

Date: July 1, 2025

To: Honorable Chairman Anthony Rodriguez
and Members, Board of County Commissioners

Agenda Item No. 5(R)

Resolution No. R-648-25

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

Subject: Class I Permit Application by Speyside Investments Corp.

Recommendation

I have reviewed the attached application for a Class I permit by Speyside Investments Corp. 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 4575 Sabal Palm Drive, Miami, in Commission District 3, which is represented by Commissioner Keon Hardemon.

Delegation of Authority

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

Fiscal Impact/Funding Source

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

Track Record/Monitor

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

Background

The subject Class I permit application requests authorization for the removal of mooring and fender piles and the installation of a boatlift and associated boarding platform within the City of Miami, Miami-Dade County, Florida. The scope of work meets the threshold to be processed administratively as a short form application. However, the subject Class I permit application comes before the Board for review pursuant to Section 24-48.2(I)(B)(1) of the Code, which states that a public hearing by the Board shall be held for a short form application if a written request is filed with the County prior to the County's issuance of the permit. As explained below, a request filed in accordance with the above-referenced Section of the Code was submitted to RER-DERM.

The subject Class I permit application requests authorization for the removal of two existing mooring piles and three fender piles within the existing slip area and the installation of a 45,000 pound capacity 8-post boatlift located along the waterward side of the existing, permitted L-shaped dock. Additionally,

the applicant is requesting the installation of an aluminum boarding platform on the boatlift to facilitate loading and offloading from the vessel.

RER-DERM received correspondence from the adjacent property owner to the north of the subject property which requested a public hearing for the proposed project and expressed concerns that the proposed boatlift would impact their waterfront view and interfere with navigation. Several additional, non-adjacent property owners within the development subsequently submitted their objections to the proposed boatlift, citing navigational concerns. Based on the width of the waterway, the existing and proposed structures at the project site and neighboring properties, and RER-DERM's evaluation of navigability within the waterway, the proposed project is not reasonably anticipated to adversely affect navigation as discussed herein.

As part of a Class I permit application review, RER-DERM staff evaluate whether a proposed project has been designed to avoid and/or minimize potential environmental, aesthetic, and navigation impacts. 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. In response to the submittal of the Class I permit application, RER-DERM conducted an in-water assessment of the property. Seagrasses in varying densities were observed across the property, with the densest seagrasses observed to the north and west of the existing dock and seagrasses with a density of less than five percent observed within the slip area created by the existing dock and mooring piles. Note that pursuant to an existing Class I permit for the subject property, there is an existing Mooring Prohibited Area at the subject property which prohibits the docking of vessels along the north, west, and south sides of the existing, permitted dock (Attachment F). Due to the presence of dense seagrasses, mooring at the subject property is limited to the eastern side of the L-shaped dock. Based on the proposal to install the boatlift within the existing, permitted slip area, adverse environmental impacts are not reasonably expected to occur, and mitigation is not being required. Any Class I permit issued would require that turbidity controls be utilized during all phases of construction to ensure compliance with State and County water quality standards. For all the reasons stated herein and in the attached Project Report, RER-DERM is recommending approval of this Class I application.

RER-DERM's recommendations for Class I permits are based on several evaluation factors, and one such evaluation factor is a project's consistency with the Miami-Dade County Public Works Manual. Section D-5 of the Miami-Dade County Public Works Manual (Attachment G) provides minimum standards for design and construction of coastal and other waterfront structures and can be used to assess whether proposed structures raise potential navigational or aesthetic concerns. One of the factors that RER-DERM considers is whether a proposed structure would exceed the guidance on boundaries in Section D-5.03(2)(a) of the Miami-Dade County Public Works Manual. If a structure proposed under a Class I permit application would exceed the recommended boundaries, pursuant to Section 24-48.3(1)(j) of the Code, additional factors should be considered, such as the minimum exceedance necessary for the protection of seagrass or other marine resources, or the minimum exceedance necessary to achieve adequate water depth for the mooring of a vessel.

On the north side of the subject property (the side of the property adjacent to the original objector's property), a portion of the boatlift is proposed to extend past the D-5 boundary. With respect to the factors referenced above from Section 24-48.3(1)(j) of the Code, the proposed boatlift and associated boarding platform have been configured to obtain the Code-required water depth and avoid impacts to the densest seagrasses at the property. Furthermore, the boatlift is proposed to be installed within the existing, permitted slip area and would only extend four feet further waterward than the existing mooring

piles. This Class I permit application does not propose any structures which would exceed the boundaries described in Section D-5.03(2)(a) for the south side of the subject property (see Attachment B for project sketches including a depiction of the D-5 boundaries).

RER-DERM further evaluated potential impacts to navigation through an evaluation of the proposed mooring configuration and the size of the vessel and determined that navigational access to the neighboring properties would be maintained. As proposed, the vessel would be wholly contained within the Applicant's property limits. The subject property is located on open bay; however, there is a dredged unmarked channel running adjacent to the property and extending along the length of the development. Should the boatlift be installed as proposed, there would be approximately 73 feet of clearance between the waterward most point of the boatlift and the location of the four-foot contour on the eastern side of the channel. Therefore, it is not reasonably anticipated that the installation of the proposed boatlift would adversely impact navigation in the area.

Based on the width of the waterway and the size and the location of the boatlift in relation to the D-5 boundary, RER-DERM has determined that the proposed project is not reasonably expected to adversely affect the view or access to Biscayne Bay for the neighboring property owners. Furthermore, RER-DERM has determined that the least environmentally impacting design is to locate the boatlift within the slip area of the existing, permitted L-shaped dock. Additionally, RER-DERM staff considered mooring configurations of nearby properties and through aerial reviews, determined that similar perpendicular to the shoreline mooring configurations, specifically L-shaped docks with boatlifts, exist throughout the neighborhood. For context and illustrative purposes only, an aerial photograph from the Property Appraiser's website and a more zoomed-out aerial from Google Earth are attached as Attachment H and these photographs show the subject property, surrounding properties and the open bay east of those properties.

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 RER-DERM Project Report which also sets forth the reasons the proposed project is recommended for approval by RER-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 F: CLI-2014-0414 Mooring Prohibited Area
- Attachment G: D-5 Section of the Miami-Dade County Public Works Manual
- Attachment H: Aerial Photograph from Property Appraiser's Website and Google Earth Aerial Image
- Attachment I: Florida Department of Environmental Protection (FDEP) Permit

Attachment A
Class I Permit Application

**Date Received:****Application Number:****Application Fee:**

1. Applicant Information:

Name: Speyside Investments Corp c/o Mr. Eduardo Otaola

Address: 2100 Salzedo Street #300

Coral Gables, FL **Zip Code: 33134**

Phone #: (305) 282-8066 Fax#:

Email: _____

* This should be the applicant's information for contact purposes.

2. Applicant's Authorized Permit Agent:

Agent is allowed to process the application, furnish supplemental information relating to the application and bind the applicant to all requirements of the application.

Name: Kirk Lofgren, Ocean Consulting, LLC

Address: 359 Alcazar Ave, Suite 200

Coral Gables, FL Zip Code: 33134

Phone #: 305-921-9344 Fax #: 305-677-3254

Email: kirk@oceanconsultingfl.com; emily@oceanconsultingfl.com

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

Folio #(s): 01-3219-008-2630 Latitude: 25°49'13.54"N Longitude: 80°10'43.68"W

Street Address: 4575 Sabal Palm Road Section: 19 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: Floating Vessel Platform

Estimated project cost = \$ 100,000

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): Sport Cruiser / Jetskis

Vessel Make/Model (If known): Not Known

Draft (s)(range in inches.): 3' / 6" / 6" Length (s)(range in feet.): 55' / 12' / 12'

Total Number of Slips: 3

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: Southeast Marine Construction, Inc. License # (County/State): CGC1524635Address: 1121 NW 51st Court, Fort Lauderdale, Florida 33309 Zip Code: 33334Phone #: 954-630-2300 Fax #: _____ E-mail: semarine@semarineconstruction.com

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.)

Speyside Investments _____ Corp _____ 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. ***

 _____ Mr. Eduardo Otaola _____ Managing Member _____ 06/02/23
 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 4575 Sabal Palm Road Miami-Dade
County, Florida, otherwise identified in the public records of Miami-Dade County as Folio No. 01-3219-008-2630

I am aware and familiar with the contents of this application for a Miami-Dade County Class I Permit to perform the work on or adjacent to the subject property, as described in Section 4 of this application. I possess the riparian rights to the area of the proposed work (if applicable) and hereby consent to the work identified in this Class I Permit application.

A. IF THE OWNER(S) IS AN INDIVIDUAL

Signature of Owner _____ Print Owner's Name _____ Date _____

Signature of Owner _____ Print Owner's Name _____ Date _____

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

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

Speyside Investments Corp FL
Print Name of Owner (Enter the complete name as registered) Type (Corp, LLC, LLP, etc.) State of Registration/Incorporation
2100 Salzedo Street #300, Coral Gables, FL 33134
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.*****

 Mr. Eduardo Otaola Managing Member 06/02/23
Signature of Authorized Representative Print Authorized Representative's Name Title Date

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

Please Review Above

Appropriate signature(s) must be included in:

Box 9: either A, B or C

AND

Box 10: either A or B

(Please attach to Class I permit application)

Additional signatures for:

☐ Applicant

☐ Owner

Signature	Print Name	Title	Date
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Attachment B
Owner/Agent Letter, Engineer Letter, and Project Sketches

PERMIT APPLICANT / AUTHORIZED AGENT STATEMENT

Date: 11/25/24

Miami Dade County Department of Regulatory and Economic Resources
Class I Permitting Program
701 NW 1st Court
Miami, FL 33136

Re: Class I Standard Form Permit Application Number CLI-2023-0238

By the attached Class I Standard Form permit application with supporting documents, I am the permit agent and hereby request permission to perform the work associated with Class I Permit Application CLI-2023-0238. 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,



Authorized Agent

ENGINEER LETTER OF CERTIFICATION

Date: 12-05-2024

Miami-Dade County Department of Regulatory and Economic Resources
Class I Permitting Program
701 NW 1st Court
Miami, Florida 33136

RE: Class I Permit Application Number CLI-2023-0238

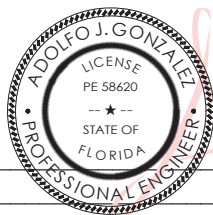
Ladies and Gentlemen:

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,

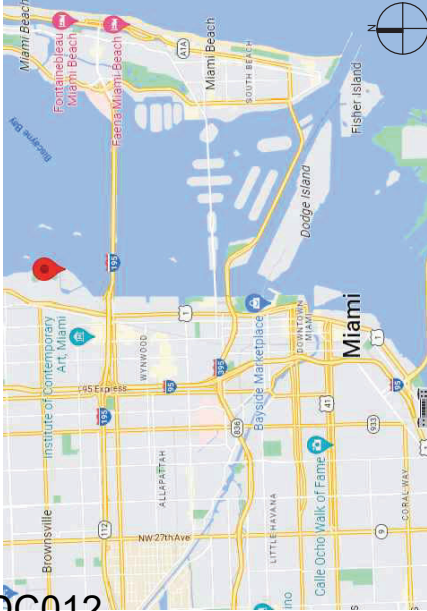


Digitally signed
by Adolfo J
Gonzalez
Date: 2024.12.05
10:33:59 -05'00'

Adolfo J. Gonzalez, P.E. #58620



LOCATION MAP AND LEGAL DESCRIPTION



LEGAL DESCRIPTION:

PROJECT SITE LOCATION:
4575 Sabal Palm Road
Miami, FL 33128

FOLIO No.: 01-3219-008-2630

LATITUDE: 25°46'37.91"N
LONGITUDE: 80°12'18.27"W

LOT SIZE IRREGULAR
OR 18638-4626 0898 4
COC 23902-1191 10 2005 5

AND PROP INT IN & TO COMMON ELEMENTS NOT DEDICATED TO PUBLIC

LOT SIZE IRREGULAR
OR 18638-4626 0898 4
COC 23902-1191 10 2005 5

- GENERAL NOTES:**
- ELEVATIONS SHOWN REFER TO THE NORTH AMERICAN VERTICAL DATUM (NAVD) OF 1988.
 - 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, 2020 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 DISCHARGE BAY FROM SEDIMENT AND CONSTRUCTION DEBRIS.

DESIGN CRITERIA

- STRUCTURAL DESIGN IS IN ACCORDANCE WITH THE FOLLOWING CODES AND SPECIFICATIONS:
- FLORIDA BUILDING CODE (FBC), 2020 EDITION.
 - ACI 318-19, BUILDING CODE REQUIREMENTS FOR STRUCTURAL CONCRETE.
 - ASCE 7-16, MINIMUM DESIGN LOADS FOR BUILDINGS AND OTHER STRUCTURES.
 - NDS NATIONAL DESIGN SPECIFICATION FOR WOOD CONSTRUCTION, 2018 EDITION.
 - EM 1110-2-1100 (PART V) COASTAL ENGINEERING MANUAL, 2011 EDITION.
- IN THE EVENT OF CONFLICT BETWEEN PERTINENT CODES AND REGULATIONS AND THE REQUIREMENTS OF THE REFERENCED STANDARDS OF THESE SPECIFICATIONS, THE PROVISIONS OF THE MORE STRINGENT SHALL GOVERN.

BOLTS: ALL BOLTS SHALL BE 316 STAINLESS STEEL, UNLESS OTHERWISE NOTED.

REBAR: ALL REBAR TO BE GALVANIZED GRADE 60, UNLESS OTHERWISE NOTED.

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 TO REQUIRED MINIMUM 15 TON (WOOD)/ (25-TON (CONCRETE)) BEARING 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 1/4" 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.
- PILES TO BE DRIVEN BASED ON RESULTS IN GEOTECHNICAL REPORT CREATED BY ARDAMAN & ASSOCIATES, INC. DATED JANUARY 29, 2015.

4575 SABAL PALM ROAD BOATLIFT PROJECT

CLIENT:
Miami, Florida

MR. EDUARDO OTAOLA
CONSTELLATION GROUP

8950 SW 74th Court, Suite 108 Miami, FL 33156

ENVIRONMENTAL CONSULTANT:

OCEAN CONSULTING, LLC

359 Alcazar Avenue, Suite 200
Coral Gables, Florida 33134
Tel: (305) 921-9344
Fax: (305) 677-3254

CONTRACTOR:

PROJECT ENGINEER:

ADOLFO GONZALEZ P.E.

2050 Coral Way Suite 502

Miami, FL 33145

Office - 305-415-8782

Adolfo Gonzalez PE

Lic. No. 58620

Issue # Issue Date

① Nov 20, 2023- VD

PROJECT LOCATION & NOTES

SCALE: AS SHOWN

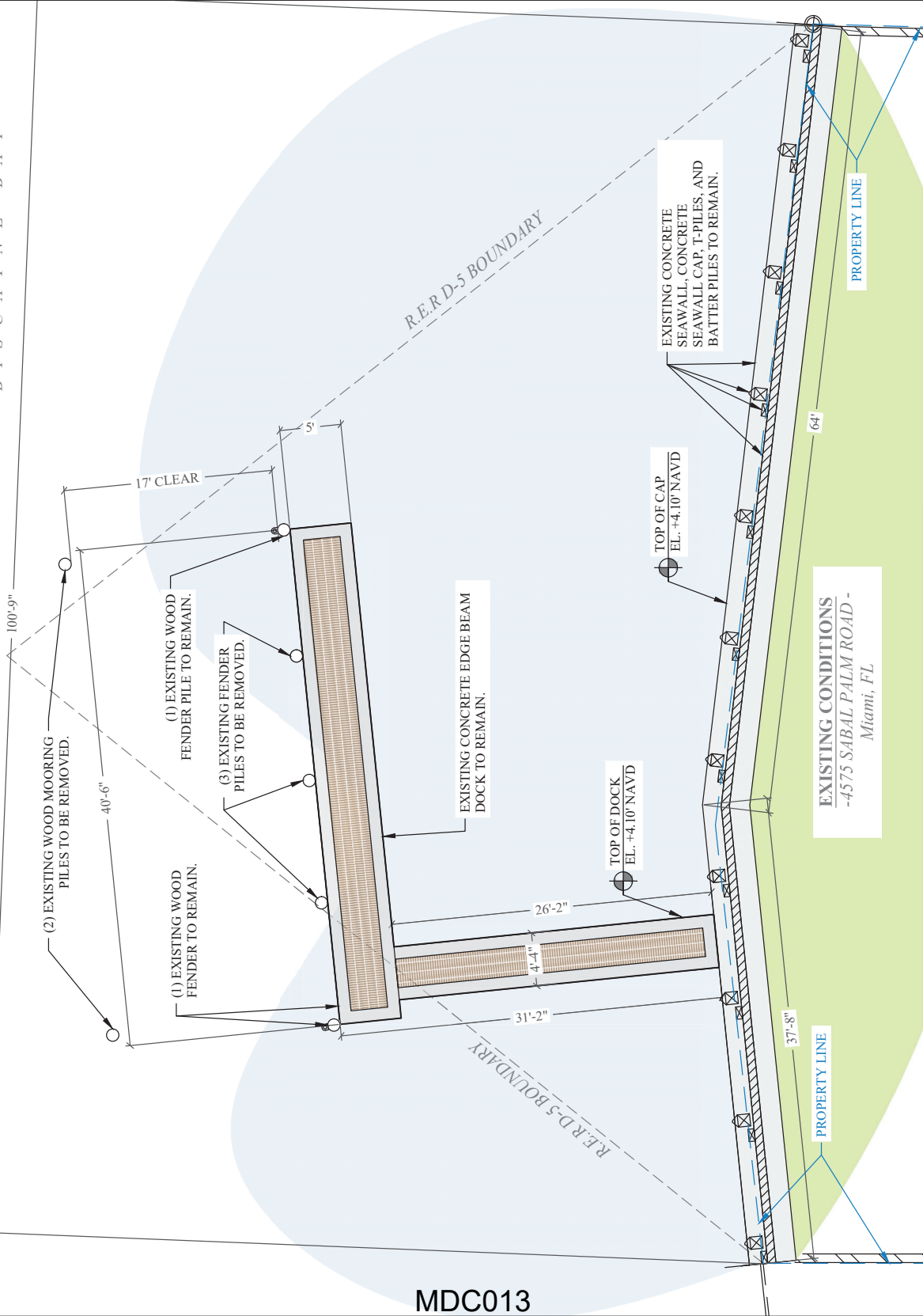
PERMIT DRAWINGS

SHEET NO.

PROJECT: 21-10830

S-1

B I S C A Y N E B A Y



MDC013

**4575 SABAL PALM ROAD
BOATLIFT PROJECT**

CLIENT:

**MR. EDUARDO OTAOLA
CONSTELLATION GROUP**
8950 SW 74th Court, Suite 108 Miami, FL 33156

ENVIRONMENTAL CONSULTANT:

OCEAN CONSULTING, LLC
359 Aleazar Avenue, Suite 200 Tel: (305) 921-9344
Coral Gables, Florida 33134 Fax: (305) 677-3254

CONTRACTOR:

PROJECT ENGINEER:

ADOLFO GONZALEZ P.E.
2050 Coral Way Suite 502
Miami, FL 33145
Office - 305-415-8782

Adolfo Gonzalez PE
Lic. No. 58620

Issue # Issue Date

① Nov 20, 2023- VD

EXISTING CONDITIONS

SCALE: AS SHOWN

PERMIT DRAWINGS

PROJECT: 21-10830



SCALE: 1/8" = 1'

SHEET NO.

S-2



92

§-4



Attachment C

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

**Enrique M Iglesias Preysler
c/o E I Productions LLC
Anna Kournikova
4770 Biscayne Blvd STE 930
Miami, FL 33137**

**Olga Nunez
4555 Sabel Palm Road
Miami, FL 33137**

**Charles O Morgan Jr &W Marabel
4565 Sabal Palm Rd – Bay Point
Miami, FL 33137**

**Joseph Ann Deming Batcheller TRS
Joseph Ann Deming Batcheller TR
4595 Sabal Palm Road
Miami, FL 33137**

**Joseph Ann Deming Batcheller TRS
Joseph Ann Deming Batcheller TR
4595 Sabal Palm Road
Miami, FL 33137**

**Alvaro Vazquez &W Lourdes
4600 Sabal Palm Road
Miami, FL 33137**

Attachment D
Zoning Memorandum

Memorandum



Date: May 7, 2025

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

From: Nicole Alvarado, Biologist II *Nicole Alvarado*
Coastal Resources Section
Department of Regulatory and Economic Resources

Subject: Class I Permit Application by Speyside Investments Corp. for the Removal of Mooring and Fender Piles and the Installation of a Boatlift and Associated Boarding Platform located at 4575 Sabal Palm Road, 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 shall be submitted by the applicant stating that the proposed project does not violate any zoning laws. Said letter 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-2023-0238

Class I Permit Application by Speyside Investments, Corp. for the Installation of a Boatlift and Associated Boarding Platform located at 4575 Sabal Palm Road, Miami, Miami-Dade County, Florida.

DATE: April 23, 2025

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 and staff's opinion to its conformance 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 permittable projects that otherwise result in unavoidable environmental impacts. In response to the submittal of the Class I permit application, DERM conducted an in-water assessment of the property. Seagrasses in varying densities were observed across the property, with the densest seagrasses observed to the north and west of the existing dock and seagrasses with a density of less than five percent observed within the slip area created by the existing dock and mooring piles. Note that, pursuant to an existing Class I permit of the subject property, there is an existing Mooring Prohibited Area at the subject property which prohibits the docking of vessels along the north, west, and south sides of the existing, permitted dock (Attachment F). Due to the presence of dense seagrasses, mooring at the subject property is limited to the eastern side of the L-shaped dock. Based on the proposal to install the boatlift within the existing, permitted slip area, adverse environmental impacts are not reasonably expected to occur, and mitigation is not being required. Any Class I permit issued would require that turbidity controls be utilized during all phases of construction to ensure compliance with State and County water quality standards. For all the reasons stated herein and in the attached Project Report, DERM is recommending approval of this Class I application.

The proposed project is located within an area designated as essential manatee habitat for the West Indian Manatee (*Trichechis manatus*) by the Miami-Dade County Manatee Protection Plan (MPP). The MPP has specific guidelines for projects within essential manatee habitat; however, the guidelines apply to new or expanded marine facilities other than single family residences. The subject project is limited to the single-family residential docking of a vessel and is not reasonably expected to adversely affect manatees. In order to minimize any potential impacts to manatees during construction, the Class I permit would require that all standard manatee conditions 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 may affect surface water quality on a temporary basis during construction operations; however, any temporary impacts would 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. Recommendations for Class I permits are based on several evaluation factors including, but not limited to, a project's consistency with Section D-5.03(2)(a) of the Miami-Dade County Public Works Manual. On the north side of the subject property (the side of the property adjacent to the original objector's property), a portion of the boatlift is proposed to extend past the D-5 boundary. This Class I permit application does not propose any structures which would exceed the boundaries described in Section D-5.03(2)(a) for the south side of the subject property. Furthermore, the boatlift is proposed to be installed within the existing, permitted slip area and would only extend four feet further waterward than the existing mooring piles. As proposed, the vessel would be wholly contained within the Applicant's property limits. The subject property is located on open bay; however, there is a dredged unmarked channel running adjacent to the property and extending along the length of the development. Should the boatlift be installed as proposed, there would be approximately 73 feet of clearance between the waterward most point of the boatlift and the location of the four foot contour on the eastern side of the channel. Therefore, it is not reasonably anticipated that the installation of the proposed boatlift would adversely impact navigation in the area.
10. **Public Health** - The proposed project is not reasonably expected to adversely affect public health.
11. **Historic Values** - The proposed project is not reasonably expected to adversely affect historic values.
12. **Archaeological Values** - The proposed project is not reasonably expected to adversely affect archaeological values.
13. **Air Quality** – The proposed project is not reasonably expected to adversely affect air quality.
14. **Marine and Wildlife Habitats** – The proposed project is not reasonably expected to adversely affect marine and wildlife habitats as set forth in Number 1 above.
15. **Wetland Soils Suitable for Habitat** – The proposed project is not reasonably expected to 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 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, would be submitted prior to permit issuance. Said letter or plan approval would be submitted after the approval by the Board of County Commissioners and prior to the issuance of a Class I permit.

22. **Recreation** - The proposed project does not conflict with the recreation element of the Miami-Dade County Comprehensive Development Master Plan.
23. **Other Environmental Values Affecting the Public Interest** – The proposed project is not reasonably expected to adversely affect other environmental values affecting the public interest. The project would occur on lands owned by the State of Florida, and the applicant has obtained authorization from 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 Miami-Dade County Public Works Manual. Chapter 33B of the Code of Miami-Dade County is not applicable.
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 (proprietary 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 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 would 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 coastal wetlands.

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, and the impacts have been minimized and would be mitigated 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 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 would enhance 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 Shoreline Development Review Committee has evaluated the proposed project and determined that the thresholds for review under the Shoreline Ordinance do not apply and the proposed project is not subject to shoreline development review.

Objective 5/Policy 5F - The siting of water dependent facilities. - The proposed project is consistent with the general criteria to determine the appropriateness of the siting of water dependent facilities for the reasons set forth in this Project Report and as further determined by DERM staff.

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** - The proposed project is consistent with the MPP as set forth in Number 1 above.

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

32. **Zoning 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, would be submitted prior to permit issuance. Said letter or plan approval would be submitted after the approval by the Board of County Commissioners and prior to the issuance of a Class I permit.

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** – On the north side of the subject property, a portion of the boatlift is proposed to extend past the D-5 boundary. No structures are proposed to extend past the D-5 boundary on the south side of the subject property. With respect to Section 24-48.3(1)(j) of the Code, the proposed boatlift and associated boarding platform have been configured to obtain the Code-required water depth and avoid impacts to the densest seagrasses at the property and therefore are the minimum necessary exceedance of the D-5 boundary lines.

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

24-48.3 (2) Dredging and Filling for Class I Permit – Not applicable.

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



Rockell Alhale, Manager
Coastal Resources Section



Nicole Alvarado, Biologist II
Coastal Resources Section

Attachment F:

CLI-2024-0414 Permit with Mooring Prohibited Area



Department of Regulatory and Economic Resources

Coastal and Wetlands Resources Section

701 NW 1st Court, Suite 400

Miami, FL 33136-3912

305-372-6575

Class I Construction Permit

Permit Number: CLI-2014-0414
DERM Project Manager: Michael Greenemeier

Issue Date: 07/10/2015 *MCA*
Expiration Date: 07/10/2017 *fo*

Permittee

Speyside Investments Corp.
c/o Eduardo Otaola, Vice President
2100 Salzedo Street #300
Coral Gables, Florida 33134

Contractor

Southeast Marine Construction, Inc.
404 NE 38th Street
Oakland Park, Florida 33334
(954)630-2300
License No. CGC060467

Bond

Performance Bond: N/A
Mitigation Bond: N/A
BBEETF Contribution: N/A

Engineer

John Omslaer, P.E. License No. 52733
Dynamic Engineering Solutions, Inc.
(954)545-1740

THE ABOVE NAMED PERMITTEE IS HEREBY AUTHORIZED TO PERFORM THE WORK SHOWN ON THE APPLICATION AND APPROVED DRAWINGS, PLANS, AND OTHER DOCUMENTS ATTACHED HERETO OR ON FILE WITH THE DEPARTMENT AND MADE PART HEREOF, SUBJECT TO THE ATTACHED GENERAL AND SPECIFIC CONDITIONS.

Plans Entitled: 4575 SABAL PALM
DOCK & SEAWALL
PROJECT
Miami, Florida

Date Signed and Sealed: 01/27/2015
02/26/2015

Project Location: 4575 Sabal Palm Road
Miami, Florida 33137

Project Description:

- Removal of the existing dock, 2 mooring piles, 4 dock support piles, seawall cap, and batter piles.
- Installation of 103 linear feet of concrete seawall cap and 11 new concrete batter piles. The new seawall cap will measure 3.8 feet wide by 1.3 feet high and extend 1.5 feet waterward of the seawall.
- Installation of a 498 square foot L-shaped concrete dock consisting of a 26.1 foot

**THIS PERMIT AND PLANS SHALL BE KEPT ON SITE
DURING ALL PHASES OF CONSTRUCTION**

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long by 4.3 foot wide access walkway located between 24.3 linear feet and 28.6 linear feet from the north property line and a 9.5 foot wide by 40.5 foot long terminal platform located between 22.8 and 63.3 linear feet from the north property line. The access walkway will be supported by 8 new concrete piles with piles caps and the terminal platform will be supported by 10 existing concrete piles with pile caps.

Attachment A: Mooring Prohibited Area

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DURING ALL PHASES OF CONSTRUCTION**

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Specific Conditions

1. The existing dock, mooring piles, batter piles, and seawall cap intended to be removed must be properly stored or disposed of in accordance with all federal, state, and local regulations.
2. The contractor shall ensure that the square footage of the dock, **including the fascia boards**, does not exceed 500 square feet. If the square footage the dock is greater than 500 square feet, the contractor shall be responsible for removing the additional square footage from the dock. Failure to comply with this condition will result in enforcement action by the Department and removal of the unauthorized section of the dock.
3. A minimum of 1 foot of clearance shall be maintained at all times between the Bay bottom and any existing **benthic** resources, and any vessels moored at the property.
4. **Due the presence of benthic resources, vessels shall be restricted from mooring in areas designated as a "Mooring Prohibited Area."** Mooring of vessels anywhere along the area designated as a **"Mooring Prohibited Area,"** shall be strictly prohibited **(See Attachment A)**. Failure to comply with this specific condition may be subject to enforcement by DERM.
5. Please be advised that the federal government has designated all or a part of the subject property as critical habitat for one or more endangered species. You are not authorized to commence any work or activities pursuant to this permit until you obtain any and all approvals or permits, if necessary, from the federal government pursuant to the Endangered Species Act and from the State of Florida pursuant to Florida law on endangered species. Please be advised that, even after work commences, if Miami-Dade County is advised by the federal government, the State of Florida, or a court that an activity on the subject property is in violation of the Endangered Species Act, in violation of Florida law on endangered species, or in violation of a permit or approval granted by the federal government pursuant to the Endangered Species Act, such violation may result in an immediate stop work order. You are strongly advised to consult with the United States Fish and Wildlife Service and any other necessary federal or state agencies before conducting any work or activities on the property. The Vero Beach office of the United States Fish and Wildlife Service may be reached at (772) 562-3909. Please be aware that the federal government may require certain actions or protections on the property, and this may result in the need to modify the plans for the property. Therefore, it is recommended that you consult with the United States Fish and Wildlife Service at an early stage in the process. In the event that the United States Fish and Wildlife Service advises that your plans for the subject property may result in a "take" of endangered or threatened species, you are strongly recommended to inform Miami-Dade County in writing at the earliest stage possible.

See General Permit Conditions.

**THIS PERMIT AND PLANS SHALL BE KEPT ON SITE
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General Permit Conditions

1. This permit must be kept on-site during all phases of construction.
2. All work shall be performed in accordance with the above referenced plans and in accordance with the attached specific and general permit conditions. If a General Condition(s) conflicts with a Specific Condition(s) in this permit document, the Specific Condition shall be the controlling condition for work authorized by this permit.
3. This permit only authorizes the work described in page 1 under Project Description. Any additional work in, on, over or upon tidal waters or coastal wetlands at the property shall require additional Class I approval.
4. Any deviation from the approved plans for this project shall be submitted in writing to, and approved by DERM prior to the commencement of this project. The contractor and the permittee shall take whatever remedial action is necessary to bring the project into compliance with the permit and approved plans upon determination by DERM that the structure is not in compliance with such.
5. DERM shall be notified no later than 48 hours and no earlier than 5 days prior to the commencement of the work authorized by this permit, unless otherwise noted herein. The permittee and/or contractor may notify DERM by calling (305) 372-6575 or by submitting the attached Notice of Commencement of Construction via hand delivery, U.S. Mail, or facsimile at (305) 372-6479.
6. Prior to performing any work, the contractor shall verify the location of all underground and overhead utility lines and verify that no utilities will be damaged by the work. Contact Sunshine State One-Call of Florida at 1-800-432-4770 or on the web at <http://www.callsunshine.com/corp/before/submitting.html> for locating underground utility lines.
7. The permittee and the contractor are hereby advised that under Florida law, no person shall commence any excavation, filling, construction, or other activity involving the use of sovereign or other lands of the State, title to which is vested in the Board of Trustees of the Internal Improvement Trust Fund or the Florida Department of Environmental Protection (FDEP), until such person has received the required authorization for the proposed use from the Board of Trustees or FDEP. If such work is done without consent, or if a person otherwise damages state land or products of state land, the Board of Trustees may levy administrative fines of up to \$10,000 per offense pursuant to the Florida Administrative Code.
8. The permittee and contractor shall obtain all required approvals from all local, state and federal agencies prior to performing the work authorized by this permit.
9. Trimming or alteration of mangroves, buttonwoods or wetland vegetation other than what is authorized by this permit is prohibited. Work not authorized by this permit shall require additional Class I approval.
10. All work authorized by this permit shall be performed by the contractor and/or subcontractor holding an applicable certificate of competency and shall be licensed in Miami-Dade County to perform such work. Any work which is subcontracted shall require that the permittee and contractor (i.e. the contractor who is listed on this permit) notify the project manager at DERM at (305) 372-6575 or by facsimile at (305) 372-6479 a minimum of 72 hours prior to the subcontractor performing any work. Notification shall include the name of the subcontractor performing the work, the subcontractor's Miami-Dade County license number or state general contractor license number, and scope of work. Failure to comply with this condition is a violation of the Class I permit and may result in enforcement action by the Department.
11. The contractor shall take all necessary precautions to prevent construction or demolition debris from falling into the water or adjacent wetlands. Any debris that falls into the water and/or adjacent wetlands shall be removed immediately. Construction and demolition debris shall be disposed of in accordance with all federal, state and local regulations.

**THIS PERMIT AND PLANS SHALL BE KEPT ON SITE
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12. Turbidity controls (such as, but not limited to, turbidity curtains) shall be implemented whenever visible plumes are present to ensure compliance with the water quality standards stipulated in Section 24-42(3) of the Code of Miami-Dade County. Turbidity controls shall be employed and maintained in the most effective manner possible to prevent turbidity from extending beyond the control mechanism in place.
13. Turbidity may not exceed 0 Nephelometric Turbidity Units (NTU) within the Aquatic Preserve or 29 NTU outside of the Aquatic Preserve, above background beyond the turbidity control device or 50 feet from any point of discharge. Turbidity levels shall be monitored. If the turbidity levels exceed the above standards, all construction shall stop and additional turbidity controls shall be implemented. Work shall not resume until the contractor has implemented adequate turbidity control methods and has received authorization from DERM to recommence work. At DERM's discretion, turbidity samples may be required to be collected in accordance with Section 24-44.2(3) of the Code of Miami-Dade County.
14. If any work or activity associated with this project is to take place in navigable waters, the contractor shall instruct all personnel associated with the project of the potential presence of manatees and the need to avoid collision with manatees. All vessels associated with the project must operate at "Idle Speed/No Wake" at all times while in water where the draft of the vessel provides less than a 4 foot clearance from the bottom. Additionally, all vessels will follow routes of deep water whenever possible. All in-water construction activities shall cease upon the sighting of a manatee(s) within 50 feet of the project area and will not resume until the manatee(s) has departed the project area. Any collision with and/or injury to a manatee shall be reported immediately to the "Manatee Hotline" (1-888-404-FWCC), the U.S. Fish and Wildlife Service, Jacksonville Field Office (904) 791-2580, and DERM (305) 372-6864.
15. The contractor shall ensure that all vessels associated with the construction shall operate within waters of sufficient depth so as to preclude bottom scouring or prop dredging and shall maintain a minimum of 1 foot of water between the vessel bottom and submerged aquatic resources.
16. The contractor shall ensure that there are no impacts to seagrass, hard corals, or soft corals as a result of construction operations, such as, but not limited to, propeller scouring; and vessel or barge anchoring, grounding or spudding. The marine contractor and permittee shall be held jointly liable for any of these unauthorized impacts. For any impacts caused by the construction operation, DERM shall require, at a minimum, restoration and mitigation.
17. For the purposes of this permit, "vessel" is herein defined as any craft designed to float or navigate on water, including but not limited to: sailboats, powerboats, rowboats, boats, ships, skiffs, houseboats, personal watercraft and inflatable boats.
18. Pursuant to Section 24-48.10 of the Code of Miami-Dade County the work or structures authorized under this permit shall be privately maintained by the permittee, his successors and assigns. Whenever, in the opinion of the Director of the DERM, said work or structures are not maintained in such a manner so as to prevent deterioration to the extent that they become a hazard to the public or to navigation, or create an obstruction of flow, or prevent access for drainage maintenance purposes, or may damage adjacent property, then the owner is required to perform any necessary remedial work.
19. Unless otherwise authorized in this permit and pursuant to Sections 24-48.23 and 24-48.24 of the Code of Miami-Dade County, the installation or construction of non-water-dependent floating or fixed structures (e.g. covered structures, canopies, helicopter pads, commercial signs, etc.) is prohibited in, on, over or upon any of the tidal waters of Miami-Dade County and constitutes a violation of this permit. Failure to comply with this condition may subject the permittee to enforcement action without further warning.
20. The time allotted to complete the work for which this permit has been issued shall be limited to the period stipulated on the permit unless the permittee requests an extension of time from the Department in writing at least 30 days prior to the date of permit expiration. Applications for extensions of time that are not timely filed pursuant to Section 24-48.9(2)(b) of the Code of Miami-Dade County will be returned to the permittee.
21. An application for Transfer of a Class I permit may be filed with DERM at any time prior to the transfer of property ownership up to 120 days after the date of transfer of fee simple ownership of the property that is the subject of

**THIS PERMIT AND PLANS SHALL BE KEPT ON SITE
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the permit. The Application for Transfer must be signed by both the transferee and transferor. Applications for Transfer shall be filed in the form prescribed by DERM and shall not be processed if the filed Application for Transfer is not fully complete in all respects pursuant to Section 24-48.18, of the Code of Miami-Dade County within 120 days of the date of transfer of property ownership.

22. If the project involves construction, replacement, or repair of a seawall, the new seawall cap shall be a minimum of 6 inches above the final grade of the uplands immediately adjacent, and in order to prevent positive drainage of stormwater into the waterway, all uplands immediately adjacent to the new seawall shall be graded away from the waterway.
23. To further reduce the possibility of injuring or killing a manatee during construction, work within portions of the Biscayne Canal, Little River, and the Coral Gables Waterway shall be performed only between May 1 and November 15.
24. A minimum of 1 foot of clearance shall be maintained at all times between the submerged bottom, and any existing benthic resources, and any vessels moored at the property.
25. Adequate clearance shall be maintained at all times between the submerged bottom, and any existing benthic resources, and any vessels moored at the property, such that there are no impacts to benthic resources or the submerged bottom, including but not limited to bottom scouring or prop dredging.
26. If railing is required to be installed pursuant to this permit, it shall be installed within 30 days of completion of the permitted work, and prior to the use of the structure(s) authorized by this permit, including the mooring of vessels.
27. A performance and/or mitigation bond may be held to ensure compliance with the aforementioned conditions and the completion of any required mitigation. Failure to comply with any of these conditions may result in the revocation by Miami-Dade County of all or a portion of the bond without further notice.

**THIS PERMIT AND PLANS SHALL BE KEPT ON SITE
DURING ALL PHASES OF CONSTRUCTION**

CLI-2014-0414

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MDC034



DEPARTMENT OF REGULATORY AND ECONOMIC RESOURCES
COASTAL AND WETLANDS RESOURCES SECTION
701 NW 1st Court, Ste 600, Miami, FL 33136
Phone 305-372-6575 Fax 305-372-6479

NOTICE OF COMMENCEMENT OF CONSTRUCTION

PERMIT NO.: _____

PERMITTEE'S NAME: _____

PROJECT LOCATION: _____

PERMIT ISSUANCE DATE: _____

CONTRACTOR NAME: _____

PROPOSED DATE OF COMMENCEMENT: _____

ANTICIPATED DATE OF COMPLETION: _____

COMMENTS: _____

THIS PERMIT AND PLANS SHALL BE KEPT ON SITE
DURING ALL PHASES OF CONSTRUCTION

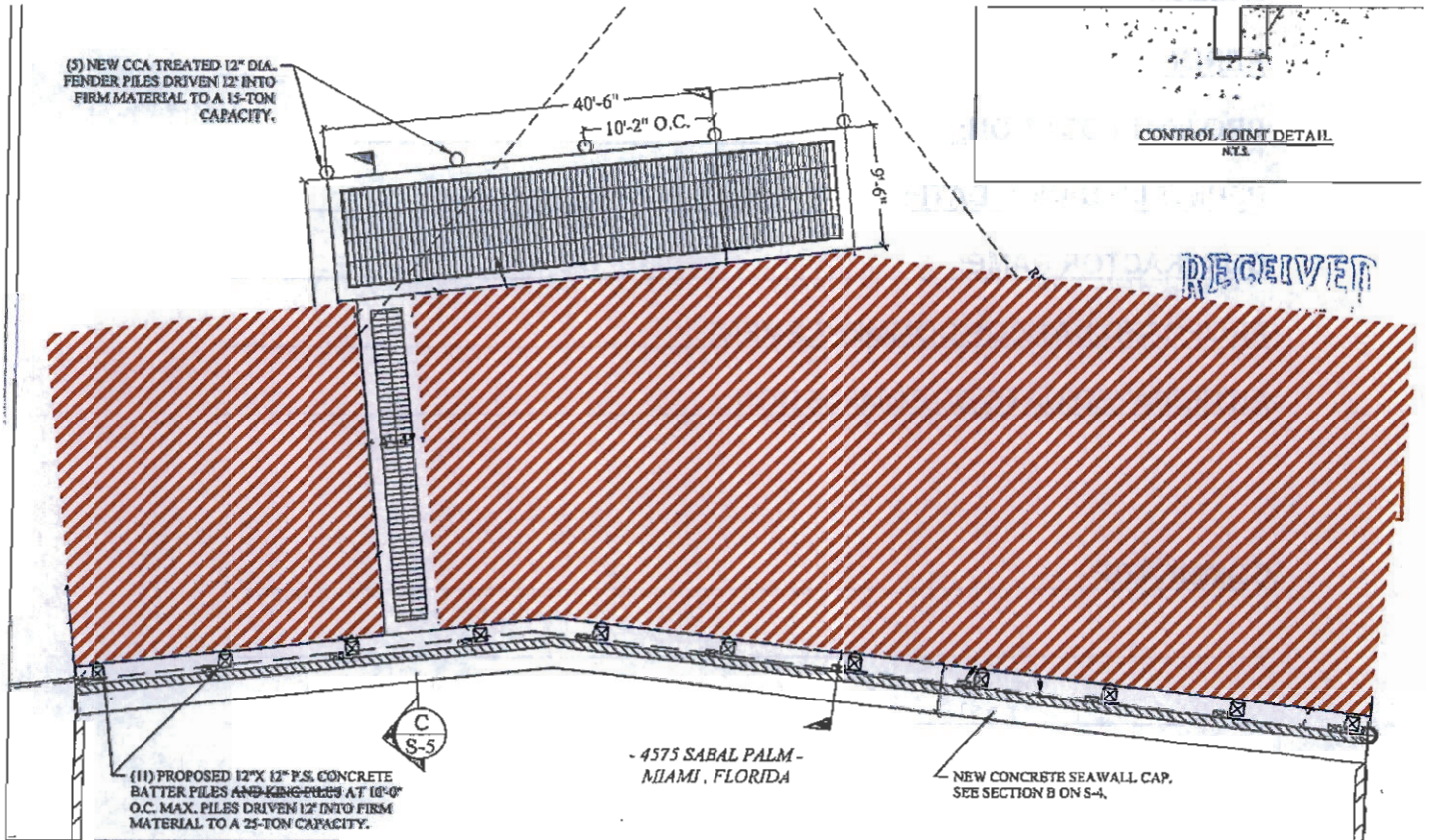
CLI-2014-0414

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MDC035

ATTACHMENT A

MOORING PROHIBITED AREA



**THIS PERMIT AND PLANS SHALL BE KEPT ON SITE
DURING ALL PHASES OF CONSTRUCTION**

CLI-2014-0414

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MDC036

Attachment G:

D-5 Section of the Miami-Dade County Public Works Manual

SECTION D-5

COASTAL AND OTHER WATERFRONT CONSTRUCTION

A PORTION OF

PART 2 - PUBLIC WORKS MANUAL

SECTION D5 - COASTAL AND OTHER WATERFRONT CONSTRUCTION

D5.01 GENERAL INFORMATION

1. PURPOSE

It is the purpose of this section of the Public Works Manual to prescribe minimum standards for design and construction of coastal and other waterfront structures.

2. SCOPE

Requirements of this section apply to all coastal construction such as excavation, dredging, filling, and waterfront construction in, upon, or contiguous to tidal and baybottom lands in the unincorporated areas of Metropolitan Dade County and in, upon, or contiguous to those canals, lakes, bays, rivers, and all waterways under the direct control of Metropolitan Dade County whether or not in the unincorporated areas.

Said coastal construction includes, but is not limited to, excavation, dredging, filling, docks, piers, wharves, bridges, groins, jetties, moles, breakwaters, seawalls, revetments, causeways, artificial nourishment of beaches, quays, slips, moorings, marinas, ports, and related structures.

3. AUTHORITY

The Code of Metropolitan Dade County establishes the requirements and procedure for securing a permit to perform the various types of coastal construction.

4. OTHER REQUIREMENTS

In addition to the requirements set forth in this section, permits may be required from the U.S. Army Corps of Engineers, Trustees of the Internal Improvement Fund, Division of Beaches and Shores of the Florida Board of Conservation, Central and Southern Florida Flood Control District; and also the Dade County Building and Zoning Department, principally for private lands and private water areas not affected in any manner by establishment of the official bulkhead line or by State or Federal permits.

Construction in navigable waters requires a permit from the U.S. Army Corps of Engineers. Work that may affect the water-control system of the Central and Southern Florida Flood Control District will require a permit issued by that agency. Ultimate control of submerged or tidal lands rests with the Trustees of the Internal Improvement Fund.

Section D5 - Coastal and Other Waterfront Construction

TIIF permits cover tidal and baybottom dredging and filling and construction of open-trestle docks, piers, wharves, bridges, boat slips and houses, concessions, marinas and shipping facilities, and similar structures of permeable or open-type design--as contrasted with solid or highly impermeable structures likely to physically affect existing coastal conditions and the natural shoreline.

The Division of Beaches and Shores of the Florida Board of Conservation require permits covering solid or highly impermeable groins, jetties, moles, breakwaters, seawalls, revetments, causeways, and artificial beach nourishment or other deposition or removal of beach material--structures or activities which are likely to have a material physical effect on coastal conditions and the natural shoreline.

D5.02 DESIGN CRITERIA

1. GENERAL

All coastal structures shall be designed by an engineer registered in the State of Florida and all plans submitted to the Public Works Department for approval shall bear his signature and seal.

2. LOADS

Coastal structures are to be designed and constructed to resist the erosive and corrosive effects of the elements and where applicable to withstand the horizontal and vertical forces or loads listed below.

- a. Earth (Soil)
- b. Water
- c. Waves
- d. Wind
- e. Currents
- f. Weight of Structure
- g. Weight of Decks, Platforms or other Attachments
- h. Pedestrian Live Load (80 lbs. per square foot minimum).
- i. Vehicular Loading (AASHTO-H-20 minimum where vehicular loads are anticipated).
- j. Impact
- k. Material and Equipment Stored
- l. Anchors or Tiebacks
- m. Boats, Barges, or other Vessels

Section D5 - Costal and Other Waterfront Construction

3. ALLOWABLE STRESSES

Allowable stresses for structural design of steel, concrete, wood, and other materials shall be as specified in the South Florida Building Code.

D5.03 STRUCTURES—LOCATION, TYPE, GENERAL SPECIFICATIONS

Any type of construction not prohibited by the South Florida Building Code may be approved if it is adaptable to the site conditions and to the purpose of the structure.

If the proposed type or method of construction does not have an experience record sufficient to justify approval, the Public Works Department may require special tests or demonstrations to prove the acceptability of the project.

1. BULKHEADS AND SEAWALLS

a. Location

Bulkheads, revetments, and retaining walls shall normally be located to obtain uniformity of alignment and compatibility with the natural shoreline. They shall be placed on or upland of the mean high water line or such other line officially established for this or other set back purposes, and their location including revetments shall comply with local and state regulations for set back of structures along shorelines.

Bulkheads along canals or other waterways that are part of the official Dade County Water Control Plan shall be located to provide the required waterway section of the canal or waterway. They shall be continuous without abrupt change of direction and their location shall not be detrimental to adjacent property.

Bulkheads on lakes or similar water areas under the direct control of Dade County shall be on or landward of the water-fronting property line, or in the absence of such line shall be located on or landward of the ordinary high water line of the lake or water area; and if said lakes and water areas are privately owned, or if the proposed wall is located entirely on private property, then bulkhead and wall location requirements shall be as set forth in required permits from the County Building and Zoning Department. However, approval by the Building and Zoning Department pursuant to its applicable regulatory jurisdiction, shall not preclude or dispense with the necessity for all other permitting procedures required by other local and state regulations regarding such works.

Bulkheads proposed between two properties where bulkheads already exist shall be designed to connect such bulkheads. Bulkheads proposed adjacent to property not bulkheaded shall be designed to return along the side property line a distance sufficient to protect the back fill and prevent damage to adjacent property, but not less than 25 feet along the ocean and bay or 10 feet along canals, rivers, and other water areas. The return wall shall be protected from erosion by riprap or slope pavement.

Section D5 - Coastal and Other Waterfront Construction

b. Types of Walls

The use of vertical face bulkheads without a rock revetment will normally be prohibited, although exceptions may be allowed for projects such as canals, and for enclosed marinas, when it can be shown that equal or better conditions of environment or wave action can be attained with a vertical wall, and that such wall is necessary for the contemplated use, and is not within the Biscayne Bay Aquatic Preserve.

On the ocean front, seawalls along sand beaches subject to wave action, shall be an approved sloping high-energy absorbing type, or vertical walls with sloped energy-absorbing rock revetment on the face subject to wave action. The revetments slope shall be one vertical to two horizontal or flatter. Revetment composed of native limestone rock is considered desirable.

In bay areas bulkheads, seawalls, revetments, and retaining walls shall normally be sloped walls, or vertical walls with sloping rubble mound revetment on the water side. Such slopes shall be one vertical to two horizontal or flatter. Native limestone rock is considered desirable as revetment material.

Inside the Biscayne Bay Aquatic Preserve, bulkheads, seawalls, revetments, retaining walls and dikes shall meet all the foregoing requirements for bay areas, and in addition, provisions must be made in the wall, revetment, or dike for seepage and relatively free movement of groundwater from the upland side into the bay in order to maintain, insofar as feasible, natural shoreline conditions of groundwater flow.

Exceptions for bay areas and the Aquatic Preserve may be allowed in reference to the foregoing requirements, if permitted by existing laws, and whenever it can be shown that equal or better conditions of the bay environment can be attained by use of other type of walls, revetments, walls, or dikes, and that such other type structure is essential to the purpose for which it is to be built—for example, to retain the bank of coastal canals, or of enclosed marinas.

Whenever the beach in front of an existing vertical wall has eroded to such extent that water reaches the bottom of the wall at mean high tide, a sloping rock revetment conforming with the foregoing requirements shall be placed in front of the wall. Whenever any existing vertical wall located on the oceanfront or in bay areas is in need of major repairs, it shall not be repaired or replaced unless the foregoing requirements concerning a sloping face or revetment are first met. A proposed repair will be considered major when the total cost of repairs within the previous twelve (12) months, if any, plus the estimated cost of the proposed repair is more than fifty percent (50%) of the current cost of replacement.

Section D5 - Coastal and Other Waterfront Construction

c. General Specifications

All bulkheads shall have a concrete cap designed to withstand the various loads placed upon it. The cap shall be large enough to provide no less than four inches of concrete cover between the piles, panels or masonry and nearest exterior face of cap.

The elevation of the top of cap should be above the official flood criteria. (Such criteria provide for a minimum fill elevation, but not for storm wave heights.) Other cap elevations may be approved but only when land useage, proximity of buildings, and effect on adjacent property have been considered.

Safety curbs or guardrails shall be provided for bulkheads adjacent to roadways. Handrails shall be provided for bulkheads adjacent to walkways.

Cables or steel rods used in tiebacks must be protected by at least three inches of concrete encasement if the cable or rod is less than one inch in diameter. Tiebacks not encased in concrete are to be protected by coating and wrapping with bituminous or other corrosive-resistant material.

Anchors for tiebacks, whether piles or other types, shall bear on undisturbed or well compacted soil and shall be designed to provide adequate horizontal support.

Precast concrete panels of tee-pile and panel bulkheads shall have the foot of the panels placed in a manner that will prevent undermining of the backfill material.

Fill material placed on the water side of a bulkhead shall not be considered to offer any passive resistance when such fill is subject to erosion.

Gravity type bulkheads of stone and concrete combination will be permitted, provided they are constructed of no less than 40 percent cast in place concrete by cross sectional area and volume.

2. PIERS AND DOCKS

a. Location

Piers and docks at right angles to the shoreline, or nearly so, shall be located not closer to the side property line, or said line extended, than a distance equal to the length of the pier or dock itself, provided however, no such distance shall be less than 10 feet.

Section D5 - Coastal and Other Waterfront Construction

PIERS AND DOCKS (Continued)

Where the zoning is residential or where the area is subdivided into tracts smaller than one acre each, piers and docks are to be located within the middle one-half of the water frontage.

b. Types

Structures such as piers which are to project beyond the bulkhead line, if allowed, shall be of an open type construction.

Wharves, piers, or docks of solid fill construction will be approved only where such construction will not extend seaward of the approved bulkhead line.

c. General Specifications

In areas where the zoning is residential or in areas where no tract is larger than one acre, piers and docks shall be no more than 30 feet wide. In no case shall piers or docks obstruct navigation or interfere with drainage facilities. The projection of a pier or dock into a restricted waterway such as a canal, river, creek or basin shall be no greater than 10 feet or 20% of the waterway width, whichever is smaller. Public Works Department's approval may be given for piers projecting more than 10 feet into open water areas such as bays and sounds provided the projecting pier does not obstruct navigation or encroach upon the rights of adjacent property owners.

3. GROINS

a. Location

Groins are to be located so that the entire system of groins will provide the maximum benefit without adverse effects. Groins shall be anchored sufficiently landward to prevent flanking.

b. Types

Groins shall be either very low impermeable nonadjustable or impermeable adjustable, designed and maintained in adjustable condition for their entire life. The use of permeable groins shall be limited to special conditions.

Section D5 - Coastal and Other Waterfront Construction

GROINS (Continued)

c. General Specifications

Groins may be used to stabilize the beach if adjoining beaches are not adversely affected.

Groins should be impermeable, and adjustable to meet variations in natural conditions, and to produce the desired elevation of the beach.

Adjustable groins shall be maintained at elevations in accord with actual beach needs and development of desirable change of the beach profile, and so as to avoid damage to adjacent beaches. In no case shall the top of such groins be set higher than 2 feet above the beach profile. Impermeable, non-adjustable groins shall not extend seaward beyond the mean low water line, and their top elevation shall not be higher than 6 inches above the beach profile.

Groins must be constructed or adjusted low enough to provide pedestrian access between mean high and mean low water, or they must be provided with an adequate stairway for pedestrian access across them.

Consideration of the degree of beach protection to be provided by proposed groins, and the acceptability of such installations, will be based primarily on the following factors:

- Direction and Volume of Littoral Drift
- Wave Force and Direction
- Wind Force and Direction
- Land Usage
- Type of Bulkhead
- Type of Groin
- Spacing and Length of Groins

A complete coastal engineering study may be required before approval is given to the number, type, and location of groins.

4. BEACH NOURISHMENT

Artificial nourishment of sand beaches, or creation of new beach areas are treated as construction projects in the issuance of permits by the County and by the Division of Beaches and Shores of the Florida Board of Conservation. Typical profiles for such projects consist of a 50-foot level berm at elevation 6 ft. MSL; a 1 on 20 slope from there to MLW; and a 1 on 30 slope seaward to existing bottom.

Section D5 - Coastal and Other Waterfront Construction

Special agreement between the upland owner proposing such a project and the County (also between the owner and the State) may be required in order to adequately protect and permanently safeguard any public rights existing at the proposed site.

5. JETTIES AND BREAKWATERS

Jetties and breakwaters shall be designed in accordance with the latest issue of the U.S. Army Corps of Engineers' Technical Report No. 4 entitled "Shore Protection, Planning and Design".

6. MOORING PILES AND BUOYS

All mooring piles and buoys shall be placed within the limits of the owner's water frontage, and shall be located in a manner not to interfere with navigation. Outer mooring piles and buoys shall not constrict a navigable waterway except as permitted by the appropriate agency having jurisdiction over the waterway.

7. BOAT SLIPS AND BOATHOUSES

Boat slips and boathouses to be located on private property require approval and permit from the Building and Zoning Department. Bulkheads proposed to be constructed for retaining the banks of the boat slip shall meet the requirements of this section of the manual. The location of boat slips shall conform to the same requirements as for piers and docks.

Boat slip and bank-line excavations proposed downstream of salt dams and inland of the County salt barrier line require approval of the County Commission (after proper certification by the Public Works Department).

Boathouses may be constructed over boat slips or as a separate structure subject to the following conditions:

- a. The boathouse may not be used as a dwelling, guest house or servant's quarters unless specially constructed as such to the requirements of the Building and Zoning Department.
- b. The boathouse does not extend into a water area a distance greater than that permitted for a dock or pier.
- c. The overall size of the boathouse does not exceed 25 feet in width, 45 feet in length, or 18 feet in height, except commercial marinas and drydocks may be permitted larger boathouses constructed in compliance with applicable zoning and building regulations.

8. BRIDGES AND CULVERTS

The design of bridges and culverts shall be in accord with Section D6 of this manual.

Section D5 - Coastal and Other Waterfront Construction

D5.04 MATERIALS

1. FILES

a. Wood Piles

Wood piles may be used in bulkheads only to support or anchor tiebacks and only when cut off or capped in concrete one foot below mean low water. Wood piles are not to be used in groins.

Wood piles are to comply with Article 2404.3 of the South Florida Building Code.

b. Steel Piles

Piles of rolled structural steel shapes shall comply with Article 2404.7 of the South Florida Building Code.

Steel sheet piles shall meet the requirements of ASTM Designation A328 and shall be at least 3/8-inch thick.

Steel pipe, if used as piling, shall be filled with concrete and shall meet the requirements of AASHTO Specifications M94 and shall be at least 3/16-inch thick.

c. Concrete Piles

Concrete piles, whether cast in place, precast or prestressed, shall meet the requirements of Articles 2404.4, 2404.5, and 2404.6 of the South Florida Building Code.

d. Pile Foundations

When piles are used as foundations for coastal structures, they shall meet the requirements of Articles 2404.1 and 2404.2 of the South Florida Building Code.

2. CONCRETE

Concrete used in coastal structures shall be designed, mixed, transported and placed to meet the requirements of Chapter 25 of the South Florida Building Code.

Concrete to be placed under water shall have a slump between four and eight inches, a minimum cement content of 7.0 bags per cubic yard and a maximum net water cement ratio of 6.0 gallons per bag.

To prevent segregation--concrete to be placed under water shall be placed carefully in a compact mass in its final position by means of a tremie or other approved method.

Concrete shall not be placed in running water.

Concrete seals shall be placed in one continuous operation.

Section D5 - Coastal and Other Waterfront Construction

The tremie used for placing concrete shall consist of a tube at least 10 inches in diameter, constructed in sections and shall have flanged couplings fitted with gaskets.

3. STEEL

a. Reinforcing Steel

Reinforcing steel shall meet the requirements of Article 2504.3 of the South Florida Building Code. The use of special large size bars meeting ASTM Designation A431 and A432 is permitted.

b. Steel Wire Fabric

Steel wire fabric shall meet the requirements of ASTM Designation A185.

c. Structural Steel

Structural steel shall meet the requirements of ASTM Designation A7.

d. Nuts and Bolts

Nuts and bolts shall meet the requirements of ASTM Designation A307.

e. Steel Tieback Rods

Steel tieback rods may be either reinforcing steel or stress relieved strands or stress relieved wire, meeting the requirements of ASTM Designation A416 and A421.

f. Steel Fasteners for Wood

Steel fasteners for wood shall meet the requirements of the applicable portions of Chapter 29 of the South Florida Building Code.

4. WOOD

Timbers and wood structural members shall meet the requirements of AASHO Specifications M168.

5. STONE

Stone used for revetments for bulkheads, or the construction of groins, jetties or breakwaters shall be dense, hard, and durable.

The size, range of sizes, and gradation shall be selected to meet the requirements of the individual situation and site.

6. FILL MATERIAL

Material for fills shall comply with Section C3 of this manual.

Section D5 - Coastal and Other Waterfront Construction

D5.05 INFORMATION REQUIRED ON AND FOR THE PREPARATION OF CONSTRUCTION PLANS

Construction plans must be prepared by an engineer registered in Florida. They shall be on sheet size 22"x36", arranged and numbered as a set and contain all (or applicable portions) of the following:

- (1) Plan, elevation, and sections showing the complete structure.
- (2) Details of structural components including precast members, structural connections, steel reinforcement, and expansion joints.
- (3) Complete description of all materials to be used.
- (4) Design loading and minimum penetration of piles.
- (5) Location control.
 - (a) Horizontal control referred to a section line, road, or permanent landmark, and including property lines and the Official Bulkhead Line.
 - (b) Vertical control referred to U.S. Coast and Geodetic Survey Datum (MSL) including elevations landward, soundings in water areas, and the mean high water line.
- (6) Graphical representation of test borings or soil profile parallel to and within five feet of proposed structures.

D5.06 PRELIMINARY APPROVAL OF CONSTRUCTION PLANS

The design engineer, when requesting preliminary approval of construction plans, shall submit:

1. Three (3) complete sets of construction plans and specifications.
2. Test boring data as may be required to determine the adequacy of the structure's foundation.
3. Design calculations if requested by the Public Works Department.

Section D5 - Coastal and Other Waterfront Construction

If the Public Works Department finds that the design and construction plans are in accord with this section, two sets of the plans will be returned stamped "APPROVED." Such approval does not constitute a construction permit.

D5.07 CONSTRUCTION PERMIT

A permit for construction may be issued to a certified contractor provided:

1. Four (4) sets of construction plans, identical to the approved plans, are presented.
2. Satisfactory evidence is presented that all other applicable approvals and permits have been obtained.
3. The required permit fee is paid.
4. A performance bond has been provided, in an amount determined by the Director of the County Public Works Department but not to exceed 100% of the estimated cost of the structure.
5. It is certified that a registered civil engineer has been retained to provide engineering supervision throughout the construction period.

D5.08 INFORMATION REQUIRED DURING CONSTRUCTION

The design engineer may be required to furnish the Public Works Department any portion of the following information during construction:

1. A complete pile driving log.
2. A report on the manufacture of all precast members including the stressing operation of prestressed members.
3. Test reports from a certified laboratory on all concrete used, including precast members.
4. Mill certificates for structural and reinforcing metals used.

D5.09 INFORMATION REQUIRED BEFORE FINAL ACCEPTANCE

When the structure is complete, and prior to final acceptance, the design engineer shall furnish the County (and other public agencies which may have issued permits) a complete set of As-Built drawings, together with his certification that the structure has been built in accord with the approved plans and specifications as finally revised.

Section D5 - Coastal and Other Waterfront Construction

D5.10 MAINTENANCE

These minimum requirements are not to be construed as an implication that Dade County proposes to maintain these structures when completed. A coastal structure shall be maintained at all times by the owner including any portion thereof that may extend into public property. All structures that are available for public use shall be maintained by the owner in a safe condition. Maintenance of groins will include periodic adjustments of the height to compensate for changes in the beach profile.

Attachment H:

**Aerial Photograph from Property Appraiser's Website and
Google Earth Aerial Image**

PROPERTY INFORMATION ⓘ	
Folio: 01-3219-008-2630	
Sub-Division: BAY POINT	
Property Address 4575 SABAL PALM RD	
Owner SPEYSIDE INVESTMENTS CORP	
Mailing Address 2100 SALZEDO STREET #300 CORAL GABLES, FL 33134	
PA Primary Zone 0100 SINGLE FAMILY - GENERAL	
Primary Land Use 0101 RESIDENTIAL - SINGLE FAMILY : 1 UNIT	
Beds / Baths / Half	4 / 6 / 2
Floors	2
Living Units	1
Actual Area	8,396 Sq.Ft
Living Area	6,851 Sq.Ft
Adjusted Area	7,147 Sq.Ft
Lot Size	21,224 Sq.Ft
Year Built	2024



Source: Miami-Dade County Property Appraiser



Source: Google Earth

Attachment I:

Florida Department of Environmental Protection (FDEP) Permit



FLORIDA DEPARTMENT OF Environmental Protection

Southeast District Office
3301 Gun Club Road, MSC 7210-1
West Palm Beach, FL 33406
561-681-6600

Ron DeSantis
Governor

Jeanette Nuñez
Lt. Governor

Shawn Hamilton
Secretary

September 8, 2023

Eduardo Otaola
8950 SW 74th Court, Suite 108
Miami, FL 33156
Sent via agents' e-mail: emily@oceanconsultingfl.com

Re: File No.: 13-0330647-004-EE
File Name: 4575 Sabal Palm Road Boatlift

Dear Mr. Otaola:

On August 31, 2023, we received your request for verification of exemption to remove five already existing wood piles and to install a new 45K LB capacity 8-post boatlift supported by eight new concrete piles with an eight sq. ft. aluminum boarding platform. The project is located in the Biscayne Bay, within the Biscayne Bay Aquatic Preserve, Outstanding Florida Waters, Class III Waters, adjacent to 4575 Sabal Palm Road, Miami (Section 19, Township 53 South, Range 42 East), in Miami-Dade County (Latitude N 25°49'13.7689" Longitude W 25°49'13.7689").

Your request has been reviewed to determine whether it qualifies for (1) regulatory exemption, (2) proprietary authorization (related to state-owned submerged lands), and (3) federal approval that may be necessary for work in wetlands or waters of the United States.

Your project qualifies for all three. However, this letter does not relieve you from the responsibility of obtaining other federal, state, or local authorizations that may be required for the activity.

If you change the project from what you submitted, the authorization(s) granted may no longer be valid at the time of commencement of the project. Please contact us prior to beginning your project if you wish to make any changes.

If you have any questions regarding this matter, please contact Hallie Walker at the letterhead address or at Hallie.Walker@FloridaDEP.gov.

1. Regulatory Review – VERIFIED

Based on the information submitted, the Department has verified that the activity as proposed is exempt, under Chapter 62-330.051 (5)(b), Florida Administrative Code, from the need to obtain a regulatory permit under Part IV of Chapter 373 of the Florida Statutes.

This exemption verification is based on the information you provided the Department and the statutes and rules in effect when the information was submitted. This verification may not be valid if site conditions materially change, the project design is modified, or the statutes or rules governing the exempt activity are amended. In the event you need to re-verify the exempt status for the activity, a new request and verification fee will be required. Any substantial modifications to the project design should be submitted to the Department for review, as changes may result in a permit being required.

2. Proprietary Review- GRANTED

The Department acts as staff to the Board of Trustees of the Internal Improvement Trust Fund (Board of Trustees) and issues certain authorizations for the use of sovereign submerged lands. The Department has the authority to review activities on sovereign submerged lands under Chapters 253 and 258 of the Florida Statutes, and Chapters 18-20 and 18-21 of the Florida Administrative Code.

The activity appears to be located on sovereign submerged lands owned by the Board of Trustees. The activity is not exempt from the need to obtain the applicable proprietary authorization. As staff to the Board of Trustees, the Department has reviewed the activity described above, and has determined that the activity for a letter of consent under Section 253.77, Florida Statutes, to construct and use the activity on the specified sovereign submerged lands, as long as the work performed is located within the boundaries as described herein and is consistent with the terms and conditions herein.

During the term of this Letter of Consent you shall maintain satisfactory evidence of sufficient upland interest as required by paragraph 18-21.004(3)(b), Florida Administrative Code. If such interest is terminated or the Board of Trustees determines that such interest did not exist on the date of issuance of this Letter of Consent, this Letter of Consent may be terminated by the Board of Trustees at its sole option. If the Board of Trustees terminates this Letter of Consent, you agree not to assert a claim or defense against the Board of Trustees arising out of this Letter of Consent.

Special Consent Conditions

1. The applicant agrees to indemnify, defend and hold harmless the Board of Trustees and the State of Florida from all claims, actions, lawsuits and demands in any form arising out of the authorization to use sovereignty submerged lands or the applicant's use and construction of structures on sovereignty submerged lands. This duty to indemnify and hold harmless will include any and all liabilities that are associated with the structure or activity including special assessments or taxes that are now or in the future assessed against the structure or activity during the period of the authorization.

2. Failure by the Board of Trustees to enforce any violation of a provision of the authorization or waiver by the Board of Trustees of any provision of the authorization will not invalidate the provision not enforced or waived, nor will the failure to enforce or a waiver prevent the Board of Trustees from enforcing the unenforced or waived provision in the event of a violation of that provision.
3. Applicant binds itself and its successors and assigns to abide by the provisions and conditions set forth in the authorization. If the applicant or its successors or assigns fails or refuses to comply with the provisions and conditions of the authorization, the authorization may be terminated by the Board of Trustees after written notice to the applicant or its successors or assigns. Upon receipt of such notice, the applicant or its successors or assigns will have thirty (30) days in which to correct the violations. Failure to correct the violations within this period will result in the automatic revocation of this authorization.
4. All costs incurred by the Board of Trustees in enforcing the terms and conditions of the authorization will be paid by the applicant. Any notice required by law will be made by certified mail at the address shown on page one of the authorization. The applicant will notify the Board of Trustees in writing of any change of address at least ten days before the change becomes effective.
5. This authorization does not allow any activity prohibited in a conservation easement or restrictive covenant that prohibits the activity.

General Conditions for Authorizations for Activities

All authorizations granted by rule or in writing under Rule 18-21.005, F.A.C., except those for geophysical testing, shall be subject to the general conditions as set forth in paragraphs (a) through (i) below. The general conditions shall be part of all authorizations under this chapter, shall be binding upon the grantee, and shall be enforceable under Chapter 253 or 258, Part II, F.S.

- (a) Authorizations are valid only for the specified activity or use. Any unauthorized deviation from the specified activity or use and the conditions for undertaking that activity or use shall constitute a violation. Violation of the authorization shall result in suspension or revocation of the grantee's use of the sovereignty submerged land unless cured to the satisfaction of the Board.
- (b) Authorizations convey no title to sovereignty submerged land or water column, nor do they constitute recognition or acknowledgment of any other person's title to such land or water.
- (c) Authorizations may be modified, suspended or revoked in accordance with their terms or the remedies provided in Sections 253.04 and 258.46, F.S., or Chapter 18-14, F.A.C.
- (d) Structures or activities shall be constructed and used to avoid or minimize adverse impacts to sovereignty submerged lands and resources.

(e) Construction, use, or operation of the structure or activity shall not adversely affect any species which is endangered, threatened or of special concern, as listed in Rules 68A-27.003, 68A-27.004, and 68A-27.005, F.A.C.

(f) Structures or activities shall not unreasonably interfere with riparian rights. When a court of competent jurisdiction determines that riparian rights have been unlawfully affected, the structure or activity shall be modified in accordance with the court's decision.

(g) Structures or activities shall not create a navigational hazard.

(h) Structures shall be maintained in a functional condition and shall be repaired or removed if they become dilapidated to such an extent that they are no longer functional. This shall not be construed to prohibit the repair or replacement subject to the provisions of Rule 18-21.005, F.A.C., within one year, of a structure damaged in a discrete event such as a storm, flood, accident, or fire.

(i) Structures or activities shall be constructed, operated, and maintained solely for water dependent purposes, or for non-water dependent activities authorized under Paragraph 18-21.004(1)(f), F.A.C., or any other applicable law.

3. Federal Review - APPROVED

Your proposed activity as outlined in your application and attached drawings qualifies for Federal authorization pursuant to the State Programmatic General Permit VI-R1, and a **SEPARATE permit** or authorization **will not be required** from the U.S. Army Corps of Engineers. Please note that the Federal authorization expires on July 27, 2026. However, your authorization may remain in effect for up to 1 additional year, if provisions of Special Condition 15 of the SPGP VI-R1 permit instrument are met. You, as permittee, are required to adhere to all General Conditions and Special Conditions that may apply to your project. Special conditions required for your project are attached. A copy of the SPGP VI-R1 with all terms and conditions and the General Conditions may be found online in the Jacksonville District Regulatory Division Sourcebook (<https://www.saj.usace.army.mil/Missions/Regulatory/Source-Book/>).

Authority for review - an agreement with the USACOE entitled "Coordination Agreement Between the U. S. Army Corps of Engineers (Jacksonville District) and the Florida Department of Environmental Protection (or Duly Authorized Designee), State Programmatic General Permit", Section 10 of the Rivers and Harbor Act of 1899, and Section 404 of the Clean Water Act.

Additional Information

Please retain this letter. The activities may be inspected by authorized state personnel in the future to ensure compliance with appropriate statutes and administrative codes. If the activities are not in compliance, you may be subject to penalties under Chapter 373, F.S., and Chapter 18-14, F.A.C.

NOTICE OF RIGHTS

This action is final and effective on the date filed with the Clerk of the Department unless a petition for an administrative hearing is timely filed under Sections 120.569 and 120.57, F.S., before the deadline for filing a petition. On the filing of a timely and sufficient petition, this action will not be final and effective until a subsequent order of the Department. Because the administrative hearing process is designed to formulate final agency action, the hearing process may result in a modification of the agency action or even denial of the application.

Petition for Administrative Hearing

A person whose substantial interests are affected by the Department's action may petition for an administrative proceeding (hearing) under Sections 120.569 and 120.57, F.S. Pursuant to Rules 28-106.201 and 28-106.301, F.A.C., a petition for an administrative hearing must contain the following information:

- (a) The name and address of each agency affected and each agency's file or identification number, if known;
- (b) The name, address, any e-mail address, any facsimile number, and telephone number of the petitioner, if the petitioner is not represented by an attorney or a qualified representative; the name, address, and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding; and an explanation of how the petitioner's substantial interests will be affected by the agency determination;
- (c) A statement of when and how the petitioner received notice of the agency decision;
- (d) A statement of all disputed issues of material fact. If there are none, the petition must so indicate;
- (e) A concise statement of the ultimate facts alleged, including the specific facts that the petitioner contends warrant reversal or modification of the agency's proposed action;
- (f) A statement of the specific rules or statutes that the petitioner contends require reversal or modification of the agency's proposed action, including an explanation of how the alleged facts relate to the specific rules or statutes; and
- (g) A statement of the relief sought by the petitioner, stating precisely the action that the petitioner wishes the agency to take with respect to the agency's proposed action.

The petition must be filed (received by the Clerk) in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000, or via electronic correspondence at Agency_Clerk@dep.state.fl.us. Also, a copy of the petition shall be mailed to the applicant at the address indicated above at the time of filing.

Time Period for Filing a Petition

In accordance with Rule 62-110.106(3), F.A.C., petitions for an administrative hearing by the applicant and persons entitled to written notice under Section 120.60(3), F.S., must be filed within 14 days of receipt of this written notice. Petitions filed by any persons other than the applicant, and other than those entitled to written notice under Section 120.60(3), F.S., must be filed within 14 days of publication of the notice or within 14 days of receipt of the written notice, whichever occurs first. You cannot justifiably rely on the finality of this decision unless notice of this decision and the right of substantially affected persons to challenge this decision has been duly published or otherwise provided to all persons substantially affected by the decision. While

you are not required to publish notice of this action, you may elect to do so pursuant Rule 62-110.106(10)(a).

The failure to file a petition within the appropriate time period shall constitute a waiver of that person's right to request an administrative determination (hearing) under Sections 120.569 and 120.57, F.S., or to intervene in this proceeding and participate as a party to it. Any subsequent intervention (in a proceeding initiated by another party) will be only at the discretion of the presiding officer upon the filing of a motion in compliance with Rule 28-106.205, F.A.C. If you do not publish notice of this action, this waiver will not apply to persons who have not received written notice of this action.

Extension of Time

Under Rule 62-110.106(4), F.A.C., a person whose substantial interests are affected by the Department's action may also request an extension of time to file a petition for an administrative hearing. The Department may, for good cause shown, grant the request for an extension of time. Requests for extension of time must be filed with the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000, or via electronic correspondence at Agency_Clerk@dep.state.fl.us, before the deadline for filing a petition for an administrative hearing. A timely request for extension of time shall toll the running of the time period for filing a petition until the request is acted upon.

Mediation

Mediation is not available in this proceeding.

FLAWAC Review

The applicant, or any party within the meaning of Section 373.114(1)(a) or 373.4275, F.S., may also seek appellate review of this order before the Land and Water Adjudicatory Commission under Section 373.114(1) or 373.4275, F.S. Requests for review before the Land and Water Adjudicatory Commission must be filed with the Secretary of the Commission and served on the Department within 20 days from the date when this order is filed with the Clerk of the Department.

Judicial Review

Once this decision becomes final, any party to this action has the right to seek judicial review pursuant to Section 120.68, F.S., by filing a Notice of Appeal pursuant to Florida Rules of Appellate Procedure 9.110 and 9.190 with the Clerk of the Department in the Office of General Counsel (Station #35, 3900 Commonwealth Boulevard, Tallahassee, Florida 32399-3000) and by filing a copy of the Notice of Appeal accompanied by the applicable filing fees with the appropriate district court of appeal. The notice must be filed within 30 days from the date this action is filed with the Clerk of the Department.

EXECUTION AND CLERKING

Executed in West Palm Beach, Florida.

STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION



William Lange
Environmental Permitting Manager
Southeast District

Enclosures:

Attachment A- Specific Exemption Rule
Special Conditions for Federal Authorization for SPGP VI-R1
General Conditions for Federal Authorization for SPGP VI-R1
Project drawings, 4 pages

CERTIFICATE OF SERVICE

The undersigned duly designated deputy clerk hereby certifies that this document and all attachments were sent on the filing date below to the following listed persons:

FDEP – William Lange, Hallie Walker
Emily Nelson, Ocean Consulting, LLC, emily@oceanconsultingfl.com

Additional mailings:

SPGP, nmfs.ser.statewideprogrammatic@noaa.gov ; spgp@usace.army.mil
Griffin Alexander, Griffin.N.Alexander@FloridaDEP.gov
Lisa Spadafina, Miami-Dade County RER, spadaL2@miamidade.gov

FILING AND ACKNOWLEDGMENT

FILED, on this date, pursuant to Section 120.52, F. S., with the designated Department Clerk, receipt of which is hereby acknowledged.

Vanessa Osborne

Clerk

09-08-2023

Date

Attachment A

Chapter 62-330.051 Exempt Activities.

The activities meeting the limitations and restrictions below are exempt from permitting. However, if located in, on, or over state-owned submerged lands, they are subject to a separate authorization under Chapters 253 and 258, F.S., and Chapters 18-18, 18-20, and 18-21, F.A.C., as applicable.

(5) Dock, Pier, Boat Ramp and Other Boating-related Work –

(b) Installation of private docks, piers, and recreational docking facilities, and installation of local governmental piers and recreational docking facilities, in accordance with section 403.813(1)(b), F.S. This includes associated structures such as boat shelters, boat lifts, and roofs, provided:

1. The cumulative square footage of the dock or pier and all associated structures located over wetlands and other surface waters does not exceed the limitations in section 403.813(1)(b), F.S.;
2. No structure is enclosed on more than three sides with walls and doors;
3. Structures are not used for residential habitation or commercial purposes, or storage of materials other than those associated with water dependent recreational use; and
4. Any dock and associated structure shall be the sole dock as measured along the shoreline for a minimum distance of 65 feet, unless the parcel of land or individual lot as platted is less than 65 feet in length along the shoreline, in which case there may be one exempt dock allowed per parcel or lot.

Rulemaking Authority 373.026(7), 373.043, 373.4131, 373.4145, 403.805(1) FS. Law Implemented 373.406, 373.4131, 373.4145, 373.415, 403.813(1) FS. History—New 10-1-13, Amended 6-1-18.

Special Conditions for Federal Authorizations for SPGP VI-R1

1. Authorization, design and construction must adhere to the terms of the SPGP VI instrument including the General Conditions for All Projects, Special Conditions for All Projects, Applicable activity-specific special conditions, Procedure and Work Authorized sections.
2. Design and construction must adhere to the PDCs for In-Water Activities (Attachment 28, from PDCs AP.7 through AP11, inclusive, of JAXBO) (Reference: JAXBO PDC AP.1.).
3. All activities must be performed during daylight hours (Reference: JAXBO PDC AP.6.).
4. For all projects involving the installation of piles, sheet piles, concrete slab walls or boatlift I-beams (Reference Categories A, B and C of JAXBO *PDCs for In-Water Noise from Pile and Sheet Pile Installation*, page 86):
 - a. Construction methods limited to trench and fill, pilot hole (auger or drop punch), jetting, vibratory, and impact hammer (however, impact hammer limited to installing no more than 5 per day).
 - b. Material limited to wood piles with a 14-inch diameter or less, concrete piles with a 24-inch diameter/width or less, metal pipe piles with a 36-inch diameter or less, metal boatlift I-beams, concrete slab walls, vinyl sheet piles, and metal sheet piles.
 - c. Any installation of metal pipe or metal sheet pile by impact hammer is not authorized (Reference: Categories D and E of JAXBO *PDCs for In-Water Noise from Pile and Sheet Pile Installation*, page 86.).
 - d. Projects within the boundary of the NOAA Florida Keys National Marine Sanctuary require prior approval from the Sanctuary (Reference: JAXBO PDCs AP.14 and A1.6).
5. The Permittee shall comply with the “Standard Manatee Conditions for In-Water Work – 2011” (Attachment 29).
6. No structure or work shall adversely affect or disturb properties listed in the National Register of Historic Places or those eligible for inclusion in the National Register. Prior to the start of work, the Applicant/Permittee or other party on the Applicant’s/Permittee’s behalf, shall conduct a search of known historical properties by contracting a professional archaeologist, and contacting the Florida Master Site File at 850-245-6440 or SiteFile@dos.state.fl.us. The Applicant/Permittee can also research sites in the National Register Information System (NRIS). Information can be found at <http://www.cr.nps.gov/nr/research>.

- a. If, during the initial ground disturbing activities and construction work, there are archaeological/cultural materials unearthed (which shall include, but not be limited to: pottery, modified shell, flora, fauna, human remains, ceramics, stone tools or metal implements, dugout canoes or any other physical remains that could be associated with Native American cultures or early colonial or American settlement), the Permittee shall immediately stop all work in the vicinity and notify the Compliance and Review staff of the State Historic Preservation Office at 850-245- 6333 and the Corps Regulatory Archeologist at 904-232-3270 to assess the significance of the discovery and devise appropriate actions, including salvage operations. Based on the circumstances of the discovery, equity to all parties, and considerations of the public interest, the Corps may modify, suspend, or revoke the permit in accordance with 33 C.F.R. § 325.7.
 - b. In the unlikely event that human remains are identified, the remains will be treated in accordance with Section 872.05, Florida Statutes; all work in the vicinity shall immediately cease and the local law authority, and the State Archaeologist (850-245-6444) and the Corps Regulatory Archeologist at 904-232-3270 shall immediately be notified. Such activity shall not resume unless specifically authorized by the State Archaeologist and the Corps.
7. The Permittee is responsible for obtaining any “take” permits required under the U.S. Fish and Wildlife Service’s regulations governing compliance with these laws. The Permittee should contact the appropriate local office of the U.S. Fish and Wildlife Service to determine if such “take” permits are required for a particular activity.
8. Mangroves. The design and construction of a Project must comply with the following (Reference: JAXBO PDCs AP.3 and AP.12.):
 - a. All projects must be sited and designed to avoid or minimize impacts to mangroves.
 - b. Mangrove removal must be conducted in a manner that avoids any unnecessary removal and is limited to the following instances:
 - (1) Removal to install up to a 4-ft-wide walkway for a dock.
 - (2) Removal of mangroves above the mean high water line (MHWL) provided that the tree does not have any prop roots that extend into the water below the MHWL.
 - (3) Mangrove trimming. Mangrove trimming refers to the removal (using hand equipment such as chain saws and/or machetes) of lateral branches (i.e., no alteration of the trunk of the tree) in a manner that ensures survival of the tree.
 - (a) Projects with associated mangrove trimming waterward of the MHWL are authorized if the trimming: (a) occurs within the area where the authorized structures are placed or will be placed (i.e., removal of branches that overhang a dock or lift),
 - (b) is necessary to provide temporary construction access, and (c) is conducted in a

manner that avoids any unnecessary trimming.

(b) Projects proposing to remove red mangrove prop roots waterward of the MHWL are not authorized, except for removal to install the dock walkways as described above.

9. For Projects authorized under this SPGP VI in navigable waters of the U.S., the Permittee understands and agrees that, if future operations by the United States require the removal, relocation, or other alteration, of the structures or work herein authorized, or if, in the opinion of the Secretary of the Army or his authorized representative, said structure or work shall cause unreasonable obstruction to the free navigation of the navigable waters, the Permittee will be required, upon due notice from the Corps of Engineers, to remove, relocate, or alter the structural work or obstructions caused thereby, without expense to the United States. No claim shall be made against the United States on account of any such removal or alteration.

10. Notifications to the Corps. For all authorizations under this SPGP VI, including Self-Certifications, the Permittee shall provide the following notifications to the Corps:

a. Commencement Notification. Within 10 days from the date of initiating the work authorized by this permit the Permittee shall submit a completed "Commencement Notification" form (Attachment 8).

b. Corps *Self-Certification Statement of Compliance* form. Within 60 days of completion of the work authorized by this permit, the Permittee shall complete the "Self-Certification Statement of Compliance" form (Attachment 9) and submit it to the Corps. In the event that the completed work deviates in any manner from the authorized work, the Permittee shall describe the deviations between the work authorized by this permit and the work as constructed on the "Self-Certification Statement of Compliance" form. The description of any deviations on the "Self-Certification Statement of Compliance" form does not constitute approval of any deviations by the Corps.

c. Permit Transfer. When the structures or work authorized by this permit are still in existence at the time the property is transferred, the terms and conditions of this permit will continue to be binding on the new owner(s) of the property. To validate the transfer of this permit and the associated liabilities associated with compliance with its terms and conditions, have the transferee sign and date the enclosed form (Attachment 10).

d. Reporting Address. The Permittee shall submit all reports, notifications, documentation, and correspondence required by the general and special conditions of this permit to the following address.

(1) For standard mail: U.S. Army Corps of Engineers, Regulatory Division, Enforcement Section, P.O. Box 4970, Jacksonville, FL, 32232-0019.

(2) For electronic mail: SAJ-RD-Enforcement@usace.army.mil (not to exceed 10 MB). The Permittee shall reference this permit number, SAJ-2015-2575 on all submittals.

11. The District Engineer reserves the right to require that any request for authorization under this SPGP VI be evaluated as an Individual Permit. Conformance with the terms and conditions of the SPGP VI does not automatically guarantee Federal authorization.
12. On a case-by-case basis, the Corps may impose additional Special Conditions which are deemed necessary to minimize adverse environmental impacts.
13. Failure to comply with all conditions of the SPGP VI constitutes a violation of the Federal authorization.
14. The SPGP VI will be valid through the expiration date unless suspended or revoked by issuance of a public notice by the District Engineer. The Corps, in conjunction with the Federal resource agencies, will conduct periodic reviews to ensure that continuation of the permit during the period ending expiration date, is not contrary to the public interest. The SPGP VI will not be extended beyond the expiration date but may be replaced by a new SPGP. If revocation occurs, all future applications for activities covered by the SPGP VI will be evaluated by the Corps.
15. If the SPGP VI expires, is revoked, or is terminated prior to completion of the authorized work, authorization of activities which have commenced or are under contract to commence in reliance upon the SPGP VI will remain in effect provided the activity is completed within 12 months of the date the SPGP VI expired or was revoked.

Special Conditions for Docks, Piers, Associated Facilities, and other Minor Piling-Supported Structures.

16. Chickees must be less than 500 ft² and support no more than 2 slips (Reference: JAXBO PDC A2.1.6.).
17. The design and construction of a Project over marsh (emergent vegetation) must comply with the following:
 - a. The piling-supported structure shall be aligned so as to have the smallest over-marsh footprint as practicable.
 - b. The over-marsh portion of the piling-supported structure (decking) shall be elevated to at least 4 feet above the marsh floor.
 - c. The width of the piling-supported is limited to a maximum of 4 feet. Any exceptions to the width must be accompanied by an equal increase in height requirement.
18. Mangroves. For pile-supported structures, the following additional requirements for mangroves found in the joint U.S. Army Corps of Engineers'/National Marine Fisheries

Service's "Construction Guidelines in Florida for Minor Piling-Supported Structures Constructed in or over Submerged Aquatic Vegetation (SAV), Marsh or Mangrove Habitat" U.S. Army Corps of Engineers/National Marine Fisheries Service updated November 2017 (Attachment 11) shall apply:

- a. The width of the piling-supported structure is limited to a maximum of 4 feet.
- b. Mangrove clearing is restricted to the width of the piling-supported structure.
- c. The location and alignment of the piling-supported structure should be through the narrowest area of the mangrove fringe.

19. Regarding SAV, the design and construction of a Project must comply with the following:

a. A pile supported structure

(1) that is located on a natural waterbody (i.e. outside an artificial waterway that was excavated for boating access and is bordered by residential properties); and

(2) that is within the range of seagrass (estuarine waters within all coastal counties except for Nassau, Duval, St Johns, Flagler and Volusia north of Ponce Inlet), but outside of the range of Johnson's seagrass (the range of Johnson's seagrass is defined as Turkey Creek/Palm Bay south to central Biscayne Bay in the lagoon systems on the east coast of Florida) will be constructed to the following standards:

(a) If no survey is performed in accordance with the methods described in the Procedure section of this document, section I.3, then SAV is presumed present and the pile-supported structure must comply with, or provide a higher level of protection than, the protective criteria in the joint U.S. Army Corps of Engineers'/National Marine Fisheries Service's "*Construction Guidelines in Florida for Minor Piling- Supported Structures Constructed in or over Submerged Aquatic Vegetation (SAV), Marsh or Mangrove Habitat*" U.S. Army Corps of Engineers/National Marine Fisheries Service updated November 2017 (Attachment 11). For the purposes of SPGP, two uncovered boatlifts are allowed.

(i) If the pile supported structure is currently serviceable, repair and replacement may occur in the same footprint without completion of a benthic survey.

(ii) Boatlifts and minor structures in Monroe County may be installed within existing boat slips without completion of a SAV survey. Boatlift accessory structures, like catwalks, shall adhere to "*Construction Guidelines in Florida for Minor Piling- Supported Structures Constructed in or over Submerged Aquatic Vegetation (SAV), Marsh or Mangrove Habitat*" U.S. Army Corps of Engineers/National Marine Fisheries Service updated November 2017 (Attachment 11) if a SAV survey has not been completed.

(iii) A marginal dock may be constructed a maximum of 5 feet overwater, as measured from the waterward face (wet face) of the seawall).

(b) If a survey is performed in accordance with the methods described in the Procedure section of this document, section I.3, and SAV is present (including seagrass, tidal freshwater SAV and emergent vegetation), then the pile-supported structure must comply with, or provide a higher level of protection than, the protective criteria in the joint U.S. Army Corps of Engineers'/National Marine Fisheries Service's "Construction Guidelines in Florida for Minor Piling-Supported Structures Constructed in or over Submerged Aquatic Vegetation (SAV), Marsh or Mangrove Habitat" U.S. Army Corps of Engineers/National Marine Fisheries Service updated November 2017 (Attachment 11). For the purposes of this permit, two uncovered boatlifts are allowed.

(i) If the pile supported structure is currently serviceable, repair and replacement may occur in the same footprint without completion of a benthic survey.

(ii) Boatlifts may be installed within existing boat slips without completion of a SAV survey.

(iii) A marginal dock may be constructed a maximum of 5 feet overwater, as measured from the waterward face (wet face) of the seawall).

(c) If a survey is performed in accordance with the methods described in the Procedure section of this document, section I.3, and SAV is absent (including seagrass, tidal freshwater SAV and emergent vegetation), then no design restrictions are required and boatlifts may include a cover.

(d) A pile supported structure

(i) that is located on a natural waterbody (i.e. outside an artificial waterway that was excavated for boating access and is bordered by residential properties); and

(ii) that is within the range of Johnson's seagrass (the range of Johnson's seagrass is defined as Turkey Creek/Palm Bay south to central Biscayne Bay in the lagoon systems on the east coast of Florida) but not within Johnson's seagrass critical habitat will be constructed to the following standards:

(iii) If no survey is performed in accordance with the methods described in the Procedure section of this document, section I.3, then seagrass is presumed present and the pile-supported structure must comply with or provide a higher level of protection than, the protective criteria in the joint U.S. Army Corps of Engineers'/National Marine Fisheries Service's "Construction Guidelines in Florida for Minor Piling-Supported Structures Constructed in or over Submerged Aquatic Vegetation (SAV), Marsh or Mangrove Habitat" U.S. Army Corps of Engineers/National Marine Fisheries Service updated November 2017 (Attachment 11) with the sole exception of the number of allowable boat lifts. For the purposes of this permit, two uncovered boatlifts are allowed.

(e) If a survey is performed in accordance with the methods described in the Procedure section of this document, section I.3, and SAV is present (including seagrass, tidal freshwater SAV and emergent vegetation), THEN pile-supported structure must comply with or provide a higher level of protection than, the protective criteria in the joint U.S. Army Corps of Engineers'/National Marine Fisheries Service's "Construction Guidelines in Florida for Minor Piling-Supported Structures Constructed in or over Submerged Aquatic Vegetation (SAV), Marsh or Mangrove Habitat" U.S. Army Corps of Engineers/National Marine Fisheries Service updated November 2017 (Attachment 11). For the purposes of this permit, two uncovered boatlifts are allowed.

(f) If a survey is performed in accordance with the methods described in the procedure section of this document, section I.3, and SAV is absent (including seagrass, tidal freshwater SAV and emergent vegetation), THEN no design restrictions are required and boatlifts may include a cover.

(g) A pile supported structure located within Johnson's seagrass critical habitat will be constructed to the following standards:

(i) If no survey is performed in accordance with the methods described in the Procedure section of this document, section I.3, then seagrass is presumed present and the pile-supported structure must comply with or provide a higher level of protection than, the protective criteria in the joint U.S. Army Corps of Engineers'/National Marine Fisheries Service's "Construction Guidelines in Florida for Minor Piling-Supported Structures Constructed in or over Submerged Aquatic Vegetation (SAV), Marsh or Mangrove Habitat" U.S. Army Corps of Engineers/National Marine Fisheries Service updated November 2017 (Attachment 11) with the sole exception of the number of allowable boat lifts. For the purposes of this permit, two uncovered boatlifts are allowed.

(ii) If a survey is performed in accordance with the methods described in the Procedure section of this document, section I.3, and SAV is absent and the project is

1. A dock replacement in the same footprint, no design restrictions are required.
2. A new dock or dock expansion THEN pile-supported structure must comply with or provide a higher level of protection than, the protective criteria in the joint U.S. Army Corps of Engineers'/National Marine Fisheries Service's "Construction Guidelines in Florida for Minor Piling-Supported Structures Constructed in or over Submerged Aquatic Vegetation (SAV), Marsh or Mangrove Habitat" U.S. Army Corps of Engineers/National Marine Fisheries Service updated November 2017 (Attachment 11). For the purposes of this permit, two uncovered boatlifts are allowed.

(iii) If a survey is performed in accordance with the methods described in the Procedure section of this document, section I.3, and SAV is present (including seagrass, tidal freshwater SAV and emergent vegetation), then pile-supported structure must comply with or provide a higher level of protection than, the protective criteria in

the joint U.S. Army Corps of Engineers'/National Marine Fisheries Service's "Construction Guidelines in Florida for Minor Piling-Supported Structures Constructed in or over Submerged Aquatic Vegetation (SAV), Marsh or Mangrove Habitat" U.S. Army Corps of Engineers/National Marine Fisheries Service updated November 2017 (Attachment 11). For the purposes of this permit, two uncovered boatlifts are allowed.

20. North Atlantic Right Whale. The attached North Atlantic Right Whale Information Form (Attachment 30) describes the presence of North Atlantic right whales in the area and the Federal regulations governing the approach to North Atlantic right whales. The FDEP or Designee will attach the North Atlantic Right Whale Information Form to their authorizations for any dock project (new construction, repair, or replacement) at a private residence located within 11 nautical miles of an inlet that leads to areas within the known range of North Atlantic right whale. These zones, with an 11 nm radius, are described by the North Atlantic Right Whale Educational Sign Zones, Attachment 7 (from Section 2.1.1.4 of JAXBO, pages 31 and 32, inclusive). (Reference JAXBO PDC A2.4).
21. Educational Signs. For commercial, multi-family, or public facilities, and marine events, signs must be posted as described below (Reference: These replicate JAXBO PDCs A.2.2 and A.2.2.1 to A.2.2.3., inclusive, within the table PDCs Specific to Activity 2 - Pile Supported Structures and Anchored Buoys, starting on page 112.):
 - a. For commercial, multi-family, or public facilities, and marine events, signs must be posted in a visible location(s), alerting users of listed species in the area susceptible to vessel strikes and hook-and-line captures. The most current version of the signs that must be downloaded and sign installation guidance are available at:
(<https://www.fisheries.noaa.gov/southeast/consultations/protected-species-educational-signs>). The signs required to be posted by area are stated below:
<https://www.fisheries.noaa.gov/southeast/consultations/protected-species-educational-signs>
 - (1) All projects in Florida shall use the Save Sea Turtle, Sawfish, and Dolphin sign. These signs shall include contact information to the sea turtle and marine mammal stranding networks and smalltooth sawfish encounter database.
 - (2) Projects within the North Atlantic right whale educational sign zone shall post the Help Protect North Atlantic Right Whales sign.
 - (3) On the east coast of Florida, projects located within the St. Johns River and those occurring north of the St. Johns River to the Florida-Georgia line shall post the Report Sturgeon sign. On the west coast of Florida, projects occurring from the Cedar Key, Florida north to the Florida-Alabama line.
22. Monofilament Recycling Bins. For commercial, multi-family, or public facilities, monofilament recycling bins must be provided as described below (Reference: The

below replicates PDC A.2.3 within the table PDCs Specific to Activity 2 –Pile Supported Structures and Anchored Buoys, the PDC itself on page 113 of the JAXBO.):

a. For commercial, multi-family, or public facilities, monofilament recycling bins must be provided at the docking facility to reduce the risk of turtle or sawfish entanglement in, or ingestion of, marine debris. Monofilament recycling bins must:

(1) Be constructed and labeled according to the instructions provided at <http://mrrp.myfwc.com>.

(2) Be maintained in working order and emptied frequently (according to <http://mrrp.myfwc.com> standards) so that they do not overflow.

23. Lighting for docks installed within visible distance of ocean beaches. If lighting is necessary, then turtle-friendly lighting shall be installed. Turtle-friendly lighting is explained and examples are provided on the Florida Fish and Wildlife Conservation Commission website: <http://myfwc.com/wildlifehabitats/managed/sea-turtles/lighting/> (Reference: JAXBO PDC A2.8.).
24. Construction Location. Project construction shall take place from uplands or from floating equipment (e.g., barge); prop or wheel-washing is prohibited (Reference: JAXBO PDC A2.9.).
25. Aids to Navigation (ATONs). ATONs must be approved by and installed in accordance with the requirements of the U.S. Coast Guard (i.e., 33 C.F.R., chapter I, subchapter C, part 66, Section 10 of the Rivers and Harbors Act, and any other pertinent requirements) (Reference: JAXBO PDC A2.5.).
26. Aids to Navigation (ATONs) in Acropora critical habitat. The distance from ATONs to ESA-listed corals and Acropora critical habitat (Attachment 20) shall ensure there are no impacts to the corals or the essential feature of Acropora critical habitat from the movement of buoys and tackle. The appropriate distance shall be based on the size of the anchor chain or other tackle to be installed to secure the buoy to its anchor, particularly when the design of the ATON does not prohibit the contact of tackle with the marine bottom. In all cases, buoy tackle will include flotation to ensure there is no contact between the anchor chain or line and the marine bottom (Reference: JAXBO PDC A2.10.).
27. Within Loggerhead sea turtle critical habitat (Reference: JAXBO PDC A2.15.):
- (1) ATONs (pile-supported and anchored buoys) are allowed in nearshore reproductive habitat of the Northwest Atlantic Distinct Population Segment (NWA DPS) of loggerhead sea turtle critical habitat.
- (2) No other pile-supported structures are allowed in nearshore reproductive habitat.

General Conditions for All Projects:

1. The time limit for completing the work authorized ends on July 27, 2026.
2. You must maintain the activity authorized by this permit in good condition and in conformance with the terms and conditions of this permit. You are not relieved of this requirement if you abandon the permitted activity, although you may make a good faith transfer to a third party in compliance with General Condition 4 below. Should you wish to cease to maintain the authorized activity or should you desire to abandon it without a good faith transfer, you must obtain a modification of this permit from this office, which may require restoration of the area.
3. If you discover any previously unknown historic or archeological remains while accomplishing the activity authorized by this permit, you must immediately notify this office of what you have found. We will initiate the Federal and State coordination required to determine if the remains warrant a recovery effort or if the site is eligible for listing in the National Register of Historic Places.
4. If you sell the property associated with this permit, you must obtain the signature of the new owner on the enclosed form (Attachment 10) and forward a copy of the permit to this office to validate the transfer of this authorization.
5. If a conditioned water quality certification has been issued for your project, you must comply with the conditions specified in the certification as special conditions to this permit.
6. You must allow representatives from this office to inspect the authorized activity at any time deemed necessary to ensure that it is being or has been accomplished in accordance with the terms and conditions of your permit.

Further Information:

1. Limits of this authorization.
 - a. This permit does not obviate the need to obtain other Federal, State, or local authorizations required by law.
 - b. This permit does not grant any property rights or exclusive privileges.
 - c. This permit does not authorize any injury to the property or rights of others.
 - d. This permit does not authorize interference with any existing or proposed Federal projects.
2. Limits of Federal Liability. In issuing this permit, the Federal Government does not assume any liability for the following:

- a. Damages to the permitted project or uses thereof as a result of other permitted or unpermitted activities or from natural causes.
 - b. Damages to the permitted project or uses thereof as a result of current or future activities undertaken by or on behalf of the United States in the public interest.
 - c. Damages to persons, property, or to other permitted or unpermitted activities or structures caused by the activity authorized by this permit.
 - d. Design or Construction deficiencies associated with the permitted work.
 - e. Damage claims associated with any future modification, suspension, or revocation of this permit.
3. Reliance on Applicant's Data: The determination of this office that issuance of this permit is not contrary to the public interest was made in reliance on the information you provided.
4. Reevaluation of Permit Decision: This office may reevaluate its decision on this permit at any time the circumstances warrant. Circumstances that could require a reevaluation include, but are not limited to, the following:
- a. You fail to comply with the terms and conditions of this permit.
 - b. The information provided by you in support of your permit application proves to have been false, incomplete, or inaccurate (see 3 above).
 - c. Significant new information surfaces which this office did not consider in reaching the original public interest decision.
5. Such a reevaluation may result in a determination that it is appropriate to use the suspension, modification, and revocation procedures contained in 33 CFR 325.7 or enforcement procedures such as those contained in 33 CFR 326.4 and 326.5. The referenced enforcement procedures provide for the issuance of an administrative order requiring you comply with the terms and conditions of your permit and for the initiation of legal action where appropriate. You will be required to pay for any corrective measures ordered by this office, and if you fail to comply with such directive, this office may in certain situations (such as those specified in 33 CER 209.170) accomplish the corrective measures by contract or otherwise and bill you for the cost.
6. When the structures or work authorized by this permit are still in existence at the time the property is transferred, the terms and conditions of this permit will continue to be binding on the new owner(s) of the property. To validate the transfer of this permit and the associated liabilities associated with compliance with its terms and conditions, have the transferee sign and date the enclosed form.

7. The Permittee understands and agrees that, if future operations by the United States require the removal, relocation, or other alteration, of the structures or work herein authorized, or if, in the opinion of the Secretary of the Army or his authorized representative, said structure or work shall cause unreasonable obstruction to the free navigation of the navigable waters, the Permittee will be required, upon due notice from the U.S. Army Corps of Engineers, to remove, relocate, or alter the structural work or obstructions caused thereby, without expense to the United States. No claim shall be made against the United States on account of any such removal, relocation or alteration.

Department of the Army Permit Transfer for SPGP VI-R1

PERMITEE: _____

PERMIT NUMBER: _____ DATE: _____

ADDRESS/LOCATION OF PROJECT:

(Subdivision)

(Lot)

(Block)

When the structures or work authorized by this permit are still in existence at the time the property is transferred, the terms and conditions of this permit will continue to be binding on the new owner(s) of the property. Although the construction period for works authorized by Department of the Army permits is finite, the permit itself, with its limitations, does not expire.

To validate the transfer of this permit and the associated responsibilities associated with compliance with its terms and conditions, have the transferee sign and date below and mail to the U.S. Army Corps of Engineers, Enforcement Branch, Post Office Box 4970, Jacksonville, FL 32232-0019.

(Transferee Signature)

(Date)

(Name Printed)

(Street address)

(Mailing address)

(City, State, Zip Code)

STANDARD MANATEE CONDITIONS FOR IN-WATER WORK 2011

The permittee shall comply with the following conditions intended to protect manatees from direct project effects:

- a. All personnel associated with the project shall be instructed about the presence of manatees and manatee speed zones, and the need to avoid collisions with and injury to manatees. The permittee shall advise all construction personnel that there are civil and criminal penalties for harming, harassing, or killing manatees which are protected under the Marine Mammal Protection Act, the Endangered Species Act, and the Florida Manatee Sanctuary Act.
- b. All vessels associated with the construction project shall operate at "Idle Speed/No Wake" at all times while in the immediate area and while in water where the draft of the vessel provides less than a four-foot clearance from the bottom. All vessels will follow routes of deep water whenever possible.
- c. Siltation or turbidity barriers shall be made of material in which manatees cannot become entangled, shall be properly secured, and shall be regularly monitored to avoid manatee entanglement or entrapment. Barriers must not impede manatee movement.
- d. All on-site project personnel are responsible for observing water-related activities for the presence of manatee(s). All in-water operations, including vessels, must be shutdown if a manatee(s) comes within 50 feet of the operation. Activities will not resume until the manatee(s) has moved beyond the 50-foot radius of the project operation, or until 30 minutes elapses if the manatee(s) has not reappeared within 50 feet of the operation. Animals must not be herded away or harassed into leaving.
- e. Any collision with or injury to a manatee shall be reported immediately to the FWC Hotline at 1-888-404-3922. Collision and/or injury should also be reported to the U.S. Fish and Wildlife Service in Jacksonville (1-904-731-3336) for north Florida or Vero Beach (1-772-562-3909) for south Florida, and to FWC at ImperiledSpecies@myFWC.com
- f. Temporary signs concerning manatees shall be posted prior to and during all in-water project activities. All signs are to be removed by the permittee upon completion of the project. Temporary signs that have already been approved for this use by the Florida Fish and Wildlife Conservation Commission (FWC) must be used (see MyFWC.com/manatee). One sign which reads *Caution: Boaters* must be posted. A second sign measuring at least 8 1/2" by 11" explaining the requirements for "Idle Speed/No Wake" and the shut down of in-water operations must be posted in a location prominently visible to all personnel engaged in water-related activities. Questions concerning these signs can be sent to the email address listed above.

CAUTION: MANATEE HABITAT

All project vessels

IDLE SPEED / NO WAKE

When a manatee is within 50 feet of work
all in-water activities must

SHUT DOWN

Report any collision with or injury to a manatee:

Wildlife Alert:



1-888-404-FWCC(3922)

cell *FWC or #FWC



**UNITED STATES DEPARTMENT OF
COMMERCE**

**National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE**

Southeast Regional Office
263 13th Avenue South
St. Petersburg, FL 33701

SEA TURTLE AND SMALLTOOTH SAWFISH CONSTRUCTION CONDITIONS

The permittee shall comply with the following protected species construction conditions:

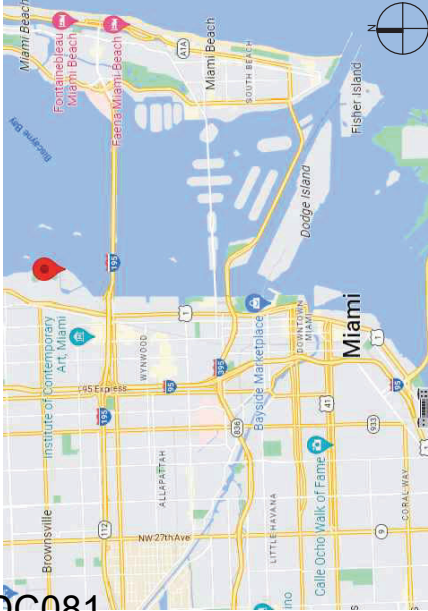
- a. The permittee shall instruct all personnel associated with the project of the potential presence of these species and the need to avoid collisions with sea turtles and smalltooth sawfish. All construction personnel are responsible for observing water-related activities for the presence of these species.
- b. The permittee shall advise all construction personnel that there are civil and criminal penalties for harming, harassing, or killing sea turtles or smalltooth sawfish, which are protected under the Endangered Species Act of 1973.
- c. Siltation barriers shall be made of material in which a sea turtle or smalltooth sawfish cannot become entangled, be properly secured, and be regularly monitored to avoid protected species entrapment. Barriers may not block sea turtle or smalltooth sawfish entry to or exit from designated critical habitat without prior agreement from the National Marine Fisheries Service's Protected Resources Division, St. Petersburg, Florida.
- d. All vessels associated with the construction project shall operate at "no wake/idle" speeds at all times while in the construction area and while in water depths where the draft of the vessel provides less than a four-foot clearance from the bottom. All vessels will preferentially follow deep-water routes (e.g., marked channels) whenever possible.
- e. If a sea turtle or smalltooth sawfish is seen within 100 yards of the active daily construction/dredging operation or vessel movement, all appropriate precautions shall be implemented to ensure its protection. These precautions shall include cessation of operation of any moving equipment closer than 50 feet of a sea turtle or smalltooth sawfish. Operation of any mechanical construction equipment shall cease immediately if a sea turtle or smalltooth sawfish is seen within a 50-ft radius of the equipment. Activities may not resume until the protected species has departed the project area of its own volition.
- f. Any collision with and/or injury to a sea turtle or smalltooth sawfish shall be reported immediately to the National Marine Fisheries Service's Protected Resources Division (727-824-5312) and the local authorized sea turtle stranding/rescue organization.

- g. Any special construction conditions, required of your specific project, outside these general conditions, if applicable, will be addressed in the primary consultation.
- h. Any collision(s) with and/or injuries to any whale, or sturgeon occurring during the construction of a project, shall be reported immediately to NMFS's Protected Resources Division (PRD) at (727-824-5312).
- i. Reports to NMFS's Protected Resources Division (PRD) may be made by email to takereport.nmfs@noaa.gov.
- j. Sea turtle and marine stranding/rescue organizations' contact information is available by region at <http://www.nmfs.noaa.gov/pr/health/networks.htm>.
- k. Smalltooth sawfish encounters shall be reported to <http://www.flmnh.ufl.edu/fish/sharks/sawfish/sawfishencounters.html>.
- l. All work must occur during daylight hours.





LOCATION MAP AND LEGAL DESCRIPTION



PROJECT SITE LOCATION:

4575 Sabal Palm Road
Miami, FL 33128

LEGAL DESCRIPTION:

19 53 42

BAY POINT PB 40-63

LOT 26 BLK 16

AND PROP INT IN & TO COMMON
ELEMENTS NOT DEDICATED TO PUBLIC

LATITUDE: 25°46'37.91"N

LONGITUDE: 80°12'18.27"W

LOT SIZE IRREGULAR

OR 18638-4626 0898 4

COC 23902-1191 10 2005 5

GENERAL NOTES:

- ELEVATIONS SHOWN REFER TO THE NORTH AMERICAN VERTICAL DATUM (NAVD) OF 1988.
- 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, 2020 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 DISCHARGE BAY FROM SEDIMENT AND CONSTRUCTION DEBRIS.

DESIGN CRITERIA

STRUCTURAL DESIGN IS IN ACCORDANCE WITH THE FOLLOWING CODES AND SPECIFICATIONS:

- FLORIDA BUILDING CODE (FBC), 2020 EDITION.
 - ACI 318-19, BUILDING CODE REQUIREMENTS FOR STRUCTURAL CONCRETE.
 - ASCE 7-16, MINIMUM DESIGN LOADS FOR BUILDINGS AND OTHER STRUCTURES.
 - NDS NATIONAL DESIGN SPECIFICATION FOR WOOD CONSTRUCTION, 2018 EDITION.
 - EM 1110-2-1100 (PART V) COASTAL ENGINEERING MANUAL, 2011 EDITION.
- IN THE EVENT OF CONFLICT BETWEEN PERTINENT CODES AND REGULATIONS AND THE REQUIREMENTS OF THE REFERENCED STANDARDS OF THESE SPECIFICATIONS, THE PROVISIONS OF THE MORE STRINGENT SHALL GOVERN.

BOLTS: ALL BOLTS SHALL BE 316 STAINLESS STEEL, UNLESS OTHERWISE NOTED.

REBAR: ALL REBAR TO BE GALVANIZED GRADE 60, UNLESS OTHERWISE NOTED.

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 TO REQUIRED MINIMUM 15 TON (WOOD)/ (25-TON (CONCRETE) BEARING 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 1/4" 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.
- PILES TO BE DRIVEN BASED ON RESULTS IN GEOTECHNICAL REPORT CREATED BY ARDAMAN & ASSOCIATES, INC. DATED JANUARY 29, 2015.

4575 SABAL PALM ROAD BOATLIFT PROJECT

CLIENT:
Miami, Florida

MR. EDUARDO OTAOLA
CONSTELLATION GROUP

8950 SW 74th Court, Suite 108 Miami, FL 33156

ENVIRONMENTAL CONSULTANT:

OCEAN CONSULTING, LLC

359 Alcazar Avenue, Suite 200
Coral Gables, Florida 33134
Tel: (305) 921-9344
Fax: (305) 677-3254

CONTRACTOR:

PROJECT ENGINEER:

ADOLFO GONZALEZ P.E.

2050 Coral Way Suite 502

Miami, FL 33145

Office - 305-415-8782

Adolfo Gonzalez PE

Lic. No. 58620

Issue # Issue Date

① August 30, 2023- VD

PROJECT LOCATION & NOTES

SCALE: AS SHOWN

PERMIT DRAWINGS

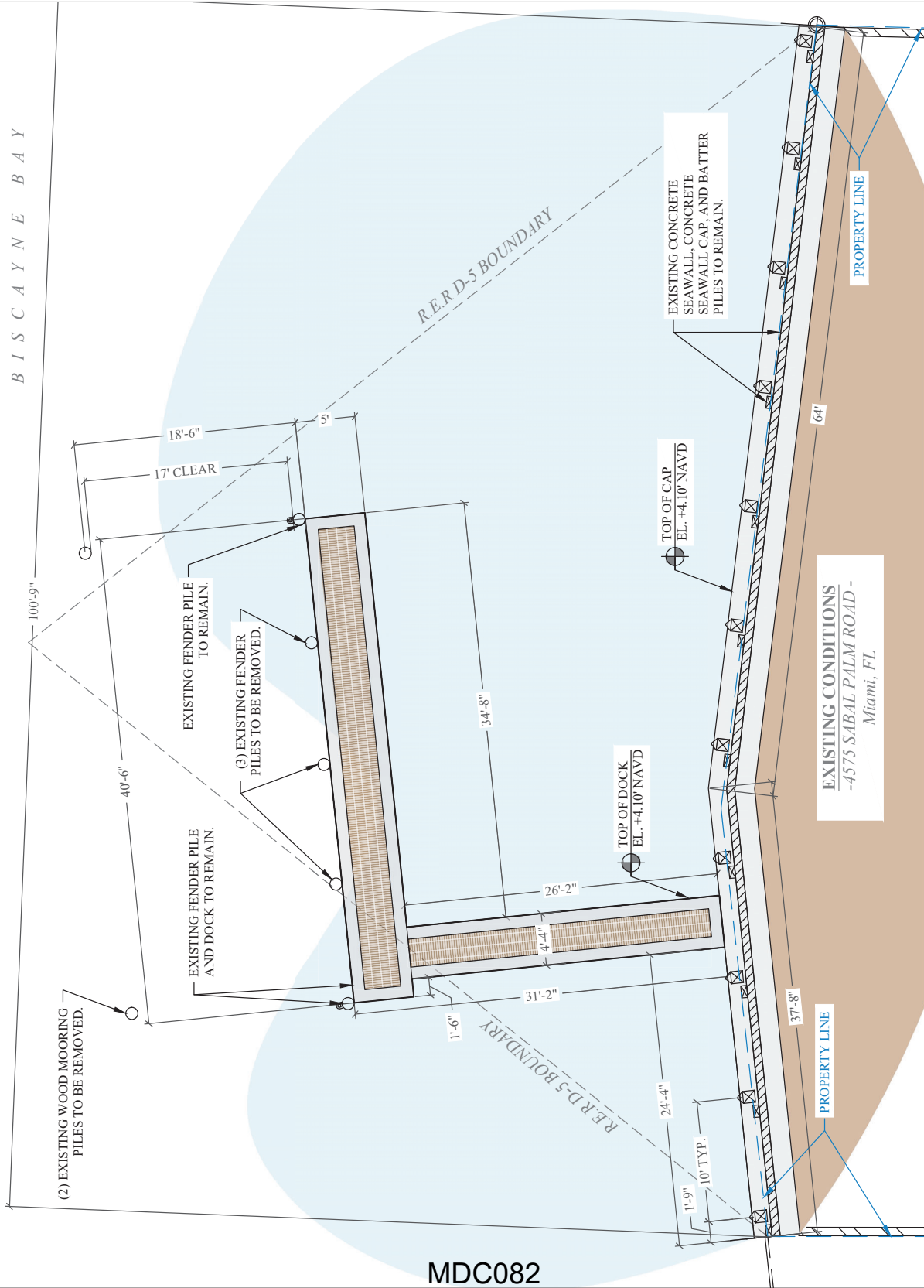
SHEET NO.

PROJECT: 21-10830

S-1

MDC081

B I S C A Y N E B A Y



MDC082

**4575 SABAL PALM ROAD
BOATLIFT PROJECT**

CLIENT:

**MR. EDUARDO OTAOLA
CONSTELLATION GROUP**

8950 SW 74th Court, Suite 108 Miami, FL 33156

ENVIRONMENTAL CONSULTANT:

OCEAN CONSULTING, LLC

359 Aleazar Avenue, Suite 200 Tel: (305) 921-9344
Coral Gables, Florida 33134 Fax: (305) 677-3254

CONTRACTOR:

PROJECT ENGINEER:

ADOLFO GONZALEZ P.E.

2050 Coral Way Suite 502
Miami, FL 33145
Office - 305-415-8782

Adolfo Gonzalez PE
Lic. No. 58620

Issue # Issue Date

① August 30, 2023- VD

EXISTING CONDITIONS

SCALE: AS SHOWN

PERMIT DRAWINGS

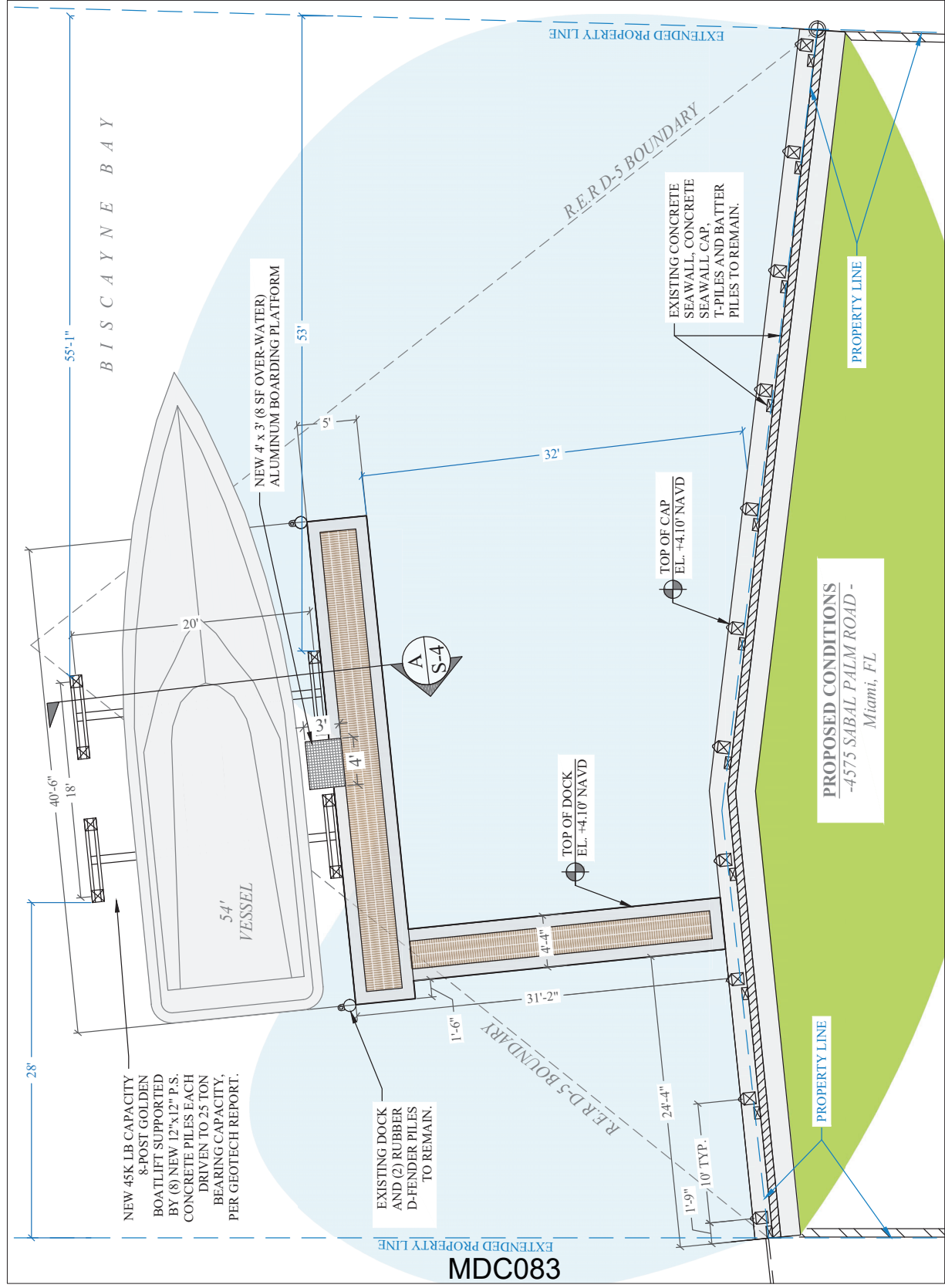
PROJECT: 21-10830



SCALE: 1/8" = 1'

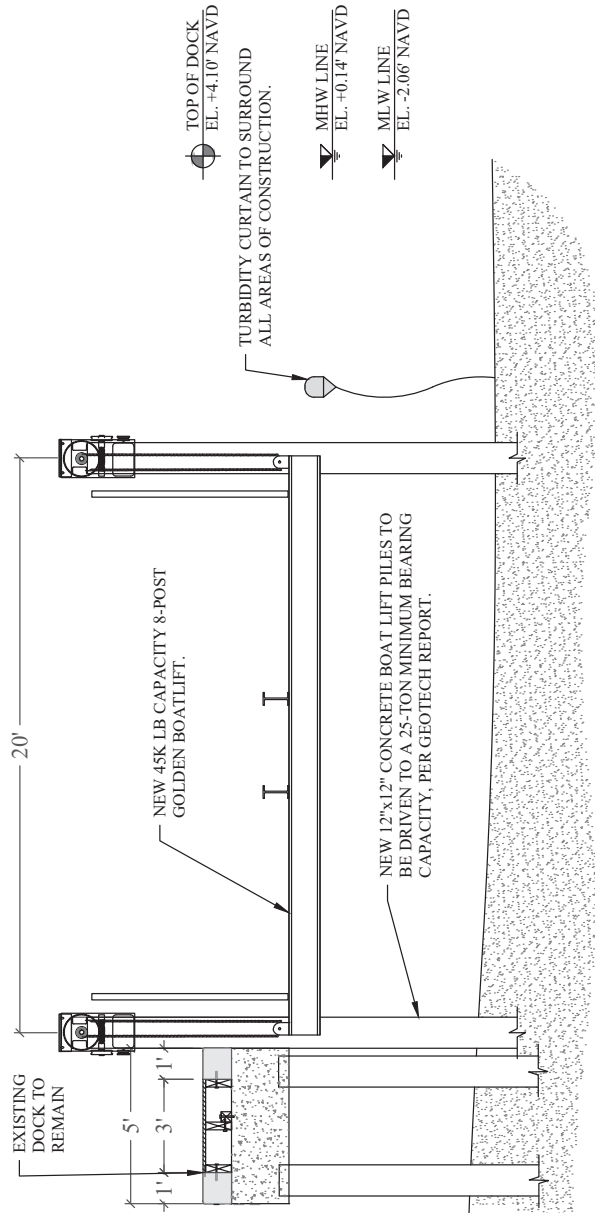
SHEET NO.

S-2



4575 SABAL PALM ROAD BOATLIFT PROJECT	
CLIENT: MR. EDUARDO OTOLOA CONSTELLATION GROUP 8950 SW 74th Court, Suite 108 Miami, FL 33156	Miami, Florida
ENVIRONMENTAL CONSULTANT: OCEAN CONSULTING, LLC 359 Aleazar Avenue, Suite 200 Coral Gables, Florida 33134 Tel: (305) 921-9344 Fax: (305) 677-3254	
CONTRACTOR:	
PROJECT ENGINEER: ADOLFO GONZALEZ P.E. 2050 Coral Way Suite 502 Miami, FL 33145 Office - 305-415-8782	
Adolfo Gonzalez PE Lic. No. 58620	
Issue # Issue Date ① August 30, 2023- VD	
PROPOSED CONDITIONS	
SCALE: AS SHOWN	
PERMIT DRAWINGS	
PROJECT: 21-10830	
SHEET NO. S-3	

NOTE: BOARDING PLATFORM NOT SHOWN FOR CLARITY



MDC084

FVP AND BOATLIFT SECTION A
S-4

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

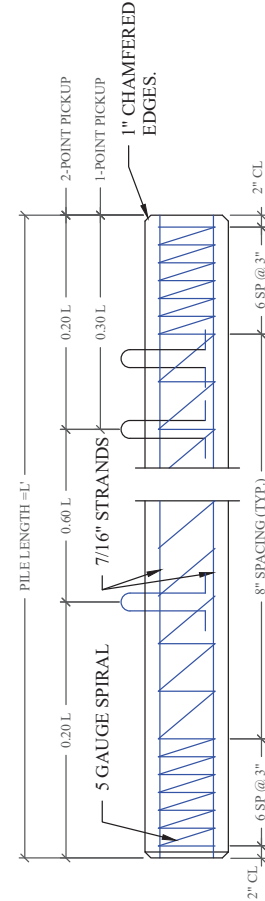
PILE NOTE:

CONCRETE COMPRESSIVE STRENGTH:
3000 PSI @ RELEASE
5000 PSI @ DRIVING

STRANDS - USE FOUR 7/16" (270K) LOW RELAXATION ASTM 416-87 UNCOATED 7-WIRE STRANDS TENSIONED TO 2.33 KIPS EACH

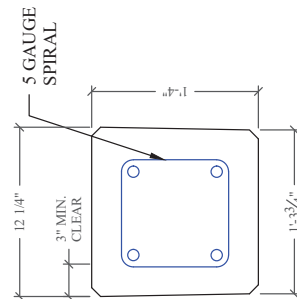
1-POINT PICKUP-MAXIMUM L = 50'
2-POINT PICKUP-MAXIMUM L = 62'

SPIRAL TO BE ASTM A-82 TIGHT HARD-DRAWN WIRE



CONCRETE PILE DETAIL 1
S-4

SCALE: 1"=1'-0"



4575 SABAL PALM ROAD
BOATLIFT PROJECT

CLIENT:
Miami, Florida

MR. EDUARDO OTAOLA
CONSTELLATION GROUP
8950 SW 74th Court, Suite 108 Miami, FL 33156

ENVIRONMENTAL CONSULTANT:

OCEAN CONSULTING, LLC
359 Aleazar Avenue, Suite 200 Tel: (305) 921-9344
Coral Gables, Florida 33134 Fax: (305) 677-3254

CONTRACTOR:

PROJECT ENGINEER:

ADOLFO GONZALEZ P.E.

2050 Coral Way Suite 502
Miami, FL 33145
Office - 305-415-8782

Adolfo Gonzalez PE
Lic. No. 58620

Issue # Issue Date

1 August 30, 2023- VD

BOATLIFT SECTION & PILE DETAIL

SCALE: AS SHOWN

PERMIT DRAWINGS

SHEET NO.

PROJECT: 21-10830

S-4



MEMORANDUM

(Revised)

TO: Honorable Chairman Anthony Rodriguez
and Members, Board of County Commissioners

DATE: July 1, 2025

FROM: 
Gen Bonzon-Keenan
County Attorney

SUBJECT: Agenda Item No. 5(R)

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 ____, majority plus one ____, 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) ____, 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(R)
7-1-25

RESOLUTION NO. _____ R-648-25

RESOLUTION TAKING ACTION ON CLASS I PERMIT APPLICATION BY SPEYSIDE INVESTMENTS CORP. FOR THE REMOVAL OF MOORING AND FENDER PILES AND THE INSTALLATION OF A BOATLIFT AND ASSOCIATED BOARDING PLATFORM LOCATED AT 4575 SABAL PALM ROAD, 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, Florida, hereby approves the Class I permit application by Speyside Investments Corp. for the removal of mooring and fender piles and the installation of a boatlift and associated boarding platform located at 4575 Sabal Palm Road, 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 **Oliver G. Gilbert, III** ,
who moved its adoption. The motion was seconded by Commissioner **Marleine Bastien**
and upon being put to a vote, the vote was as follows:

Anthony Rodriguez, Chairman	aye		
Kionne L. McGhee, Vice Chairman	absent		
Marleine Bastien	aye	Juan Carlos Bermudez	aye
Sen. René García	aye	Oliver G. Gilbert, III	aye
Roberto J. Gonzalez	aye	Keon Hardemon	aye
Danielle Cohen Higgins	aye	Eileen Higgins	aye
Natalie Milian Orbis	aye	Raquel A. Regalado	aye
Micky Steinberg	aye		

The Chairperson thereupon declared this resolution duly passed and adopted this 1st day of July, 2025. This resolution shall become effective upon the earlier of (1) 10 days after the date of its adoption unless vetoed by the County Mayor, and if vetoed, shall become effective only upon an override by this Board, or (2) approval by the County Mayor of this resolution and the filing of this approval with the Clerk of the Board.



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

JUAN FERNANDEZ-BARQUIN, CLERK

By: Basia Pruna
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency. CJW

Christopher J. Wahl