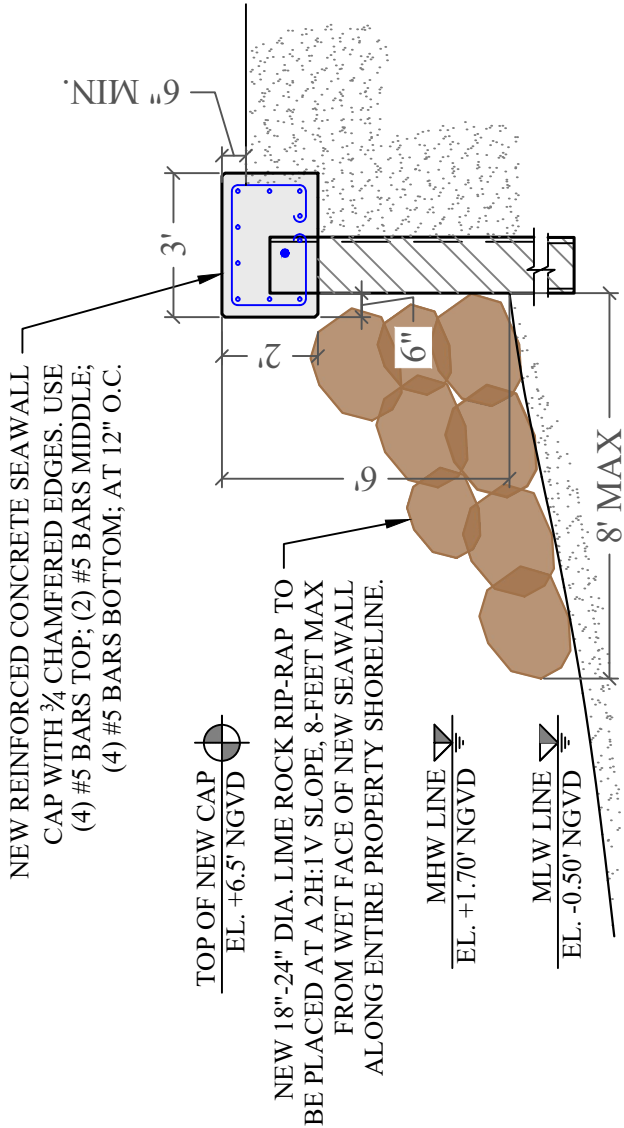
SHEET NO.

PROJECT: 15-4775

CLI-2019-0413

S-4

*NEW STEEL SHEET PILE SEAWALL NOT TO EXTEND FURTHER THAN 18-INCHES WATER-WARD OF THE EXISTING SEAWALL OF THE MEAN HIGH WATER LINE (MHWL).



EXST. UNCONSOLIDATED SHORELINE

C

S-4.1

SCALE: 1/4" = 1'-0"

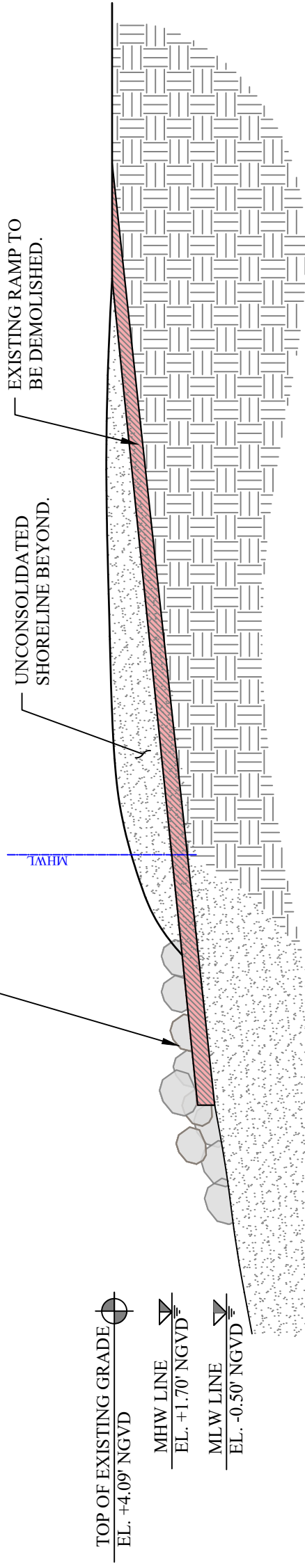
PROPOSED SEAWALL SECTION

D

S-4.1

SCALE: 1/4" = 1'-0"

EXISTING ROCK RUBBLE TO BE REMOVED AS NECESSARY WITHIN 10-FEET OF THE MHWL.



EXISTING BOAT RAMP

E

S-7

SCALE: 3/16" = 1'-0"

MIAMI SEAPLANE BASE
SEAWALL PROJECT

CLIENT:
Mr. Ignacio J. Vega-Penichet Lopez
1000 McArthur Causeway
Miami, FL 33132

ENVIRONMENTAL CONSULTANT:
OCEAN CONSULTING, LLC
340 Minorca Avenue, Suite 7
Coral Gables, Florida 33134
Tel: (305) 921-9344
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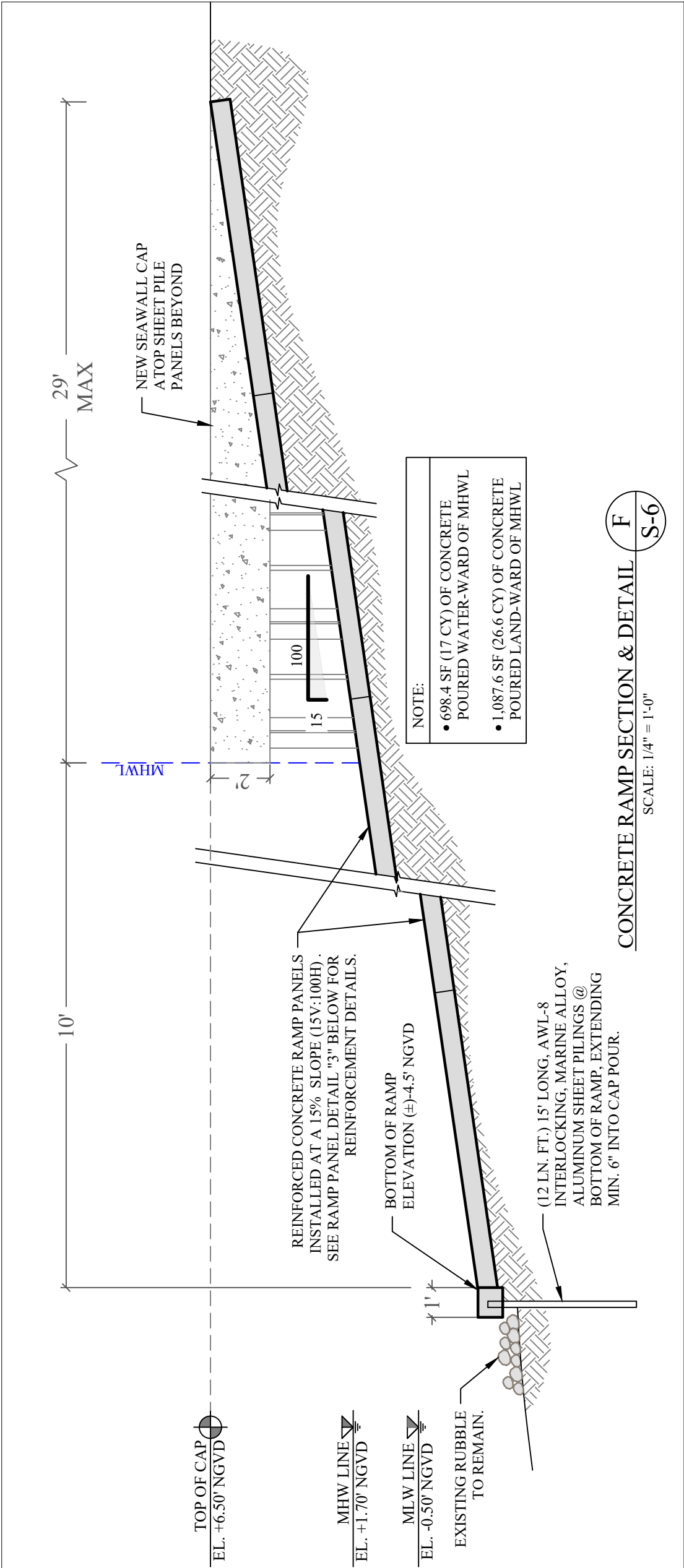
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PE 52733, CA 26829

Issue # Issue Date

① October 21, 2020

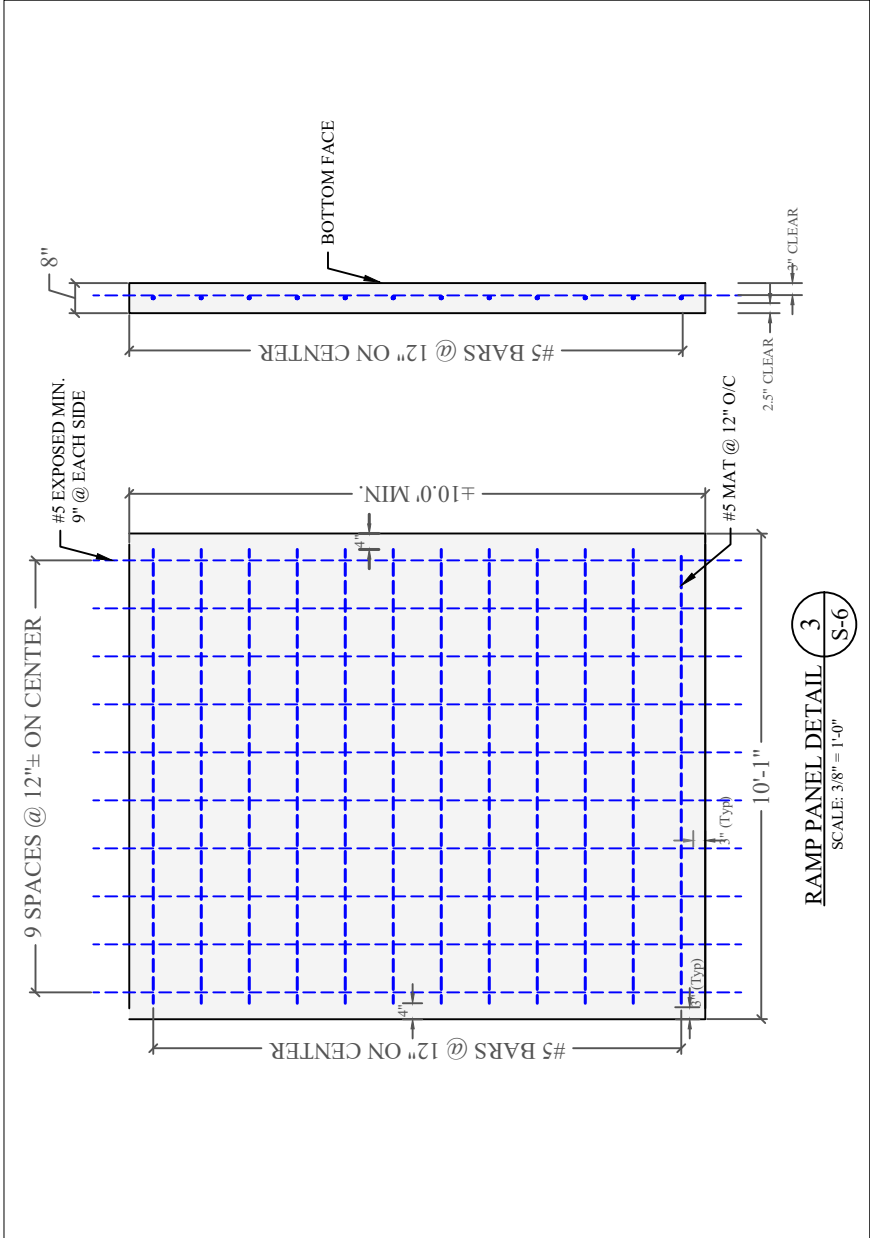
EXISTING AND
PROPOSED SECTIONS
SCALE : AS SHOWN

PERMIT DRAWINGS
PROJECT: 15-4775
SHEET NO.
S-4.1
CLI-2019-0413



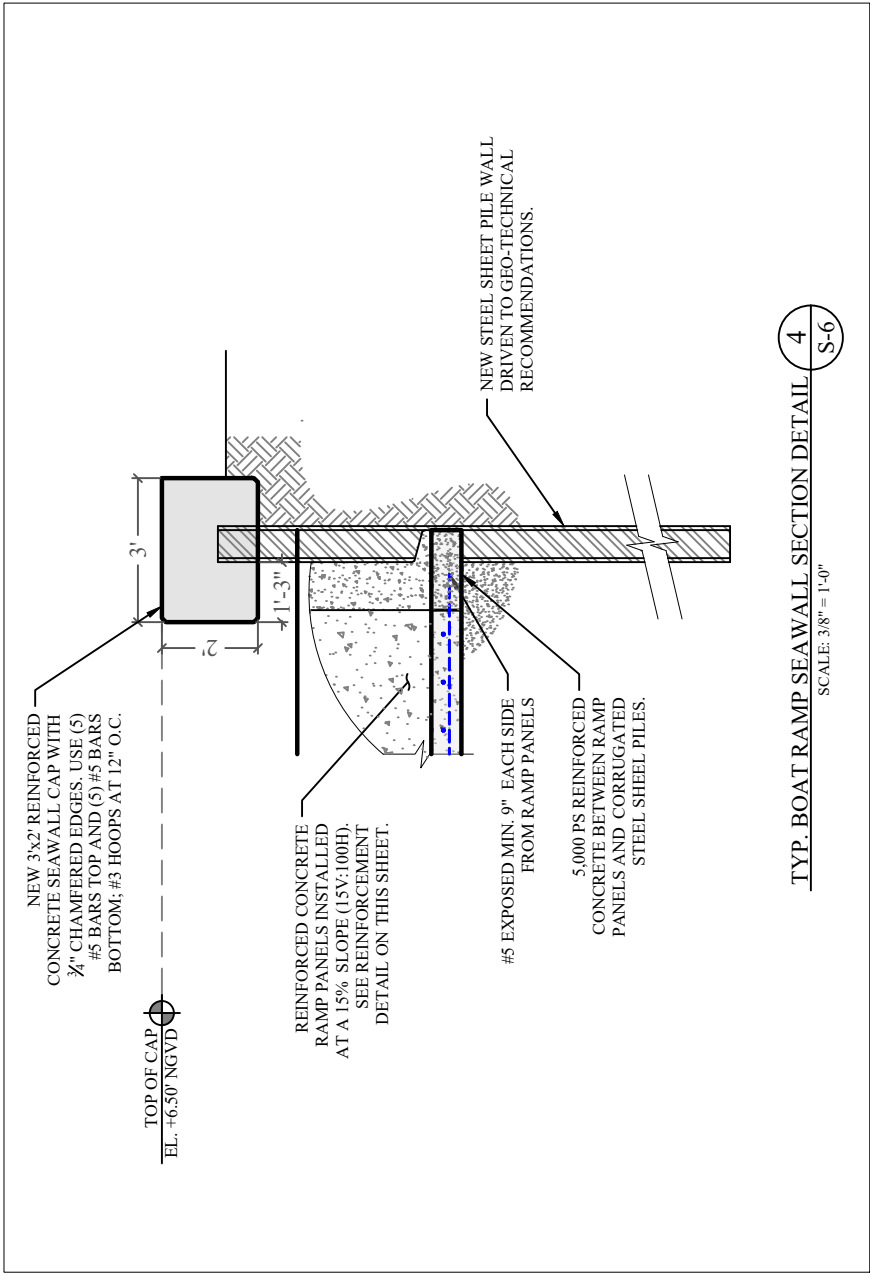
CONCRETE RAMP SECTION & DETAIL F S-6

SCALE: 1/4" = 1'-0"



RAMP PANEL DETAIL 3 S-6

SCALE: 3/8" = 1'-0"



TYP. BOAT RAMP SEAWALL SECTION DETAIL 4 S-6

SCALE: 3/8" = 1'-0"

MIAMI SEAPLANE BASE
SEAWALL PROJECT

CLIENT:
Mr. Ignacio J. Vega-Penichet Lopez
1000 McArthur Causeway
Miami, FL 33132

ENVIRONMENTAL CONSULTANT:
OCEAN CONSULTING, LLC
340 Minorca Avenue, Suite 7
Coral Gables, Florida 33134
Tel: (305) 921-9344
Fax: (305) 677-3254

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DYNAMIC ENGINEERING SOLUTIONS, INC.
351 S. Cypress Road, Suite 303
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John Omslaet
PE 52733, CA 26829

Issue # Issue Date

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BOAT RAMP SECTION DETAILS

SCALE : AS SHOWN

PERMIT DRAWINGS

PROJECT: 15-4775

CLI-2019-0413

TYP. BOAT RAMP SEAWALL SECTION DETAIL

SCALE: 3/8" = 1'-0"

4 S-6

RAMP PANEL DETAIL

SCALE: 3/8" = 1'-0"

3 S-6

TYP. BOAT RAMP SEAWALL SECTION DETAIL

SCALE: 3/8" = 1'-0"

4 S-6

RAMP PANEL DETAIL

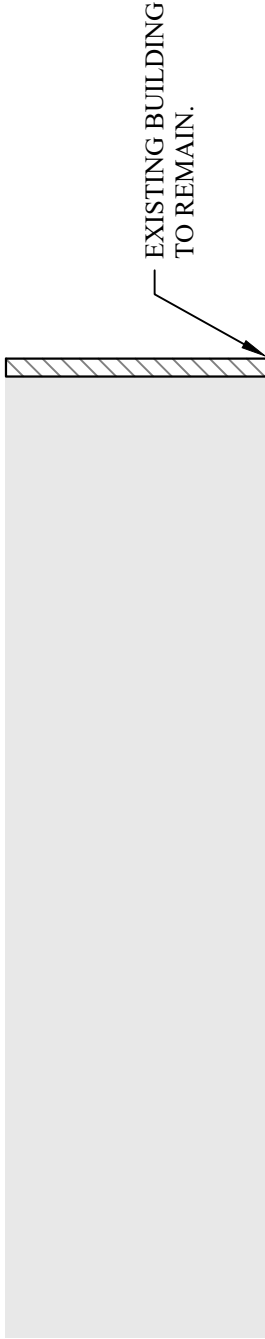
SCALE: 3/8" = 1'-0"

3 S-6

TYP. BOAT RAMP SEAWALL SECTION DETAIL

SCALE: 3/8" = 1'-0"

4 S-6



EXISTING CONCRETE SLAB TO REMAIN.

EXISTING ROCK RUBBLE TO BE REMOVED AS NECESSARY WITHIN 10-FEET OF THE MHWL.

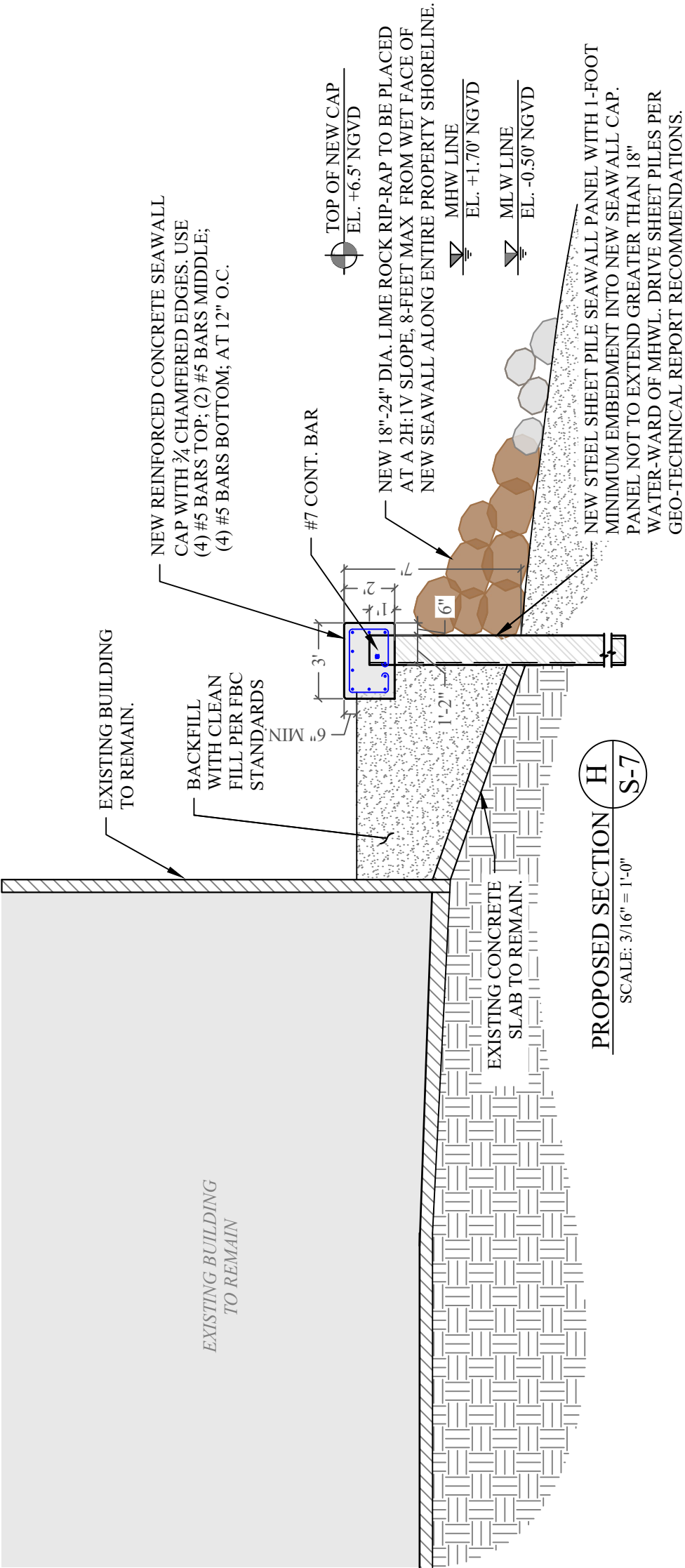
TOP OF EXISTING GRADE
EL. +3.0' NGVD

MHW LINE
EL. +1.70' NGVD

MLW LINE
EL. -0.50' NGVD

EXISTING CONDITIONS

SCALE: 3/16" = 1'-0"



PROPOSED SECTION H

SCALE: 3/16" = 1'-0"

S-7

MIAMI SEAPLANE BASE
SEAWALL PROJECT

Miami, Florida

CLIENT:

Mr. Ignacio J. Vega-Penichet Lopez
1000 McArthur Causeway
Miami, FL 33132

ENVIRONMENTAL CONSULTANT:

OCEAN CONSULTING, LLC

340 Minorca Avenue, Suite 7
Coral Gables, Florida 33134
Tel: (305) 921-9344
Fax: (305) 677-3254

CONTRACTOR:

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John Omslaet
PE 52733, CA 26829

Issue # Issue Date

① October 21, 2020

EXISTING AND

PROPOSED SECTIONS

SCALE : AS SHOWN

PERMIT DRAWINGS

PROJECT: 15-4775

CLI-2019-0413

SHEET NO.

S-7

NEW REINFORCED CONCRETE SEAWALL
CAP WITH $\frac{3}{4}$ CHAMFERED EDGES. USE
(4) #5 BARS TOP; (2) #5 BARS MIDDLE;
(4) #5 BARS BOTTOM; AT 12" O.C.

TOP OF NEW CAP
EL. +6.5' NGVD

NEW 18"-24" DIA. LIME ROCK RIP-RAP TO
BE PLACED AT A 2H:1V SLOPE, 8-Feet
MAX FROM WET FACE OF NEW SEAWALL
ALONG ENTIRE PROPERTY SHORELINE.

6"

6"

3'

2'

6"

8' MAX

MHW LINE
EL. +1.70' NGVD

MLW LINE
EL. -0.50' NGVD

EXISTING GRADE

EXISTING CONCRETE
RETAINING WALL TO
BE REMOVED.

TOP OF
EXISTING GRADE
EL. +4.09' NGVD

MHW LINE
EL. +1.70' NGVD

MLW LINE
EL. -0.50' NGVD

EXISTING SECTION I
SCALE: 1/4" = 1'-0"

PROPOSED SEAWALL SECTION J
SCALE: 1/4" = 1'-0"

Miami, Florida

Mr. Ignacio J. Vega-Penichet Lopez

1000 McArthur Causeway

Miami, FL 33132

ENVIRONMENTAL CONSULTANT:

OCEAN CONSULTING, LLC

340 Minorca Avenue, Suite 7
Tel: (305) 921-9344

Coral Gables, Florida 33134

Coral Gables, Florida 33134
Fax: (305) 677-3254

CONTRACTOR:

PROJECT ENGINEER:

DYNAMIC ENGINEERING SOLUTIONS, INC.

351 S. Cypress Road Suite 303
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Pompano Beach, FL 33060

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John Omslaer

PE 52733, CA 26829

Issue # Issue Date

1) October 21, 2020

EXISTING AND

PROPOSED SECTIONS

SCALE: AS SHOWN

PERMIT DRAWINGS

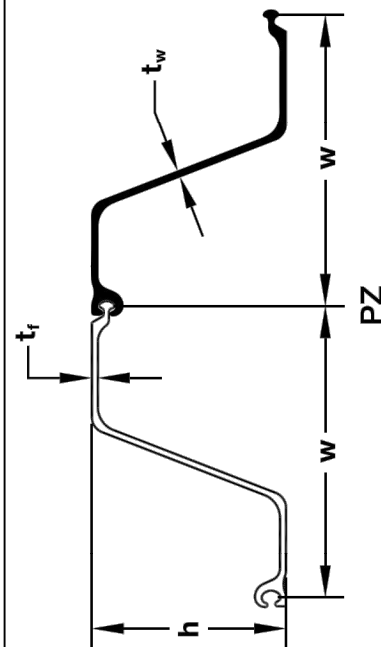
PROJECT: 15-4775

CLL-2019-0413

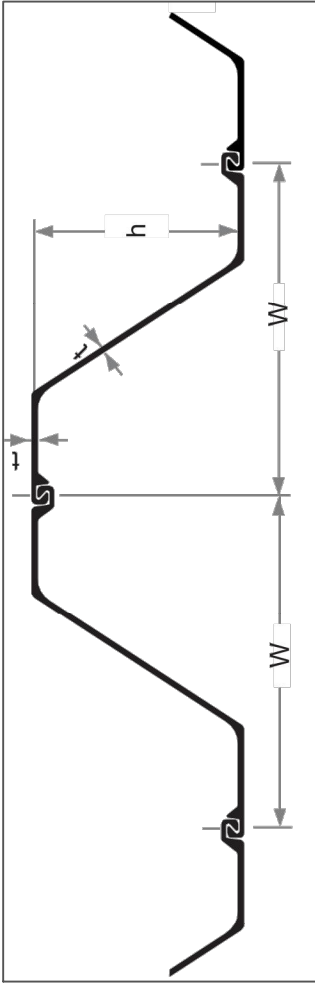
STEEL SHEET PILE SPECIFICATIONS

NOT DRAWN TO SCALE

5	8
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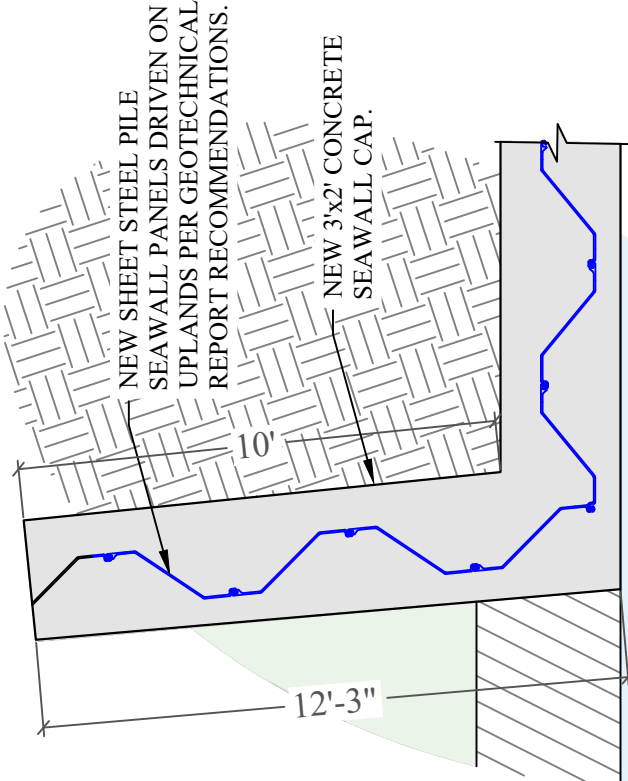
SECTION	Width (w)	Height (h)	THICKNESS		Cross Sectional Area	WEIGHT		SECTION MODULUS		COATING AREA	
			Flange (t _f)	Web (t _w)		Pile	Wall	Elastic	Plastic	Both Sides	Wall Surface
	in mm	in mm	in mm	in mm	in ² /ft cm ² /m	lb/ft kg/m	lb/ft ² kg/m ²	in ³ /ft cm ³ /m	in ³ /ft cm ³ /m	ft ² /ft of single m ² /m	ft ² /ft ² m ² /m ²
PZ 22	22.0	9.0	0.375	0.375	6.47	40.3	22.0	18.1	2179	84.38	1.22
	559	229	9.50	9.50	136.9	60.0	107.4	973	1171.4	11500	1.22
PZ 27	18.0	12.0	0.375	0.375	7.94	40.5	27.0	30.2	36.49	184.20	1.49
	457	305	9.50	9.50	168.1	60.3	131.8	1620	1961.9	25200	1.49



HOESCH LARSEN Z SERIES

Section	Nominal Width	Wall Depth (Height)	Web Thickness	Flange Thickness	Per Single Section				Per Unit of Wall				
					Area	Weight	Moment of Inertia	Section Modulus	Nominal Coating Area	Area	Weight	Moment of Inertia	Section Modulus
4007	Inch (mm)	Inch (mm)	Inch (mm)	Inch (mm)	Inch ² (cm ²)	Pounds/Feet (kg/m)	Inch ⁴ (cm ⁴)	Inch ³ (cm ³)	Feet ² /Feet (m ² /m)	Inch ² /Feet (cm ² /m)	Pounds/Feet ² (kg/m ²)	Inch ⁴ /Feet (cm ⁴ /m)	Inch ³ /Feet (cm ³ /m)
	27.56 700	19.69 500	0.748 19	0.512 13	30.43 196.3	89.3 132.9	1668.5 69450	169.50 2778	6.89 2.1	11.42 241.8	38.9 189.8	728.6 99500	74.0 3980

* Some sections are in testing/development and will not be commercially available until later in 2012. Please check with your JD Fields Representative to verify section availability.



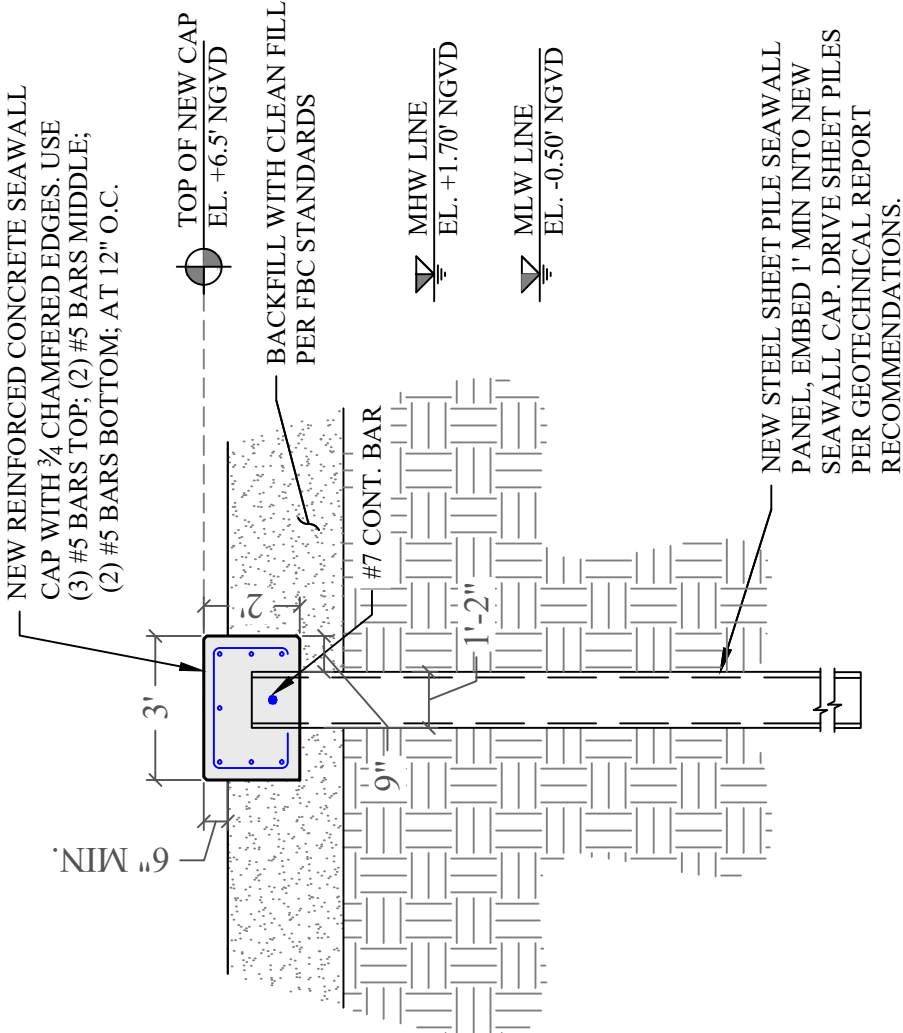
TYP. RETURN WALL DETAIL

NORTH WALL

SCALE: 1/4" = 1'-0"

6

S-9



PROPOSED SEAWALL SECTION

K

SCALE: 1/4" = 1'-0"

S-9

MIAMI SEAPLANE BASE
SEAWALL PROJECT

Miami, Florida

CLIENT:

Mr. Ignacio J. Vega-Penichet Lopez

1000 McArthur Causeway
Miami, FL 33132

ENVIRONMENTAL CONSULTANT:

OCEAN CONSULTING, LLC

340 Minorca Avenue, Suite 7
Coral Gables, Florida 33134
Tel: (305) 921-9344
Fax: (305) 677-3254

CONTRACTOR:

PROJECT ENGINEER:

DYNAMIC ENGINEERING SOLUTIONS, INC.

351 S. Cypress Road, Suite 303
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Office - 954-545-1740
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John Omslaet
PE 52733, CA 26829

Issue # Issue Date

1 October 21, 2020

RETURN WALL DETAILS &

SHEET PILE SPECIFICATIONS

SCALE : AS SHOWN

PERMIT DRAWINGS

SHEET NO.

PROJECT: 15-4775

CLI-2019-0413

S-9

S-9

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 P&D
Asset Management Division
c/o Mr. Andrew Schimmel
444 SW 2 Ave #325
Miami, FL 33130**

Attachment D
Zoning Memorandum

Memorandum



Date: April 2, 2021

To: McKee Gray, Manager *McKee Gray*
Coastal Resources Section
Department of Regulatory and Economic Resources

From: Samantha Tiffany, Biologist II *Samantha Tiffany*
Coastal Resources Section
Department of Regulatory and Economic Resources

Subject: Class I Permit Application by the Nautilus Enterprises, LLC for the Filling of Tidal Waters in Association with Improvements to an Existing Seaplane Ramp and for the Installation of a New Seawall and Riprap within Biscayne Bay at 980 MacArthur Causeway, in the City of Miami, Miami-Dade County, Florida.

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 will be submitted after approval by the Miami-Dade County Board of County Commissioners and prior to issuance of the Class I permit.

Attachment E
DERM Project Report

CLASS I PERMIT APPLICATION NO. CLI-2019-0413

Class I Permit Application by Nautilus Enterprises, LLC for the Filling of Tidal Waters in Association with Improvements to an Existing Seaplane Ramp and for the Installation of a New Seawall and Riprap within Biscayne Bay at 980 MacArthur Causeway, in the City of Miami, Miami-Dade County, Florida

DATE: March 4, 2021

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 24-48.4 of the Code, potential adverse environmental impacts and cumulative adverse environmental impacts for a proposed project must be avoided and minimized. Section 24-48.4 of the Code also requires mitigation for permissible projects that otherwise result in unavoidable environmental impacts. The area of the existing ramp that would be filled in association with the new ramp does not provide significant benthic habitat and no federally or State-designated threatened or endangered species of coral or seagrass were documented within the proposed fill footprint. The proposed work is not reasonably expected to result in cumulative environmental impacts to water quality; however, the construction phase of the proposed project may result in temporary water quality impacts. In order to minimize the temporary impacts to water quality as a result of the construction activities associated with the proposed work, the Class I permit would require that turbidity controls be utilized during all phases of construction to ensure compliance with State and County water quality standards. Mitigation for unavoidable temporary impacts to water quality associated with the filling of tidal waters and seawall installation will be satisfied through the placement of riprap along the new seawall to provide shoreline stabilization and create habitat. Any portion of the required mitigation that cannot be accommodated on-site would be satisfied through a contribution to the Biscayne Bay Environmental Enhancement Trust Fund

The proposed project has been evaluated for consistency with the Miami-Dade County Manatee Protection Plan. The project is not located within an area designated as essential habitat for the Florida manatee and the Miami-Dade County Manatee Protection Plan recommends the project area for “Special Use Marinas and Transitory Docks.” Although the Manatee Protection Plan does not contemplate this specific type of use (i.e. seaplane), seaplanes have historically launched from the property for over 40 years and the ramp would be used solely for the launching and retrieval of seaplanes. Furthermore, the proposed ramp would be installed within the footprint of the existing ramp and the Class I permit would require that all standard construction permit conditions regarding manatee protection be followed during all in-water operations.

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 result in adverse impacts to water quality. Although the proposed project may result in minor temporary impacts to surface water quality during construction operations, potential impacts will be minimized and mitigated as set forth in Number 1 above.
5. **Wellfields** – The proposed project is not reasonably expected to adversely affect wellfields.
6. **Water Supply** – The proposed project is not reasonably expected to adversely affect water supply.
7. **Aquifer Recharge** – The proposed project is not reasonably expected to adversely affect aquifer recharge.

8. **Aesthetics** – The proposed project is not reasonably expected to adversely affect aesthetics.
9. **Navigation** – The proposed project is not reasonably expected to adversely affect navigation.
10. **Public Health** - The proposed project is not reasonably expected to adversely affect public health.
11. **Historic Values** - The proposed project is not reasonably expected to adversely affect historic values.
12. **Archaeological Values** - The proposed project is not reasonably expected to adversely affect archaeological values.
13. **Air Quality** – The proposed project is not reasonably expected to adversely affect air quality.
14. **Marine and Wildlife Habitats** – The proposed project is not reasonably expected to adversely affect marine and wildlife habitats as set forth in Number 1 above.
15. **Wetland Soils Suitable for Habitat** – The project area does not contain wetland soils suitable for habitat.
16. **Floral Values** – The proposed project is not reasonably expected to adversely affect floral values as set forth in Number 1 above.
17. **Fauna Values** - The proposed project is not reasonably expected to adversely affect fauna values as set forth in Number 1 above.
18. **Rare, Threatened and Endangered Species** – The proposed project 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.
21. **Land Use Classification** – Pursuant to Section 24-48.2(II)(B)(7) of the Code of Miami-Dade County, Florida, a substantiating letter stating that the proposed project does not violate any zoning laws, or a plan approval, will be submitted prior to permit issuance. Said letter or plan approval will be submitted after the approval by the Board of County Commissioners and prior to the issuance of a Class I permit.
22. **Recreation** - The proposed project does not conflict with the recreation element of the Miami-Dade County Comprehensive Development Master Plan.
23. **Other Environmental Values Affecting the Public Interest** – The proposed project is not reasonably expected to adversely affect other environmental values affecting the public interest. The proposed project will occur on submerged lands owned by the City of Miami and the applicant has received authorization.
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 Code of Miami-Dade County and the Miami-Dade County Public Works Manual.

25. **Comprehensive Environmental Impact Statement (CEIS)** - In the opinion of the Director, the proposed project is not reasonably expected to result in significant adverse environmental impacts or cumulative adverse environmental impacts. Therefore, a CEIS was not required by DERM to evaluate the project.
26. **Conformance with All Applicable Federal, State and Local Laws and Regulations** - The proposed project is in conformance with applicable State, Federal and local laws and regulations:
- a) Chapter 24 of the Code of Miami-Dade County
 - b) United States Clean Water Act (US Army Corps of Engineers permit is required)
 - c) Florida Department of Environmental Protection (regulatory 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 all applicable environmental regulations, is compatible with surrounding land uses in Biscayne Bay and does not involve development in the Big Cypress area of Critical State Concern or the East Everglades.

TRANSPORTATION ELEMENT II:

Aviation Subelement/Objective AV-5A - Aviation System Expansion – The proposed work will not result in the expansion of the existing facility and the environmental impacts associated with the replacement of the seaplane ramp have been minimized and will be mitigated as set forth in Number 1 above.

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

CONSERVATION, AQUIFER RECHARGES AND DRAINAGE ELEMENT IV:

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

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

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

Objective 5/Policies 5A, 5B, 5F - Flood protection and cut and fill criteria – The proposed project will not compromise flood protection.

Objective 6/Policy 6A - Areas of highest suitability for mineral extraction. - The proposed project is not located in an area proposed or suitable for mineral extraction.

Objective 6/Policy 6B - Guidelines for rock quarries for the re-establishment of native flora and fauna. – The proposed project is not located in a rock quarry.

Objective 7/Policy 7A, 7C, 7D, 7J - Wetland protection and restoration. – The proposed project is not 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.”

Objective 1/ Policy 1B - Natural surface flow into and through coastal wetlands. – The proposed project is not located within coastal wetlands.

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 a mangrove forest or related natural vegetational community.

Objective 1/Policy 1E - Mitigation for the degradation and destruction of coastal wetlands. Monitoring and maintenance of mitigation areas. – The proposed project is not located within coastal wetlands.

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 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/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 uses. - The proposed project is not reasonably expected to affect the existing water-dependent use.

Objective 5/Policy 5D - Consistency with Chapter 33D, Miami-Dade County Code. (shoreline access, environmental compatibility of shoreline development) –The proposed project has been reviewed by the Miami-Dade County Shoreline Development Review Committee (SDRC). The SDRC determined that the thresholds for review under the Shoreline Ordinance are not applicable; therefore, the project is not subject to any further conditions or restrictions with respect to the Shoreline Ordinance.

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.

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 project would result in filling, the proposed work would be the minimal amount of filling of tidal waters to maintain the facility, specifically to adequately and safely facilitate launching and retrieval of seaplanes.
30. **Conformance with the Miami-Dade County Manatee Protection Plan** - The proposed project has been evaluated for consistency with the Miami-Dade County Manatee Protection Plan. The project is not located within an area designated as essential habitat for the Florida manatee and the Miami-Dade County Manatee Protection Plan recommends the project area for “Special Use Marinas and Transitory Docks.” Although the Manatee Protection Plan does not contemplate this specific type of use (i.e. seaplane), seaplanes have historically launched from the property for over 40 years and the ramp would be used solely for the launching and retrieval of seaplanes. Furthermore, the proposed ramp would be installed within the footprint of the existing ramp and the Class I permit would require that all standard construction permit conditions regarding manatee protection be followed during all in-water operations.
31. **Consistency with Miami-Dade County Criteria for Lake Excavation** – The proposed project does not involve lake excavation.
32. **Municipality Recommendation** – Pursuant to Section 24-48.2(II)(B)(7) of the Code of Miami-Dade County, Florida, a substantiating letter stating that the proposed project does not violate any zoning laws, or a plan approval, will be submitted prior to permit issuance. Said letter or plan approval will be submitted after the approval by the Board of County Commissioners and prior to the issuance of a 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 located within a wetland.
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:

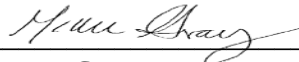
24-48.3(2) Dredging and Filling for Class I Permit – The proposed project complies with the following criteria:

(c) minimum dredging and filling necessary for the creation and maintenance of marinas, piers, docks, and attendant navigational channels.

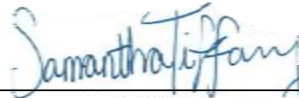
24-48.3(3) Minimum Water Depth Required for Boat Slips Created by the Construction or Placement of Fixed or Floating Docks and Piers, Piles and Other Structures Requiring a Permit Under Article IV, Division 1 of Chapter 24 of the Code of Miami-Dade County – The proposed project complies with the Code-required water depth criteria.

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

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



McKee Gray, Manager
Coastal Resources Section



Samantha Tiffany, Biologist II
Coastal Resources Section



MEMORANDUM

(Revised)

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

DATE: May 18, 2021

FROM: 
Gen Bonzon-Keenan
County Attorney

SUBJECT: Agenda Item No. 5(I)

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(I)
5-18-21

RESOLUTION NO. R-501-21

RESOLUTION TAKING ACTION ON A CLASS I PERMIT APPLICATION BY NAUTILUS ENTERPRISES, LLC FOR THE FILLING OF TIDAL WATERS IN ASSOCIATION WITH IMPROVEMENTS TO AN EXISTING SEAPLANE RAMP AND FOR THE INSTALLATION OF A NEW SEAWALL AND RIPRAP WITHIN BISCAYNE BAY AT 980 MACARTHUR CAUSEWAY, IN THE CITY OF MIAMI, MIAMI-DADE COUNTY, FLORIDA

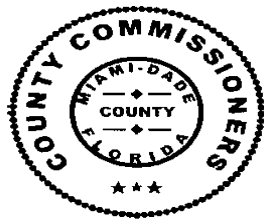
WHEREAS, this Board desires to accomplish the purposes outlined in the accompanying memorandum, a copy of which is incorporated herein by reference,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that this Board having considered all the applicable factors contained within Section 24-48.3 of the Code of Miami-Dade County, hereby approves the application by Nautilus Enterprises, LLC for the filling of tidal waters in association with improvements to an existing seaplane ramp and for the installation of a new seawall and riprap within Biscayne Bay at 980 MacArthur Causeway, in the City of Miami, Miami-Dade County, Florida, subject to the conditions set forth in the memorandum from the Miami-Dade County Department of Regulatory and Economic Resources, a copy of which is attached hereto and made a part hereof. The issuance of this approval does not relieve the applicant from obtaining all applicable Federal, State, and local permits.

The foregoing resolution was offered by Commissioner **Sally A. Heyman**, who moved its adoption. The motion was seconded by Commissioner **Oliver G. Gilbert, III** and upon being put to a vote, the vote was as follows:

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

The Chairperson thereupon declared this resolution duly passed and adopted this 18th day of May, 2021. This resolution shall become effective upon the earlier of (1) 10 days after the date of its adoption unless vetoed by the County Mayor, and if vetoed, shall become effective only upon an override by this Board, or (2) approval by the County Mayor of this resolution and the filing of this approval with the Clerk of the Board.



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

HARVEY RUVIN, CLERK

Melissa Adames

By: _____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

CJW

Christopher J. Wahl
Abbie Schwaderer-Raurell