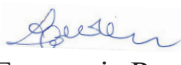


Date: September 1, 2021

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

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

Agenda Item No. 5(AA)

Resolution No. R-800-21

Subject: Class I Permit Application by Miami-Dade County, through its Water and Sewer Department

Recommendation

I have reviewed the attached application for a Class I permit by Miami-Dade County, through its Water and Sewer Department, 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 in the Atlantic Ocean offshore of the North District Wastewater Treatment Plant, Miami-Dade County, Florida, in Commission District 4, which is represented by Commissioner Sally Heyman.

Delegation of Authority

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

Fiscal Impact/Funding Source

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

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 maintenance dredging and filling of tidal waters in association with repairs to exposed portions of the North District Wastewater Treatment Plant Ocean outfall pipeline located approximately one mile offshore of Haulover Beach. To be approved, this application must be reviewed and decided by the Board at a public hearing because the filling of tidal waters 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.

Over time due to natural degradation and hydraulic forces associated with tropical system activity,

portions of the existing pipeline, which are typically covered by a concrete matting, have become exposed. The pipeline remains intact but certain protective materials around the pipeline need to be replaced. In order to protect the pipeline, the Applicant is proposing to remove the degraded sections of mat through the maintenance dredging and install new erosion protection in the form of concrete matting, geotextile fabric, and riprap over two segments of exposed pipeline resulting in the filling of approximately 4,788 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. The pipeline is associated with the North District Wastewater Treatment Plant and the repairs are necessary to protect the pipeline and continue providing the wastewater service to the public. The proposed dredging and filling is the minimum necessary to adequately repair and protect the pipeline and therefore complies with the criteria listed in Section 24-48.3(2)(f) of the Code because it is a physical modification necessary to protect public or private property.

The maintenance dredging is identified by the Code as work that can be processed administratively and is only coming before the Board because the aforementioned work is included in the subject application.

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 and mitigation is required for permittable projects that otherwise result in adverse environmental impacts. While the proposed protective materials would be installed in generally the same footprint of the existing protective covering, there would be impacts to coral species that have opportunistically colonized the pipeline. In order to minimize impacts to corals within the project footprint, the Applicant is proposing to relocate all corals greater than 5 centimeters to an offshore reef site prior to construction. The focus of the relocation program would be to relocate corals that are anticipated to survive well on the offshore reef. Although the in-water survey, conducted by the Applicant’s environmental consultant and reviewed by DERM, did not document any federally or State-designated threatened or endangered species of corals or seagrasses within the footprint of the proposed project area, the permit will include a condition that if any federally listed threatened species of corals are discovered, they will be donated by the Applicant to the coral nursery at the Reef Institute in Palm Beach prior to the start of construction in accordance with the federal requirements as specified by the National Marine Fisheries Service. Should the permit be granted by the Board, a mitigation bond to ensure that the corals are successfully relocated would be required prior to permit issuance. While the construction would result in the loss of the existing macroalgae and invertebrates within the project footprint, it is reasonably expected that upon completion of the work the new matting and riprap would provide suitable habitat for the re-establishment of similar benthic resources that can recruit from the surrounding area.

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 would be satisfied through a contribution to the Biscayne Bay Environmental Enhancement Trust Fund.

Please note that there are no riparian owners within 300 feet of the proposed project. Therefore, no courtesy notices were sent out for this application.

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.

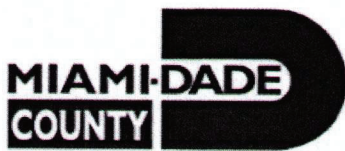
Attachments

Attachment A: Class I Permit Application

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

Attachment C: DERM Project Report

Attachment A
Class I Permit Application



Class I Permit Application

FOR DEPARTMENTAL USE ONLY

Date Received:

Application Number:

Application Fee:

(Updated 09/09)

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

1. Applicant Information:

Name: Miami-Dade County Water & Sewer Dept. (MDWASD)

Address: Miami-Dade County Water & Sewer Dept.

3071 SW 38 Ave Zip Code: 33146

Phone #: 786.552.8894 Fax#: N/A

Email: marisela.aranguiz@miamidade.gov

* 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: Laura Vogel

Address: Nova Consulting

10486 NW 31st Terrace Zip Code: 33172

Phone #: 305.436.9200 Fax #: Mobile: 305.562.1153

Email: lvogel@nova-consulting.com

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

Folio #(s): N/A Latitude: 25.91996 Longitude: -80.10525

Street Address: N/A Section: N/A Township: N/A Range: N/A

In City or Town: N/A Near City or Town: North Miami Beach, Miami, FL

Name of waterway at location of the activity: Atlantic Ocean, offshore from North District Wastewater Treatment Plant (NDWWTP)

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: Installation of articulated concrete mat (ACM) over exposed sections of NDWWTP pipeline.

Estimated project cost = \$ \$273,488 (sum of construction costs only) *Historical permit attached

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

5. Proposed Use (check all that apply):

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

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

Proposed Vessel Type (s): N/A

Vessel Make/Model (If known): N/A

Draft (s)(range in inches.): N/A Length (s)(range in feet.): N/A

Total Number of Slips: N/A

7. List all permits or certifications that have been applied for or obtained for the above referenced work:

Issuing Agency	Type of Approval	Identification Number	Application Date	Approval Date
FDEP	Pending	Pending	Pending	Pending
USACE	Pending	Pending	Pending	Pending

8. Contractor Information (If known): TBD

Name: _____ 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

N/A	N/A	N/A
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.)

N/A	N/A	N/A
Miami-Dade County Water & Sewer Dept. (MDWASD)		
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.*****

N/A	N/A	N/A	N/A
Signature of Authorized Representative	Print Authorized Representative's Name	Title	Date

Marisela J. Aranguiz Marisela J. Aranguiz, P.E. Assistant Director, Capital Projects, MDWASD 9/4/20

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

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

N/A	N/A	N/A
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.*****

N/A	N/A	N/A	N/A
Signature of Authorized Representative	Print Authorized Representative's Name	Title	Date

N/A	N/A	N/A	N/A
Signature of Authorized Representative	Print Authorized Representative's Name	Title	Date

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

PERMIT APPLICANT / AUTHORIZED AGENT STATEMENT

Date: August 3, 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-2020-0225

By the attached Class I Standard Form permit application with supporting documents, I, Laura Vogel, am the authorized agent and hereby request permission to perform the work associated with Class I Permit Application CLI-2020-0225. 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,



Laura Vogel, Authorized Agent



August 05, 2020

RER-DERM Water Control Section
Class I Permitting Program
701 NW 1 Court, 6th Floor
Miami, FL 33136

**RE: Engineer Letter of Certification
Class I Permit Application No. CLI-2020-0225**

To Whom it may concern:

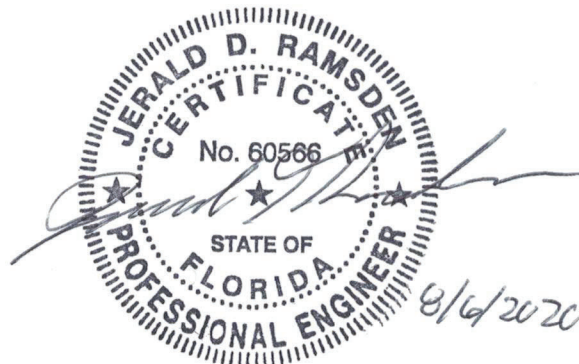
This letter will certify that I am an engineer licensed in the State of Florida, qualified by education and experience in the area of engineering design and construction observation, and that to the best of my knowledge and belief, the proposed work does not violate any laws, rules, or regulations of 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 construction observation related services 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,

Jerald Ramsden, P.E.
Engineer of Record
FL License No. 60566



WSP USA
Suite 300
7650 Corporate Center Drive
Miami, FL 33126

Tel.: +1 305 514-3100
Fax: +1 305 261-5735
wsp.com

NDWWTP 90 INCH OCEAN OUTFALL PERMANENT REPAIR
PCTS 15703 ER NO. S049947
CONTRACT NO. XX



Jerald D. Ramsden, P.E.
Engineer of Record
State of Florida - License No. 60566
7650 Corporate Center Drive
Suite 300, Miami, FL 33126
Date: _____



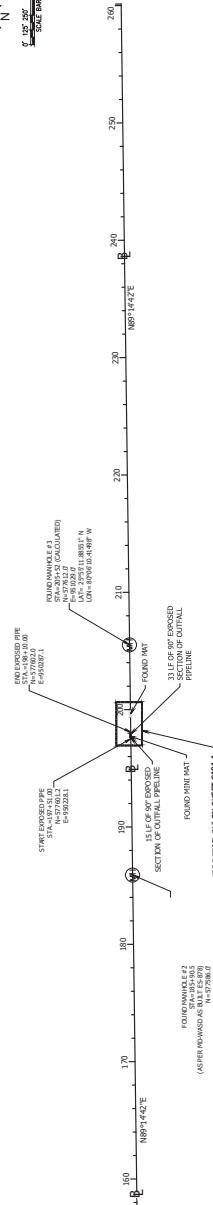
10



WSP USA INC.
7650 Corporate Center Drive
Suite 300,
Miami, FL 33126
(305) 514-3100
wsp.com

60% CONSTRUCTION DOCUMENTS
MAY 2020

APPROVALS		DRAWING HISTORY		No.	REVISION	DATE	BY	FILE NAME
CHIEF ENGINEER:		30% REVIEW						
		60% REVIEW						
DESIGN MANAGER:		90% REVIEW						DATE: 06/11/2020 DRAWING: AS
		100% REVIEW						
SECTION HEAD:		PERMIT SET						SHEET G-1
		100% CONST. DOCUMENTS						DWG. No. ***



PROJECT STATIONING PLAN

60% SUBMITTAL
MAY 2020

DRAWING ISSUED	DESCRIPTION	DATE
	REVISION No.	

RELATION No.	DESCRIPTION	DATE	BY

DRAWING ISSUED

APPROVED	
DESIGNED: JR	CHECKED: JR
DRAWN: AS	FINAL CHECK: MR

DESIGNED: JR	CHECKED: JR
DRAWING: AS	FINAL CHECK: MR

DEPARTMENT: W1	FINAL CHECK: MR
DRAWN: AS	

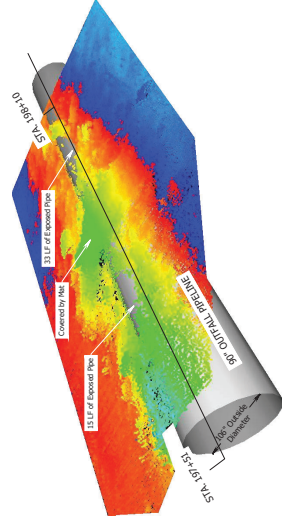
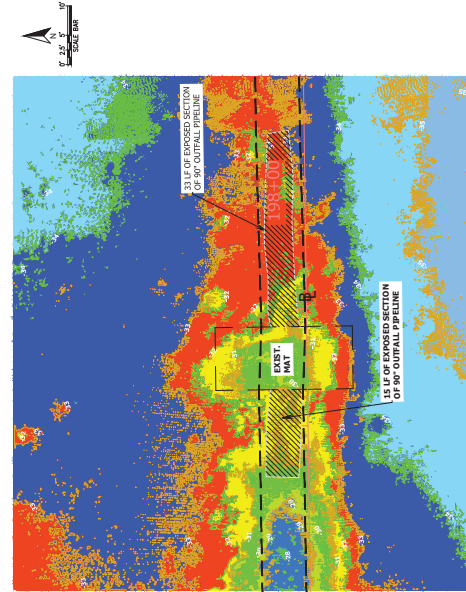
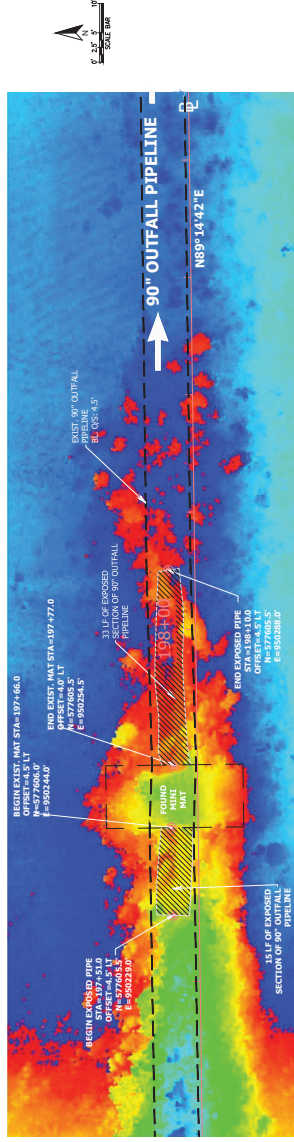
JERALD D. RAMSDEN
Engineer of Record
State of Florida - License No. 60566
7850 Corporate Center Drive, Suite 300
(305) 514-3100

DATE: _____
PROJECT No.: 188730F
DOWN M.: 457009

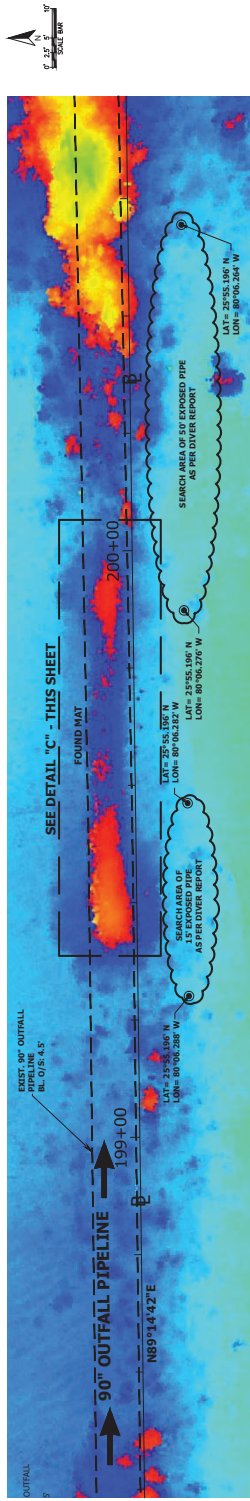
PLIS No: 15703
FILE NAME:

DATE: 06 / 11 / 2000 FORM E-10 CUMULATIVE

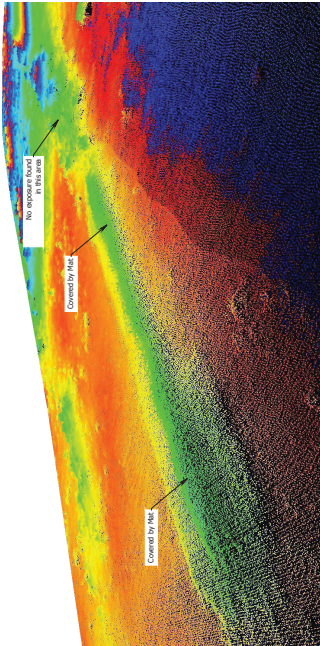
DWG. No.



ISOMETRIC VIEW FROM
STA. 197+51 TO 198+10



**ENLARGED SITE PLAN -
DETAIL "B"**

60% SUBMITTAL
MAY 2020

THE REPAIR SCHEDULE IS BASED ON CONSIDERATION OF BOTH THE HYDROGRAPHIC SURVEY CONDUCTED BY THE U.S. NAVY AND THE DIVE INSPECTIONS CONDUCTED BY CALLOWAY MARINE TECHNOLOGIES, INC. THE DIVE INSPECTIONS INDICATED EXPOSED PIPE LENGTHS THAT ARE LONGER THAN THOSE INDICATED BY THE HYDROGRAPHIC SURVEY. THE REPAIR SCHEDULE ASSUMES THAT THE EXPOSED PIPE IS ASSUMED TO PROVIDE FOR A CONSTRUCTED "TRANSITION FROM THE END OF THE EXPOSED PIPE TO THE EXISTING RUBBLE PROTECTING THE PIPE. THEREFORE, THE REPAIR SCHEDULE LENGTHS ARE LONGER AND TERMINATE AT THE "TRANSITION" AS SHOWN ABOVE IN THE PLAN VIEW. THE REPAIR SCHEDULE TABLED WITH "TERMINA" IS SCHEDULE ABOVE IN THE PLAN VIEW.

SCHEDULE INCLUDES REPAIRS BEYOND LIMITS OF EXPOSURE AND PLACES WHERE EXISTING COVER IS LESS THAN ONE (1) FOOT.

Attachment C

DERM Project Report

CLASS I PERMIT APPLICATION NO. CLI-2020-0225

Class I Permit Application by the Miami-Dade County Water and Sewer Department for the Maintenance Dredging and Filling of Tidal Waters Associated with the Placement of Concrete Matting on the North District Wastewater Treatment Plant (NDWWTP) Pipeline Located Offshore of Haulover Beach, Miami-Dade County, Florida.

DATE: April 12, 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 and mitigation is required for permissible projects that otherwise result in adverse environmental impacts. While the proposed protective materials would be installed in generally the same footprint of the existing protective covering, there would be impacts to coral species that have opportunistically colonized the pipeline. Note that no federally or State-designated threatened or endangered species of corals or seagrasses were documented within the footprint of the proposed work as documented during the in-water survey conducted by the Applicant's environmental consultant and reviewed by DERM staff. In order to minimize impacts to corals within the project footprint, the Applicant is proposing to relocate all corals greater than 5 centimeters to an offshore reef site prior to construction. The focus of the relocation program would be to relocate corals that are anticipated to survive well on the offshore reef. Although the in-water survey did not document any federally listed threatened or endangered species of corals in the proposed project area, the permit will include a condition that if any federally listed threatened species of corals are discovered, regardless of size, they will be donated by the Applicant to the coral nursery at the Reef Institute in Palm Beach prior to the start of construction in accordance with the federal requirements as specified by the National Marine Fisheries Service. Should the permit be granted by the Board, a mitigation bond to ensure that the corals are successfully relocated would be required prior to permit issuance. While the construction would result in the loss of the existing macroalgae and invertebrates within the project footprint, it is reasonably expected that upon completion of the work the new matting and riprap would provide suitable habitat for the re-establishment of similar benthic resources that can recruit from the surrounding area.

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 would be satisfied through a contribution to the Biscayne Bay Environmental Enhancement Trust Fund.

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 may affect surface water quality on a temporary basis during construction operations; however, the impacts will be 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 involves minimal impacts to corals which will be mitigated for as set forth in Number 1 above.
15. **Wetland Soils Suitable for Habitat** – The proposed project is not reasonably expected to adversely affect wetland soils suitable for habitat.
16. **Floral Values** – The proposed project is not reasonably expected to adversely affect floral values as set forth in Number 1 above.
17. **Fauna Values** - The proposed project is not reasonably expected to adversely affect fauna values as set forth in Number 1 above.
18. **Rare, Threatened and Endangered Species** –The project site is not located within essential habitat for the West Indian Manatee; however, the Class I permit will require that all standard manatee construction conditions be followed during all in-water construction operations.

The proposed project site is not located within the area designated as critical habitat for Johnson's seagrass, a federally listed threatened species, and there will be no impacts seagrasses, including Johnson's. Additionally, there were no federally listed threatened species of corals documented in the proposed project area.

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, applications for Class I permits by the County within its own jurisdiction shall not be required to submit a substantiating letter or plan approval 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 proposed project will occur on lands owned by the State of Florida and proprietary authorization has been granted by the State.
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 (permit is required and has been obtained).
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 3B, 3C - Protection of natural resources and systems. – The proposed project is consistent with all applicable environmental regulations, is compatible with surrounding land uses in Biscayne Bay and does not involve development in the Big Cypress area of Critical State Concern or the East Everglades.

TRANSPORTATION ELEMENT II

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

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

CONSERVATION, AQUIFER RECHARGES AND DRAINAGE ELEMENT IV:

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

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

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

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

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

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

Objective 7/Policy 7A, 7C, 7D, 7J - Wetland protection and restoration. – The proposed project is not 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 animal species, and the impacts have been minimized 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 is the minimum dredging necessary and complies with the following Code criteria:

(c) A physical modification necessary to protect public or private property.

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 a repair of 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 site is not located within the Shoreline Development Review boundaries; therefore, the thresholds for review by the Shoreline Development Review Committee under the Shoreline Ordinance do not apply and the proposed project is not subject to shoreline development review.

Objective 5/Policy 5F - The siting of water dependent facilities. - The proposed project is consistent with the criteria used to determine appropriateness of the project site.

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

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

30. **Conformance with the Miami-Dade County Manatee Protection Plan (MPP)** - The proposed project is consistent with the MPP. The proposed work is not located within an area designated as essential habitat for the Florida manatee. Furthermore, the Class I permit will 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, applications for Class I permits by the County within its own jurisdiction shall not be required to submit a substantiating letter or plan approval from the applicable zoning authority.
32. **Coastal Resources Management Line** - A coastal resources management line was not required for the proposed project, pursuant to Section 24-48.2(II)(B)(10)(b) of the Code of Miami-Dade County.
33. **Maximum Protection of a Wetland's Hydrological and Biological Functions** – The proposed project is not located within a wetland.
34. **Class I Permit Applications Proposing to Exceed the Boundaries Described in Section D-5.03(2)(a) of the Miami-Dade County Public Works Manual** – Not applicable.

The proposed project was also evaluated for compliance with the standards contained in Sections 24-48.3(2), (3), and (4) of the Code of Miami-Dade County, Florida. The following is a summary of how the standards relate to the proposed project:

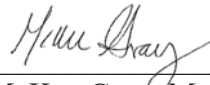
24-48.3 (2) Dredging and Filling for Class I Permit – The proposed project complies with the following criteria:

(f) a physical modification necessary to protect public or private property.

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 a slip.

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



Rockell Alhale, ERPS
Coastal Resources Section



MEMORANDUM

(Revised)

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

DATE: September 1, 2021

FROM: 
Gen Bonzon-Keenan
County Attorney

SUBJECT: Agenda Item No. 5(AA)

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(AA)
9-1-21

RESOLUTION NO. _____ R-800-21

RESOLUTION TAKING ACTION ON A CLASS I PERMIT APPLICATION BY MIAMI-DADE COUNTY, THROUGH ITS WATER AND SEWER DEPARTMENT, FOR THE MAINTENANCE DREDGING AND FILLING OF TIDAL WATERS ASSOCIATED WITH THE PLACEMENT OF CONCRETE MATTING ON THE NORTH DISTRICT WASTEWATER TREATMENT PLANT (NDWWTP) PIPELINE LOCATED OFFSHORE OF HAULOVER BEACH, 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 Miami-Dade County, through its Water and Sewer Department, for the maintenance dredging and filling of tidal waters associated with the placement of concrete matting on the North District Wastewater Treatment Plant (NDWWTP) pipeline located offshore of Haulover Beach, 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.

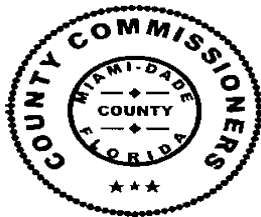
The foregoing resolution was offered by Commissioner **Joe A. Martinez**, who moved its adoption. The motion was seconded by Commissioner **Eileen Higgins** and upon being put to a vote, the vote was as follows:

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

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

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

HARVEY RUVIN, CLERK



By: **Melissa Adames**
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

CJW

Christopher J. Wahl