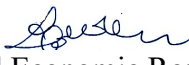


Date: October 9, 2025

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

Agenda Item No. 5(Q)

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

Resolution No. R-930-25

Subject: Class I Permit Application by the City of Miami and Yachting Promotions, Inc. for a Temporary 94 Slip Docking Facility for an Annual Boat Show within Biscayne Bay at 838 MacArthur Causeway, Miami, Miami-Dade County, Florida, for a Period of Ten Years, and Authorizing the Acceptance of a Restrictive Covenant Running with the Land in Favor of Miami-Dade County

Recommendation

I have reviewed the attached application for a Class I permit by the City of Miami and Yachting Promotions, Inc. 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 issuance of a Class I permit for the reasons set forth below.

Pursuant to Ordinance No. 16-73, this quasi-judicial matter may be submitted directly for placement on the Board's meeting agenda by the Director of the Department of Regulatory and Economic Resources.

Scope

The project site is located in Biscayne Bay at 838 MacArthur Causeway in the City of Miami, Miami-Dade County, Florida in Commission District 5, which is represented by Commissioner Eileen Higgins.

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 (DERM), would be responsible for monitoring the proposed permit.

Background

The subject Class I permit application requests authorization for a temporary 94 slip docking facility for the Yachting Promotions annual boat show within the Island Gardens Marina in the City of Miami. This location is to be added as an additional location to the existing Yachting Promotions, Inc. annual boat show at 1 Herald Plaza, 1635 North Bayshore Drive, and 1737 North Bayshore Drive in the City of Miami, which boat show was most recently issued a permit modification pursuant to Resolution No. R-1053-22. The City of Miami and Yachting Promotions, Inc. are co-applicants for this subject Class I

permit application, as the City is the owner of the property (the City of Miami is not a co-applicant with Yachting Promotions for Yachting Promotions' other Class I permit related to the boat show). The proposed project at the Island Gardens Marina, which is the subject of this Class I permit application, is required to be reviewed and approved by the Board at a public hearing because the application proposes to modify an existing restrictive covenant that was previously accepted by the Board.

Pursuant to Section 24-48.19 of the Code, Standard Form Class I permits are valid for a period of three (3) years from the date of permit issuance unless another time period is permitted as set forth in the resolution by the Board. Due to the recurring nature of the proposed project, the applicants have requested that the permit be authorized for a ten (10) year period. Authorization for a ten (10) year period is consistent with the timeframe allowed for extensions of Standard Form Class I permits. If the request is approved, the applicants will be required to obtain administrative modifications to the permit on an annual basis each subsequent year and DERM staff will evaluate boat show activities for consistency with the regulatory requirements upon the completion of each annual event. For all of the reasons stated herein, and in the attachments, DERM recommends approval of the requested authorization for a permit for a ten (10) year period with conditions as specified below.

Pursuant to Section 24-48.4 of the Code, potential adverse environmental impacts and cumulative adverse environmental impacts for a proposed project must be avoided and minimized. The subject boat show will occur within the limits of the existing Island Gardens Marina, and the scope of work associated with the boat show events as proposed in the subject Class I permit application is consistent with the previously permitted events at other locations; therefore, staff have determined that the proposed project is not reasonably expected to result in adverse or cumulative adverse environmental impacts.

The current docking facility has a Restrictive Covenant Running with the Land in Favor of Miami-Dade County in association with Class I permit CC06-259. The existing covenant limits, among other things, the number of vessels moored at the permitted docking facility to a maximum of 50 vessels, with a maximum of 23 of those to have a length of less than 100 feet, and of those 23, a maximum of 2 shall be for water taxis, 4 for commercial fishing or diving charters, and 3 for marina service vessels. The existing covenant further provides that all vessels utilizing the docking facility must maintain a minimum of a 3 foot clearance between the Bay bottom and the deepest draft of the vessel.

The proposed temporary additions to the docking facility will include floating docks and ramps to provide for the temporary mooring of up to 94 vessels. All proposed structures will be installed and removed within a 45-day period and the boat show is proposed to take place over a five (5) day period on an annual basis each February. The covenant is therefore being requested to be modified to allow for this temporary use once a year for a period not to exceed 45 consecutive days, and during such time period, certain other restrictions of the covenant relating to the number and use of the slips and types of vessels would not apply. However, when the temporary event is not occurring, such restrictions shall remain in effect. The proffered modified and restated covenant is attached hereto as Attachment F. Due to the temporary nature of the project, long-term shading impacts to seagrasses are not anticipated.

In order to ensure that the use of the docking facility and all associated activities will not result in the discharge of pollutants or solid waste into tidal waters, the Class I permit will require the submittal of an operating plan that adequately addresses how the facility and activities will be managed. The facility will also be required to obtain or abide by an existing applicable Marine Facilities Operating Permit prior to the use and throughout the duration of permitted events at the Island Gardens Marina and previously

approved water taxi locations. In addition, the conditions of the Class I permit will require that best management practices be implemented during any construction work or activities associated with the event. In order to mitigate for temporary water-quality impacts associated with the construction, deconstruction and use of the facility, the applicants have agreed to provide annual contributions to the Biscayne Bay Environmental Enhancement Trust Fund based on the total number of slips each year.

The proposed project has also been evaluated for consistency with the Miami-Dade County Manatee Protection Plan (MPP). The Island Gardens Marina is located within an area designated as essential habitat for the Florida manatee, but due to its particular location in Biscayne Bay, the MPP does not include specific limitations for new or expanded marine facilities at this site, other than compliance with existing zoning or environmental regulations. The MPP identifies the area of Biscayne Bay around this facility as suitable for construction or expansion of large vessel docking facilities. In order to reduce potential impacts due to boat travel to and from the Island Gardens Marina, the applicants have developed a map that identifies channels and required travel routes to avoid and minimize impacts from show operations to manatees and sensitive habitat. This map, along with other materials required per the Class I permit conditions, would be provided to all exhibitors and sea trial captains/operators prior to arrival at the boat show as part of an orientation package, receipt of which shall be acknowledged by said participants. The map also identifies the locations of environmentally sensitive areas that are required to be avoided by vessels associated with the boat show. The Class I permit would also require that all standard manatee construction conditions be followed during all in water operations, and that a DERM approved manatee observer plan be implemented during all phases of construction, operation and deconstruction of the boat show. Furthermore, show organizers would be required to contract with marine law enforcement for assistance in managing show operations and ensuring compliance with permit conditions.

Pursuant to Section 24-48.4 of the Code, potential adverse environmental impacts and cumulative adverse environmental impacts for a proposed project must be avoided and minimized. The project site is located within an existing marina with adequate water depth. In addition, the project is temporary in nature and the Class I permit would include specific conditions to provide assurance that any unanticipated environmental impacts shall be restored and/or mitigated in accordance with DERM requirements, and that a bond shall be posted prior to permit issuance.

The proposed project has been designed in accordance with all relevant Miami-Dade County coastal construction criteria and is consistent with all other Miami-Dade County coastal protection provisions. The attached Project Report sets forth the reasons the proposed project is recommended for approval subject to the conditions listed above and additional conditions of the Class I permit, pursuant to the applicable evaluation factors set forth in 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 Property within Three Hundred (300) Feet of the Proposed Work
- Attachment D: Zoning Memorandum
- Attachment E: DERM Project Report
- Attachment F: Restrictive Covenant Running with the Land in Favor of Miami-Dade County

Attachment A
Class I Permit Application

Class I Permit Application

FOR DEPARTMENTAL USE ONLY

Date Received:

Application Number:

Application Fee:

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

1. Applicant Information:

Name: City of Miami, Arthur Noriega

Address: 444 SW 2nd Ave

Miami, FL

Zip Code: 33130

Phone #: _____ Fax #: _____

Email: anoriega@miamigov.com

* 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: The Chappell Group, Inc.

Address: 714 East McNab Road

Pompano Beach, FL

Zip Code: 33060

Phone #: 954-782-1908

Fax #: _____

Email: tyler@thechappellgroup.com

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

Folio #(s): 01-3231-000-0030

Latitude: 25.785866

Longitude: -80.178628

Street Address: 838 MacArthur Causeway

Section: 31

Township: 53

Range: 42

In City or Town: Miami

Near City or Town: _____

Name of waterway at location of the activity: Biscayne Bay

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

☐ Seawall

☒ Dock(s)

☐ Boatlift

☐ Dredging

☐ Mangrove Trimming

☐ New/Replacement Seawall

☐ Pier(s)

☒ Mooring Piles

☐ Maintenance

☐ Mangrove Removal

☐ Seawall Cap

☐ Viewing Platform

☐ Fender Piles

☐ New

☐ Batter Piles

☐ Davits

☐ Filling

☐ King Piles

☐ Footer/Toe Wall

☐ Riprap

☐ Other: _____

Estimated project cost = \$ 10,000

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): Varies

Vessel Make/Model (If known): Varies

Draft (s)(range in inches.): _____ Length (s)(range in feet.): _____

Total Number of Slips: 94

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

Issuing Agency

Type of Approval

Identification Number

Application Date

Approval Date

8. Contractor Information (If known):

Name: B&M Marine Construction License # (County/State): CGC052820
Address: 3500 SW 14th Street Deerfield Beach, FL Zip Code: 33442
Phone #: _____ Fax #: _____ E-mail: _____

9. IMPORTANT NOTICE TO APPLICANTS: The written consent of the property owner is required for all applications to be considered complete. Your application **WILL NOT BE PROCESSED** unless the Applicant **and** Owner Consent portion of the application is completed below. You have the obligation to apprise the Department of any changes to information provided in this application.

Application is hereby made for a Miami-Dade County Class I permit to authorize the activities described herein. I agree to or affirm the following:

- I possess the authority to authorize the proposed activities at the subject property, and
- I am familiar with the information, data and plans contained in this application, and
- To the best of my knowledge and belief, the information, data and plans submitted are true, complete and accurate, and
- I will provide any additional information, evidence or data necessary to provide reasonable assurance that the proposed project will comply with the applicable State and County water quality standards both during construction and after the project is completed, and
- I am authorizing the permit agent listed in Section 2 of this application to process the application, furnish supplemental information relating to this application and bind the applicant to all requirements of this application, and
- I agree to provide access and allow entry to the project site to inspectors and authorized representatives of Miami-Dade County for the purpose of making the preliminary analyses of the site and to monitor permitted activities and adherence to all permit conditions.

A. IF APPLICANT IS AN INDIVIDUAL

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

B. IF APPLICANT IS OTHER THAN AN INDIVIDUAL OR NATURAL PERSON

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

CITY OF MIAMI _____ MUNICIPALITY _____ FLORIDA _____
Print Name of Applicant (Enter the complete name as registered) _____ Type (Corp, LLC, LLP, etc.) _____ State of _____
Registration/Incorporation _____

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

Arthur Noriega _____ Arthur Noriega _____ City Manager _____ August 14, 2024 | 16:
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 _____

I/We are the fee simple owner(s) of the real property located at 838 MACARTHUR CSWY Miami-Dade
County, Florida, otherwise identified in the public records of Miami-Dade County as Folio No. 01-3231-000-0030.

A. IF THE OWNER(S) IS AN INDIVIDUAL



Class I Permit Application

FOR DEPARTMENTAL USE ONLY

Date Received:

Application Number:

Application Fee:

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

1. Applicant Information:

Name: Andrew Doole, Yachting Promotions, Inc.

Address: 1650 SE 17th Street

Fort Lauderdale Zip Code: 33316

Phone #: 954-325-0321 Fax #: _____

Email: andrew.doole@informa.com

* 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: The Chappell Group, Inc.

Address: 714 East McNab Road

Pompano Beach, FL Zip Code: 33060

Phone #: 954-782-1908 Fax #: _____

Email: tyler@thechappellgroup.com

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

Folio #(s): 01-3231-000-0030 Latitude: 25.785866 Longitude: -80.178628

Street Address: 838 MacArthur Causeway Section: 31 Township: 53 Range: 42

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

Name of waterway at location of the activity: Biscayne Bay

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

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

☐ Other: _____

Estimated project cost = \$ 10,000

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): Varies

Vessel Make/Model (If known): Varies

Draft (s)(range in inches.): _____ Length (s)(range in feet.): _____

Total Number of Slips: 94

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
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8. Contractor Information (If known):

Name: B&M Marine Construction License # (County/State): CGC052820
 Address: 3500 SW 14th Street Deerfield Beach, FL Zip Code: 33442
 Phone #: _____ Fax #: _____ E-mail: _____

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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.)

Yachting Promotions Inc. 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.*****

Andrew Doole Andrew Doole Vice President 6/21/2024
 Signature of Authorized Representative Print Authorized Representative's Name Title Date
 EE34458C9E6E430...

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 1 Herald Plaza & 1635 & 1737 N Bayshore Drive Miami-Dade County, Florida, otherwise identified in the public records of Miami-Dade County as Folio No. 01-3231-075-0010, 01-3231-036-005

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
--------------------	--------------------	------

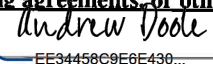
B. IF THE OWNER IS OTHER THAN AN INDIVIDUAL OR NATURAL PERSON

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

Yachting Promotions	Inc	Florida
Print Name of Owner (Enter the complete name as registered)	Type (Corp, LLC, LLP, etc.)	State of Registration/Incorporation
1650 SE 17th Street, Suite 412, Fort Lauderdale FL 33316		

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.*****

	Andrew Doole	Vice President	6/21/2024
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

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

PERMIT APPLICANT / AUTHORIZED AGENT STATEMENT

Date: 11/19/2024

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

Re: Class I Standard Form Permit Application Number CLI-2024-0248

By the attached Class I Standard Form permit application with supporting documents, I, The Chappell Group, am the authorized agent and hereby request permission to perform the work associated with Class I Permit Application CLI-2024-0248. 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,

Tyler Chappell

Tyler Chappell, Authorized Agent

ENGINEER LETTER OF CERTIFICATION

Date: November 18, 2024

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

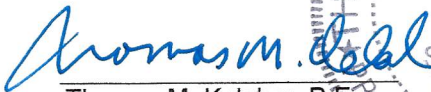
RE: Class I Permit Application Number CLI-2024-0248
Ladies and Gentlemen:

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:

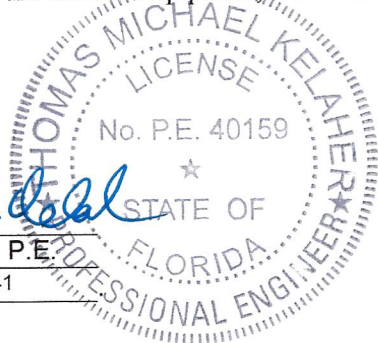
- a. Harmful obstruction or undesirable alteration of the natural flow of the water within the area of the proposed work.
- b. Harmful or increased erosion, shoaling of channels or stagnant areas of water. (Not applicable to class IV permits)
- c. Material injury to adjacent property.
- d. Adverse environmental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

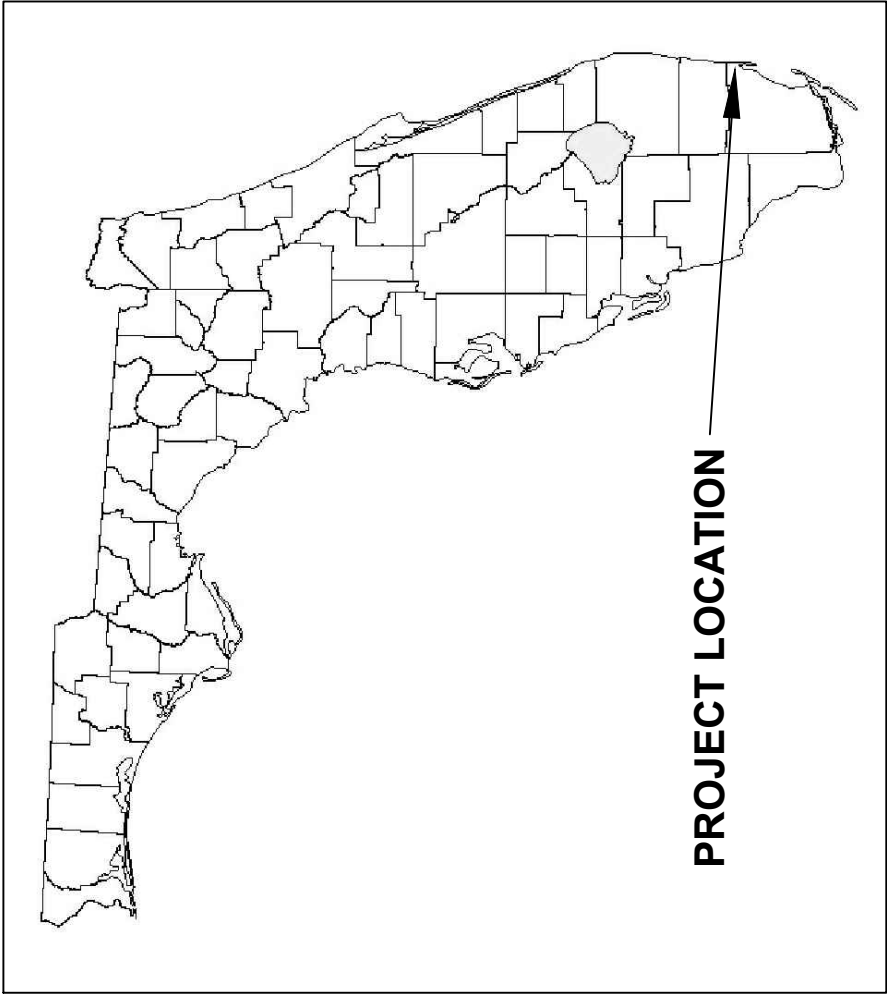
Sincerely,



Thomas M. Kelaher, P.E.
Deerfield Beach, FL 33441
P.E. # 40159

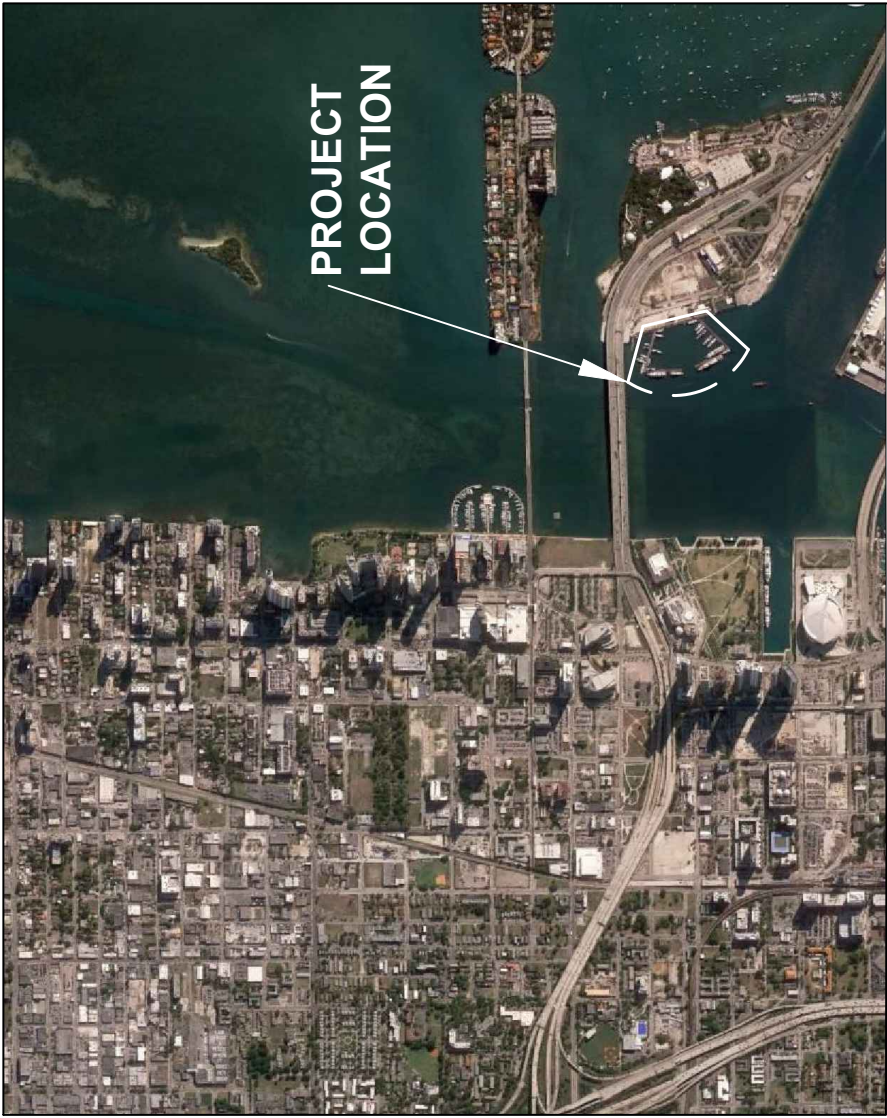


MIAMI INTERNATIONAL BOAT SHOW ISLAND GARDENS 2024 PLAN SET



LOCATION MAP (n.t.s.)

DRAWING INDEX	
SHEET 1:	COVER SHEET
SHEET 2:	PROPOSED OVERALL
SHEET 3:	SECTIONS
SHEET 4:	SECTIONS
SHEET 5:	DETAILS



VICINITY AERIAL (n.t.s.)

THIS DRAWING AND ALL APPURTENANT MATTER CONTAINS INFORMATION PROPRIETARY TO THE CHAPPELL GROUP, INC. AND IS LOANED SUBJECT TO RETURN UPON DEMAND AND MUST NOT BE REPRODUCED, COPIED, LOANED, REVEALED, NOR LISTED FOR ANY PURPOSE OTHER THAN THAT FOR WHICH IT IS SPECIFICALLY FURNISHED WITHOUT EXPRESSED WRITTEN CONSENT OF THE CHAPPELL GROUP, INC.
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THE

Chappell

GROUP

714 East McNab Road
Pompano Beach, Florida 33060
tel. 954.782.1908
fax. 954.782.1108

www.thechappellgroup.com

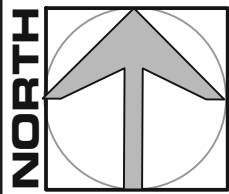
- Environmental Consultants
- Marina & Wetland Permitting
- Mitigation Design & Monitoring
- T&E Species Surveys
- Tree Surveys & Appraisals

MIAMI INTERNATIONAL BOAT SHOW

PREPARED FOR:
YACHTING PROMOTIONS, INC.

COVER

Date: 10/17/2024	Sheet : 1	of : 5
Proj No.: 09-0039.002		



SCALE
1" = 140'



LEGEND

- EXISTING DOCKS (51,595 ft²)
- PROPOSED FLOATING DOCKS (11,200 ft²)
- SUBJECT SITE

NAVIGATIONAL CHANNEL

(28)		= 10'x40' TEMPORARY FLOATING DOCK
(3)		= 4' X 22' DOCK RAMP
(10)		= W12x48 STEEL 11" BEAM (PILING)
(30)		= FIRE EXTINGUISHER (Dry Chemical - Class 2-A 40BC)
(94)		= EXHIBITOR BOAT

NOTE: BOUNDARY SURVEY PROVIDED BY
MCLAUGHLIN ENGINEERING COMPANY.

MIAMI INTERNATIONAL BOAT SHOW

PREPARED FOR:
YACHTING PROMOTIONS, INC.

- Environmental Consultants
- Marina & Wetland Permitting
- Mitigation Design & Monitoring
- T&E Species Surveys
- Tree Surveys & Appraisals



714 East McNab Road
Pompano Beach, Florida 33060
tel. 954.782.1908
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www.thechappellgroup.com

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PROPOSED CONDITIONS

Date: 10/17/2024
Proj No.: 09-0039.002

Sheet: 2

of: 5

PROPOSED CONDITIONS SECTION (TYP.)

N.T.S.

TYPICAL FIXED DOCK SHOWN FOR
RAMP CONFIGURATION ONLY

HANDICAPPED
ACCESSIBILITY
RAMP

HANDICAPPED
ACCESSIBILITY
RAMP

12W48 STEEL "I" BEAM •
VARYING LENGTHS (45' MAX)

2' x 6"
WOOD DECKING
OR PLASTIC DECKING

8" X 20'-0"
STR. ALUM. CHANNEL
(TYP)

2' X 4' X 10'
ALUMINUM CHANNEL

5/8" HINGE PIN

5/8" HINGE PIN

0.2' M.H.W.

NAVD

-1.98' M.L.W.

2' x 4' x 8'
POLYSTYRENE BLOCK
ENCLOSED W/ THERMOPLASTIC
BOX(x4)

2' x 4' x 8'
POLYSTYRENE BLOCK
ENCLOSED W/ THERMOPLASTIC
BOX(x4)

1" NYLON
STRAP

1" NYLON
STRAP

GALVANIZED STEEL
HINGE PLATE
HELD W/ (4)
3/8" BOLTS

WATER
LINE

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MIAMI INTERNATIONAL BOAT SHOW

PREPARED FOR:
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SECTION

Date:
10/17/2024

Sheet :

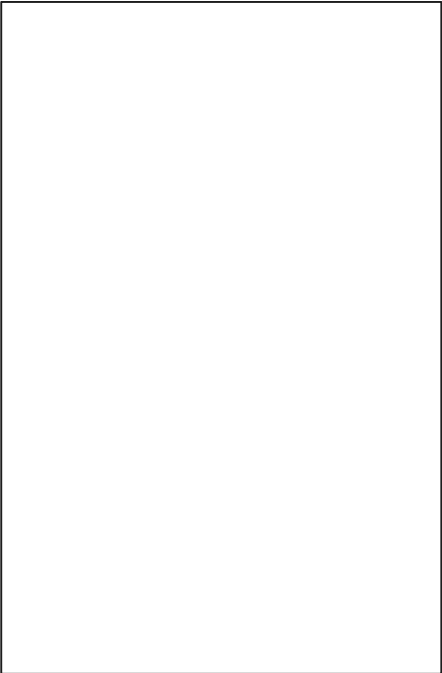
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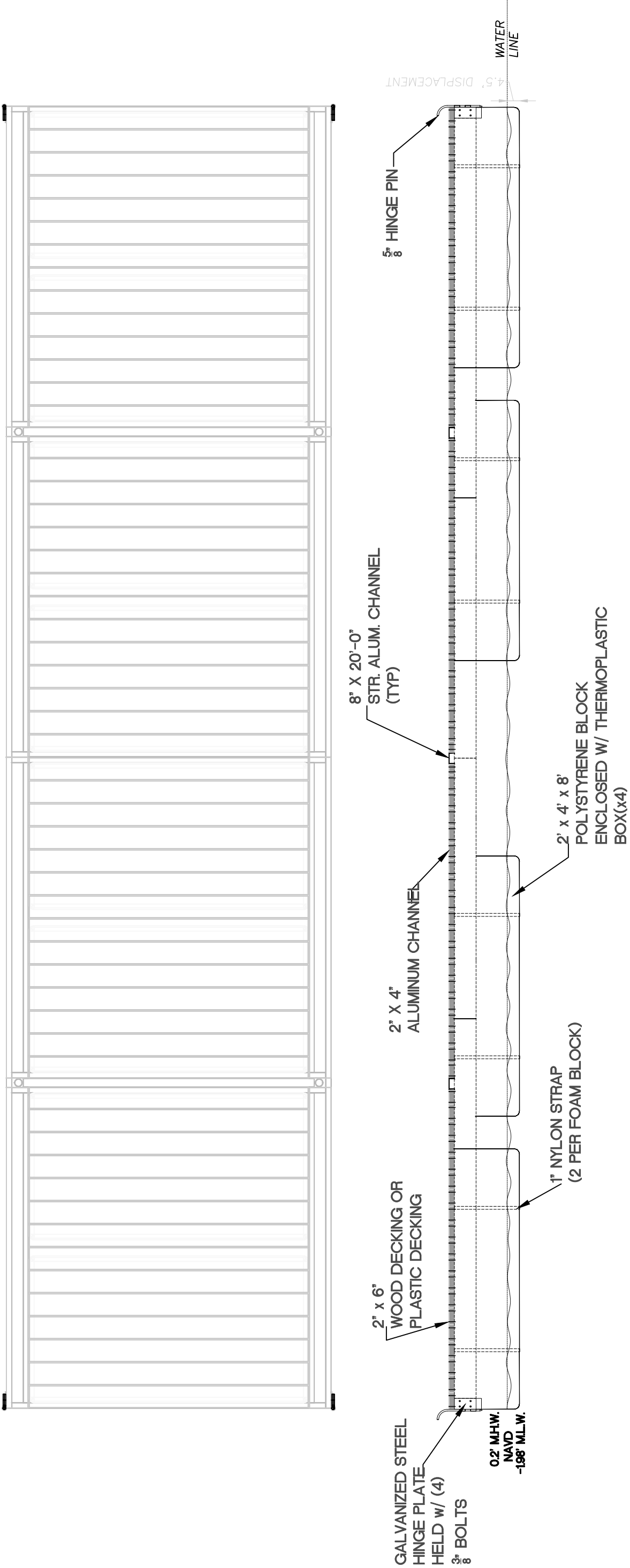
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Proj No.:

09-0039.002



10' x 40' TEMPORARY FLOATING DOCK
(SECTION THROUGH 40' DIMENSION)



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MIAMI INTERNATIONAL BOAT SHOW

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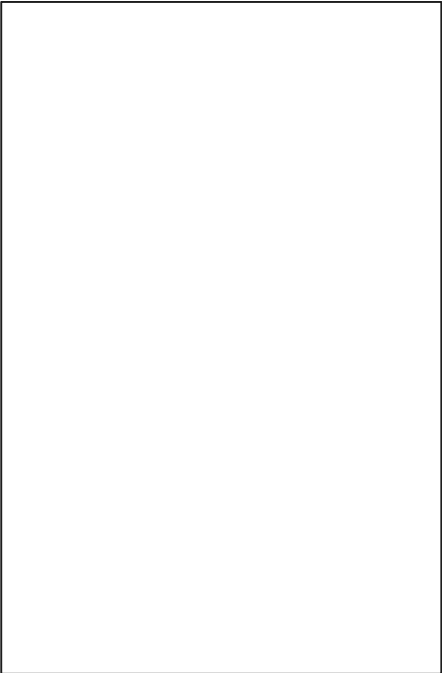
10'X40' DOCK SECTION

Date:
10/17/2024

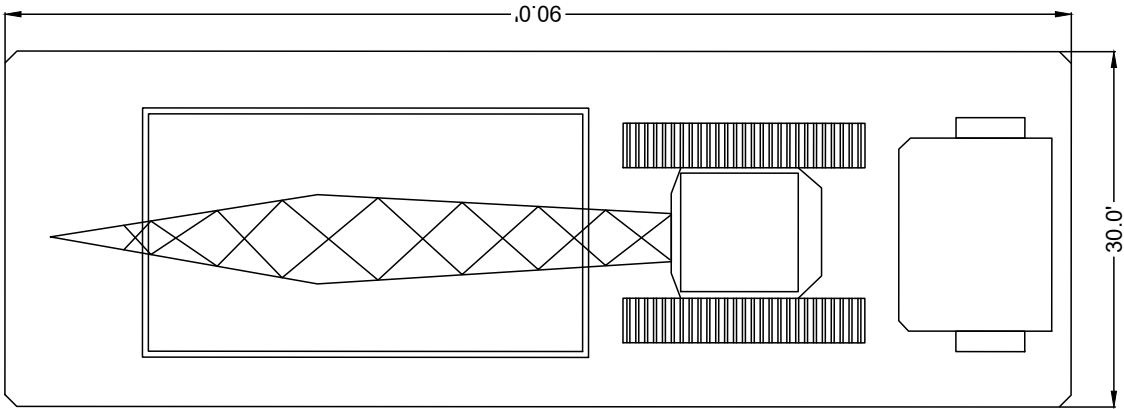
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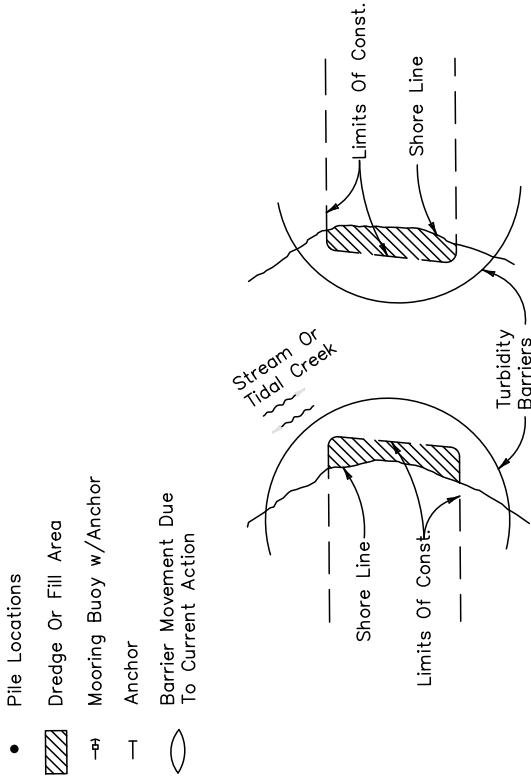
Proj No.:
09-0039.002



CONSTRUCTION BARGE
(TYP.)



LEGEND



Note:
Turbidity barriers for flowing streams and tidal creeks may be either floating, or staked types or any combinations of types that will suit site conditions and meet erosion control and water quality requirements. The barrier type(s) will be at the Contractors option unless otherwise specified in the plans, however payment will be under the pay item(s) established in the plans for Floating Turbidity Barrier and/or Staked Turbidity Barrier. Posts in staked turbidity barriers to be installed in vertical position unless otherwise directed by the Engineer.

1. Turbidity barriers are to be used in all permanent bodies of water regardless of water depth.
2. Number and spacing of anchors dependent on current velocities.
3. Deployment of barrier around pile locations may vary to accommodate construction operations.
4. Navigation may require segmenting barrier during construction operations.
5. For additional information see Section 104 of the Standard Specifications.

TURBIDITY BARRIER APPLICATIONS

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MIAMI INTERNATIONAL BOAT SHOW

PREPARED FOR:
YACHTING PROMOTIONS, INC.

DETAILS

Date: 10/17/2024	Sheet : 5	of : 5
Proj No.: 09-0039.002		

Attachment C

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

PARCELNO	OWN_NAME	OWN_ADDR1	OWN_CITY	OWN_STAT	OWN_ZIPCD	S_LEGAL	PHY_ADDR1	PHY_CITY	PHY_ZIPCD
132310610020	CITY OF MIAMI DEPT OF P&D	444 SW 2 AVE #325	MIAMI	FL	33130	WATSON ISLAND SOUTHWEST	838 MACARTHUR CSWY	Miami	33132
132310610010	CITY OF MIAMI /ASSET MGMT	444 SW 2 AVE #325	MIAMI	FL	33130	WATSON ISLAND SOUTHWEST	888 MACARTHUR CSWY	Miami	33132
132310000030	CITY OF MIAMI	444 SW 2 AVE 3FL	MIAMI	FL	33130	31 53 42 13.353 AC M/L		Miami	33132
132310610040	CITY OF MIAMI DEPT OF P&D	444 SW 2 AVE #325	MIAMI	FL	33130	WATSON ISLAND SOUTHWEST	980 MACARTHUR CSWY	Miami	33132
132310610030	CITY OF MIAMI DEPT OF P&D	444 SW 2 AVE #325	MIAMI	FL	33130	WATSON ISLAND SOUTHWEST		Miami	33132

Attachment D
Zoning Memorandum

Memorandum



Date: August 29, 2025

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

From: Lindsay Elam, ERPS *LE*
Coastal Resources Section
Department of Regulatory and Economic Resources

Subject: Class I Permit Application and Request for a Variance by Yachting Promotions, Inc. for the installation of a temporary 94 slip docking facility for an annual boat show within Biscayne Bay at 838 MacArthur Causeway, Miami, Miami-Dade County, Florida, for a period of ten (10) years

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-2024-0248

Class I Permit Application by the City of Miami and Yachting Promotions, Inc. for a Temporary
94 Slip Docking Facility for an Annual Boat Show within Biscayne Bay at 838 MacArthur
Causeway, Miami, Miami-Dade County, Florida, for a Period of Ten Years, and Authorizing the
Acceptance of a Restrictive Covenant Running with the Land in Favor of Miami-Dade County

DATE: January 2, 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. The subject boat show will occur within the limits of the existing Island Gardens Marina, and the scope of work associated with the boat show events as proposed in the subject Class I permit application is consistent with the previously permitted events at other locations; therefore, staff have determined that the proposed project is not reasonably expected to result in adverse or cumulative adverse environmental impacts.

The current docking facility has a Restrictive Covenant Running with the Land in Favor of Miami-Dade County in association with Class I permit CC06-259. The existing covenant limits, among other things, the number of vessels moored at the permitted docking facility to a maximum of 50 vessels, with a maximum of 23 of those to have a length of less than 100 feet, and of those 23, a maximum of 2 shall be for water taxis, 4 for commercial fishing or diving charters, and 3 for marina service vessels. The existing covenant further provides that all vessels utilizing the docking facility must maintain a minimum of a 3 foot clearance between the Bay bottom and the deepest draft of the vessel.

The proposed temporary additions to the docking facility will include floating docks and ramps to provide for the temporary mooring of up to 94 vessels. All proposed structures will be installed and removed within a 45-day period and the boat show is proposed to take place over a five (5) day period on an annual basis each February. The covenant is therefore being requested to be modified to allow for this temporary use once a year for a period not to exceed 45 consecutive days, and during such time period, certain other restrictions of the covenant relating to the number and use of the slips and types of vessels would not apply. However, when the temporary event is not occurring, such restrictions shall remain in effect. The proffered modified and restated covenant is attached hereto as Attachment F. Due to the temporary nature of the project, long-term shading impacts to seagrasses are not anticipated.

In order to ensure that the use of the docking facility and all associated activities will not result in the discharge of pollutants or solid waste into tidal waters, the Class I permit will require the submittal of an operating plan that adequately addresses how the facility and activities will be managed. The facility will also be required to obtain or abide by an existing applicable Marine Facilities Operating Permit prior to the use and throughout the duration of permitted events at the Island Gardens Marina and previously approved water taxi locations. In addition, the conditions of the Class I permit will require that best management practices be implemented during any construction work or activities associated with the event. In order to mitigate for temporary water-quality impacts associated with the construction, deconstruction and use of the facility, the applicants have agreed to provide annual contributions to the Biscayne Bay Environmental Enhancement Trust Fund based on the total number of slips each year.

The proposed project has also been evaluated for consistency with the Miami-Dade County Manatee Protection Plan (MPP). The Island Gardens Marina is located within an area designated as essential habitat for the Florida manatee, but due to its particular location in Biscayne Bay, the MPP does not include specific limitations for new or expanded marine facilities at this site, other than compliance with existing zoning or environmental regulations. The MPP identifies the area of Biscayne Bay around this facility as suitable for construction or expansion of large vessel docking facilities. In order to reduce potential impacts due to boat travel to and from the Island Gardens Marina, the applicants have developed a map that identifies channels and required travel routes to avoid and minimize impacts from show operations to manatees and sensitive habitat. This map, along with other materials required per the Class I permit conditions, would be provided to all exhibitors and sea trial captains/operators prior to arrival at the boat show as part of an orientation package, receipt of which shall be acknowledged by said participants. The map also identifies the locations of environmentally sensitive areas that are required to be avoided by vessels associated with the boat show. The Class I permit would also require that all standard manatee construction conditions be followed during all in water operations, and that a DERM approved manatee observer plan be implemented during all phases of construction, operation and deconstruction of the boat show. Furthermore, show organizers would be required to contract with marine law enforcement for assistance in managing show operations and ensuring compliance with permit conditions.

Pursuant to Section 24-48.4 of the Code, potential adverse environmental impacts and cumulative adverse environmental impacts for a proposed project must be avoided and minimized. The project site is located within an existing marina with adequate water depth. In addition, the project is temporary in nature and the Class I permit would include specific conditions to provide assurance that any unanticipated environmental impacts shall be restored and/or mitigated in accordance with DERM requirements, and that a bond shall be posted prior to permit issuance.

2. **Potential Cumulative Adverse Environmental Impact** – The proposed project is not reasonably expected to result in cumulative adverse environmental impacts as set forth in Number 1 above.
3. **Hydrology** - The proposed project is not reasonably expected to adversely affect surface water drainage or retention of stormwater.
4. **Water Quality** –The proposed project is not reasonably expected to adversely affect water quality. The proposed project may result in temporary minor water quality impacts typically associated with the construction, operation, and demolition of a temporary docking facility. To mitigate for these impacts during the life of the permit, the applicants have agreed to provide annual contributions to the Biscayne Bay Environmental Enhancement Trust Fund that will be used for the creation or enhancement of marine habitat within Biscayne Bay.
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. The boat show is temporary in nature. The temporary vessels, structures, and equipment associated with the boat show will be installed and removed within a 45 day period.
9. **Navigation** – The proposed project will temporarily affect navigation within the project area during the 45 day period between the start of installation of the facility and the completion of removal of all structures and associated equipment. However, significant impacts to navigation are not reasonably expected to occur, provided that all structures are lighted in accordance with applicable laws, and all vessels follow safe boating practices as required by all applicable laws.
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, provided the boat show event continues to operate in accordance with the conditions of the Class I permit.
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 marine fauna, provided that the boat show event continues to operate in accordance with the conditions of the Class I permit.
18. **Rare, Threatened and Endangered Species** –The proposed project is not reasonably expected to adversely affect rare, threatened, and endangered species provided the boat show event continues to operate in accordance with the conditions of the Class I permit 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 proposed project would occur on lands owned by the co-applicant, City of Miami.
24. **Conformance with Standard Construction Procedures and Practices and Design and Performance Standards** – The proposed project complies with the standard construction procedures and practices and design and performance standards of the applicable portions of the Code of Miami-Dade County and the Miami-Dade County Public Works Manual.
25. **Comprehensive Environmental Impact Statement (CEIS)** - In the opinion of the Director, the proposed project is not reasonably expected to result in significant adverse environmental impacts or cumulative adverse environmental impacts. Therefore, a CEIS was not required by DERM to evaluate the project.
26. **Conformance with All Applicable Federal, State and Local Laws and Regulations** - The proposed project is in conformance with applicable State, Federal and local laws and regulations:
- a) Chapter 24 of the Code of Miami-Dade County
 - b) United States Clean Water Act (U.S. Army Corps of Engineers permit is required)
 - c) Florida Department of Environmental Protection (Environmental Resource Permit pending)
27. **Conformance with the Miami-Dade County Comprehensive Development Master Plan (CDMP)** - In the opinion of the Director, the proposed project is in conformance with all relevant Objectives in the CDMP and therefore is consistent with the goals and objectives of Policy 3A of the Land Use Element. The following is a summary of the proposed project as it relates to the CDMP:

LAND USE ELEMENT I:

Objective 3/Policies 3A, 3B, 3C - Protection of natural resources and systems. – The proposed project is consistent with the Conservation and Coastal Management elements of the CDMP, and will be compatible with the surrounding land uses in Biscayne Bay, provided that the boat show event operates in accordance with the conditions of the Class I permit as set forth in Number 1 above. The proposed

project does not involve development in the Big Cypress area of Critical State Concern or the East Everglades.

TRANSPORTATION ELEMENT II

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

Port of Miami River Subelement/Objective 3 - Minimization of impacts to estuarine water quality and marine resources. The 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 a wetland.

Objective 9/Policies 9A, 9B, 9C - Protection of habitat critical to Federal or State-designated threatened or endangered species. – The proposed project is not reasonably expected to adversely affect habitat critical to Federal or State-designated threatened or endangered species as set forth in Number 1 above.

COASTAL MANAGEMENT ELEMENT VII:

Objective 1/Policy 1A – Mangrove wetlands within Mangrove Protection Areas –. The proposed project is not located within a designated “Mangrove Protection Area.”

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

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

Objective 1/Policy 1D - Protection and maintenance of mangrove forests and related natural vegetational communities. - The proposed project is not located within a mangrove forest or related natural vegetational community.

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

Objective 1/Policy 1G - Prohibition on dredging or filling of grass/algal flats, hard bottom or other viable benthic communities, except as provided for in Chapter 24 of the Code of Miami-Dade County, Florida. - The proposed project does not involve 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, provided that the boat show event operates in accordance with the conditions of the Class I permit as set forth in Number 1 above.

Objective 5/Policy 5B - Existing and new areas for water-dependent uses. -
The project site is appropriate for and environmentally compatible with the proposed activities provided that the boat show event operates in accordance with the conditions of the Class I permit as set forth in Number 1 above.

Objective 5/Policy 5D - Consistency with Chapter 33D, Miami-Dade County Code. (shoreline access, environmental compatibility of shoreline development) – The proposed project is not required to comply with the provisions stated in Chapter 33 D of the Miami-Dade Code of Ordinance, pertinent to the Shoreline Development Review Committee under the Shoreline Ordinance.

Objective 5/Policy 5F - The siting of water dependent facilities. - The proposed project is consistent with

the criteria used to determine appropriateness of the project site provided that the boat show event operates in accordance with the conditions of the Class I permit as set forth in Number 1 above.

28. **Conformance with Chapter 33B, Code of Miami-Dade County** (East Everglades Zoning Overlay Ordinance) – The proposed project is not located within the East Everglades Area.
29. **Conformance with Miami-Dade County Ordinance 81-19** (Biscayne Bay Management Plan Sections 33D-1 through 33D-4 of the Code of Miami-Dade County) - The proposed project is in conformance with the Biscayne Bay Management Plan.
30. **Conformance with the Miami-Dade County Manatee Protection Plan (MPP)** - The Island Gardens Marina is located within an area designated as essential habitat for the Florida manatee and the MPP does not include specific limitations for new or expanded marine facilities at this site, other than compliance with existing zoning or environmental regulations. The applicants have developed a map that identifies channels and required travel routes to avoid and minimize impacts to manatees and sensitive habitat as a result of show operations. This map, along with other materials required per the Class I permit conditions, would be provided to all exhibitors and sea trial captains operators prior to arrival at the boat show as part of an orientation package, receipt of which shall be acknowledged by said participants. The map also identifies the locations of environmentally sensitive areas that are required to be avoided by vessels associated with the boat show. The Class I permit would also require that all standard manatee construction conditions be followed during all in water operations, and that a DERM approved manatee observer plan be implemented during all phases of construction, operation and deconstruction of the boat show. Furthermore, show organizers would be required to contract with marine law enforcement for assistance in managing show operations and ensuring compliance with permit conditions.
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** – Not applicable.

The proposed project was also evaluated for compliance with the standards contained in Sections 24-

48.3(2), (3), and (4) of the Code of Miami-Dade County, Florida. The following is a summary of how the standards relate to the proposed project:

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

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

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

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



Rockell Alhale, Manager
Coastal Resources Section



Lindsay Elam, ERPS
Coastal Resources Section

Attachment F:
Restrictive Covenant Running with the Land in Favor of Miami-Dade County

MODIFIED AND RESTATED RESTRICTIVE COVENANT RUNNING WITH THE LAND
IN FAVOR OF
MIAMI-DADE COUNTY

WHEREAS, in 2006, the City of Miami proffered a Restrictive Covenant Running with the Land in Favor of Miami-Dade County, which was recorded in the Public Records on November 6, 2008 at Book 26641, Pages 4960-4978, pursuant to Section 24-48.2 of the Code of Miami-Dade County and in connection with Miami-Dade County Class I Permit application number CC06-259 and variance request; and

WHEREAS, the City of Miami wishes to modify that Restrictive Covenant Running with the Land in Favor of Miami-Dade County, recorded in the Public Records on November 6, 2008 at Book 26641, Pages 4960-4978, so that all of the prior restrictions shall remain in place, except during a temporary, annual boat show, as provided more specifically herein, and

WHEREAS, this Modified and Restated Restrictive Covenant Running with the Land in Favor of Miami-Dade County is being proffered by the City of Miami, pursuant to section 24-48.2(II)(B)(10)(c) of the Code of Miami-Dade County, in connection with the Miami-Dade County Division of Environmental Resources Management (DERM) Class I Permit application number CLI-2024-0248,

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

SEE ATTACHED LEGAL DESCRIPTION (Exhibit A)

hereby voluntarily covenants as follows:

1. The undersigned agree(s) and covenant(s) that all docking facilities located at the subject property shall be used for the mooring of vessels in a manner that is consistent with the conditions of this covenant, with the Flagstone Island Gardens Mega-Yacht Harbor Manatee Protection Plan, a copy of which is attached hereto as Exhibit B, and which is incorporated herein by reference hereto, and with the recommendation memorandum from the Director of the Miami-Dade County Department of Environmental Resources Management with all accompanying attachments, a copy of which is attached hereto as Exhibit C, and which is incorporated herein by reference hereto.
2. The undersigned agree(s) and covenant(s) that all vessels utilizing the docking facilities located at the Property shall have a minimum of three (3) feet of clearance between the bottom of Biscayne Bay at said facilities and the deepest draft of the vessel as measured at mean low water.
3. The undersigned agree(s) and covenant(s) that the vessel fueling services provided at the Property shall be utilized only by the lessees of the docking facilities located at the Property, and for use by public agency law enforcement vessels.

4. The undersigned agree(s) and covenant(s) that the maximum number of vessels which shall be moored at the docking facilities located at the Property shall not exceed fifty (50) vessels at any time.
5. The undersigned agree(s) and covenant(s) that as a subset of the maximum of fifty (50) vessels authorized for mooring at the docking facilities, the maximum number of powerboats that are less than one-hundred (100) feet in length as measured at the water line that will be moored at the docking facilities located at the Property shall not exceed a total of twenty-three (23) at any time. Of the maximum allowable of twenty-three (23) powerboats less than one-hundred (100) feet in length as measured at the waterline, not more than two (2) shall be water taxis, four (4) shall be commercial fishing or diving charter boats, and three (3) shall be marina service vessels. This provision shall not apply to sailboats with ancillary motors, non-motorized vessels or any rowboat.
6. The undersigned agree(s) and covenant(s) that the marina service vessels allowed pursuant to this Restrictive Covenant shall only be permitted to be used for service operations at the marina including but not limited to deploying fuel containment booms, marina security services, and tugboat-type of operations. Marina service vessels shall not travel away from the marina, and shall at all times operate within one-thousand (1000) feet of the docking facilities located at the Property. This restriction shall not apply to travel of the marina service vessels necessary for the maintenance or repairs of said marina service vessels, or to travel of these marina service vessels necessary for safety reasons during emergencies such as storms or hurricanes.
7. For the purpose of the temporary, annual boat show authorized by Class I permit CLI-2024-0248 (the "boat show"), and only to the extent that the particular annual boat show has also received an annual administrative approval for the boat show for the respective year, the above-mentioned restrictions in paragraphs 1, 3, 4, 5, and 6 shall not apply during said annual boat show, provided that:
 - a. The duration of the annual boat show, including construction, set up, and removal, is no more than 45 days, counted consecutively; and
 - b. The maximum number of vessels that may be moored at the docking facilities located at the Property during the boat show shall not exceed ninety-four (94) vessels. The authorization to temporarily increase the maximum number of vessels at the Property each year using temporary slips shall only apply within the time period specified in the Class I permit.
8. The undersigned agree(s) and covenant(s) to comply in full at all times with the restrictions and prohibitions on non-water dependent floating structures as set forth in Chapter 24 of the Code of Miami-Dade County.
9. For the purposes of this Restrictive Covenant, "vessel" is herein defined as any watercraft designed to float or navigate upon water, or which may be used or is capable of being used as a means of transportation on water including, but not limited to, sailboats, powerboats, ships, barges, boats, skiffs, rowboats, houseboats, jet skis and inflatable boats.

10. For the purposes of this Restrictive Covenant, "docking facility" is herein defined as any structure, landward or waterward of the mean high waterline, designed for or capable of mooring a vessel, and requiring a Miami-Dade County Class I Permit, pursuant to Chapter 24 of the Code of Miami-Dade County, including but not limited to, docks, piers, piles, boat elevators and davits.
11. This Restrictive Covenant shall run with the land and shall be recorded in the Public Records of Miami-Dade County, Florida, at the expense of the undersigned, and shall remain in full force and effect and be binding upon the undersigned, and their heirs, successors, grantees and assigns until such time as the same is modified in writing by the undersigned and Miami-Dade County or released in writing by Miami-Dade County.
12. This Restrictive Covenant shall be subject to specific enforcement by Miami-Dade County, Florida. In the event that the provisions of the Covenant are not complied with by the undersigned or their heirs, successors, grantees, and assigns, an action at law or in equity may be commenced by Miami-Dade County against any person violating, causing, permitting, allowing or suffering the violation of this Covenant.

IN WITNESS WHEREOF, the undersigned have caused this Restrictive Covenant to be executed this ____ day of _____, 2025.

PROPERTY OWNER: City of Miami

Sign _____
Print _____
Address _____
Title _____

Sign _____
Print _____
Address _____
Title _____

WITNESSES:

Sign _____
Print _____
Address _____
Title _____

Sign _____
Print _____
Address _____
Title _____

State of Florida

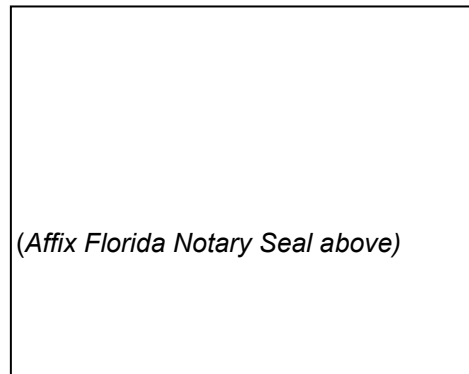
County of Miami-Dade

Sworn to (or affirmed) and subscribed before me by means of (how the individual appeared check one):

☐ physical presence ☐ online notarization this ____ day of _____, 20____.
(date) (month) (year)

by _____

Individual identified by: ☐ personal knowledge ☐ satisfactory evidence _____.
(type)



(Signature of Notary Public)

(typed, printed, or stamped name of Notary Public)

Attachments: Exhibit A: Legal Description of subject property
Exhibit B: Flagstone Island Gardens Mega-Yacht Harbor Manatee
Protection Plan
Exhibit C: Recommendation Memorandum from Director of Environmental
Resources Management

Exhibit A:
Legal Description of Subject Property

A. LEGAL DESCRIPTION (SUBMERGED AREA)

COMMENCE AT A POINT, MARKED BY A 5/8" DIAMETER IRON ROD AND CAP STAMPED F.O.O.T., SHOWN AS P.T. STA. 25+50 ON THE "OFFICIAL MAP OF LOCATION AND SURVEY OF A PORTION OF SECTION 8706, DESIGNATED AS PART OF STATE ROAD A-1-A IN DADE COUNTY, FLORIDA", PREPARED BY THE STATE ROAD DEPARTMENT OF THE STATE OF FLORIDA, AS RECORDED IN MAP BOOK 56 AT PAGE 71 OF THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA SAID POINT BEING THE POINT OF TANGENCY OF THE ORIGINAL CENTER LINE OF THE DOUGLAS MACARTHUR CAUSEWAY RUNNING EASTERLY AND SOUTH EASTERLY FROM THE WESTERLY LIMITS (WEST BRIDGE) OF WATSON ISLAND AS SHOWN ON SHEET 3 OF THE STATE ROAD DEPARTMENT RIGHT-OF-WAY MAP SECTION NO. (8708-112) 87080-2117, REVISED MARCH 25, 1959, SAID MOST NORTHERLY CURVE HAVING A RADIUS OF 1432.69 FEET AND A CENTRAL ANGLE OF 62°00'00"; THENCE SOUTH 59°51'26" WEST DEPARTING RADIALLY FROM SAID CENTERLINE A DISTANCE OF 987.38 FEET TO A PROJECTED BULKHEAD LINE; THENCE NORTH 17°12'21" WEST ALONG SAID BULKHEAD LINE A DISTANCE OF 238.88 FEET TO THE POINT AND PLACE OF BEGINNING; THENCE SOUTH 49°32'57" WEST DEPARTING SAID BULKHEAD LINE A DISTANCE OF 550.92 FEET TO A POINT OF INTERSECTION OF THE TURNING BASIN LIMIT AS ESTABLISHED BY U.S. ARMY CORPS OF ENGINEERS AND POSITIONED BY COORDINATES NORTH 527,878.62 FEET, EAST 926,135.22 FEET (BASED ON NORTH AMERICAN DATUM 1983-NAD83) WITH THE NORTHERLY LINE OF THE MIAMI MAIN SHIP CHANNEL; THENCE NORTH 31°03'50" WEST ALONG THE LIMITS OF SAID TURNING BASIN A DISTANCE OF 428.44 FEET TO A POINT OF INTERSECTION WITH THE EAST RIGHT-OF-WAY LINE OF THE INTRACOASTAL WATERWAY; THENCE NORTH 03°27'54" WEST ALONG SAID EAST RIGHT-OF-WAY LINE A DISTANCE OF 874.43 FEET TO A POINT OF INTERSECTION WITH THE SOUTHERLY RIGHT-OF-WAY LINE OF SAID DOUGLAS MACARTHUR CAUSEWAY, SAID POINT OF INTERSECTION BEING A POINT ON A CURVE CONCAVE SOUTHERLY AND HAVING A RADIUS OF 10,718.59 FEET, A RADIAL LINE TO SAID POINT BEARS SOUTH 01°15'15" EAST; THENCE RUN EASTERLY FOR 387.48 FEET ALONG THE ARC OF SAID CURVE AND ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE, THROUGH A CENTRAL ANGLE OF 02°04'17" TO A POINT OF TANGENCY; THENCE SOUTH 89°10'55" EAST CONTINUING EASTERLY ALONG THE SAID SOUTHERLY RIGHT-OF-WAY LINE A DISTANCE OF 32.06 FEET MORE OR LESS TO A POINT OF INTERSECTION WITH AN EXISTING BULKHEAD LINE; THENCE SOUTH 17°12'21" EAST ALONG SAID BULKHEAD LINE A DISTANCE OF 924.74 FEET TO THE POINT OF BEGINNING.

CONTAINING 13.35 ACRES OF SUBMERGED LAND MORE OR LESS.

B. LEGAL DESCRIPTION (ADDITIONAL SUBMERGED AREA E)

PORTIONS OF SUBMERGED LANDS LYING WESTERLY OF WATSON ISLAND, CITY OF MIAMI, MIAMI-DADE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT POINT OF TANGENCY STATION 25+50 ON THE CENTERLINE OF GENERAL DOUGLAS Mac ARTHUR CAUSEWAY (S.R. A-1-A) STATE PROJECT SECTION No. (8706-112) 87060-2117 RIGHT OF WAY MAP AS RECORDED IN PLAT BOOK 56 AT PAGE 71 OF THE PUBLIC RECORDS OF MIAMI DADE COUNTY, FLORIDA; THENCE S86°10'14"W FOR 1384.81 FEET TO THE POINT OF BEGINNING OF TEMPORARY EASEMENT "E"; THENCE S49°32'57"W FOR 101.36 FEET TO A POINT ON THE EASTERLY LIMITS OF A TURNING BASIN; THENCE N 31°03'50"W ALONG SAID EASTERLY LIMITS FOR 968.07 FEET TO A POINT ON THE CENTERLINE OF THE INTERCOASTAL WATERWAY; THENCE N03°27'54"W ALONG SAID CENTERLINE FOR 402.93 FEET TO A POINT ON THE SOUTHERLY RIGHT OF WAY LINE OF STATE ROAD A-1-A SAID POINT ALSO BEING ON A CURVE THAT IS CONCAVE TO THE NORTH HAVING A RADIUS OF 10,718.59 FEET, THENCE EASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 1°20'14" FOR AN ARC DISTANCE OF 250.10 FEET TO A POINT ON THE EAST RIGHT OF WAY LINE OF SAID INTERCOASTAL WATERWAY; THENCE S03°27'54"E ALONG SAID EAST RIGHT OF WAY LINE FOR 858.57 FEET TO A POINT ON THE EASTERLY LINE OF AN EASEMENT THAT IS RECORDED IN OFFICIAL RECORDS BOOK 3622 AT PAGE 751 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA; THENCE S31°03'50"E ALONG SAID EASTERLY LINE FOR 803.20 FEET TO THE POINT OF BEGINNING.

CONTAINING 4.85 ACRES MORE OR LESS (211,373 SQUARE FEET)

Flagstone Island Gardens Mega-Yacht Harbor

Manatee Protection Plan

Revised August 7, 2008

The Flagstone Island Gardens Mega-Yacht Harbor project ("Project") proposes to construct a 50-slip international mega-yacht facility on Watson Island with supporting upland amenities adjacent to the turning basin at the west end of the Port of Miami/Government Cut. This document confirms the proposed Project's compliance with the approved Miami-Dade County Manatee Protection Plan (MDCMPP) and details the Project specific measures being taken to ensure the protection of manatees during marina operations.

The MDCMPP designates the area between the Project shoreline and the Port turning basin for "Freight Terminals/Large Vessel (>100') Berthing". Additionally, the Watson Island shoreline itself is designated as a "Special Use" Marina or Transitory Dock area. The MDCMPP states that this designation is "for mooring vessels for special uses such as commercial fishing, charter fishing boats, and ocean-going luxury yachts" (page 96). Both of these designations are based on the site's nearby access to deep water and short route to the Atlantic Ocean. The proposed Project is compliant with the "Large Vessel Berthing" and "Special Use" designations of the MDCMPP and all uses that are proposed for vessels that are not over 100 feet in length are consistent with the functions that currently exist onsite. This is one of the most preferable sites in Miami-Dade County to accommodate the public demand for vessel mooring with minimal risk to the manatee population. Additional information regarding the historic and proposed marina functions onsite and manatee protection measures are discussed below.

Existing Marina Functions

The existing Watson Island Marina facility includes 43 wet slips authorized under a Miami-Dade County Marine Facilities Operating Permit (MOP). These slips have been leased out by the City of Miami (property owner) for commercial and recreational vessel uses including commercial and charter fishing, boat rental/cruise operations, and transient recreational slips. The Watson Island Marina facility has been used historically by vessels ranging in length from 20 to 150 feet. The commercial vessels using the facility are estimated to average 2 trips per day and transient recreational vessels average fewer trips per day. A public fuel dock is also located at the Watson Island Marina.

Reviews of aerial photography and dock records indicate that the Watson Island Marina facility has been used extensively by commercial and recreational vessels. According to dock check records provided by the City's dockmaster, an average of 20 vessels have moored at Watson Island Marina at any given time over the past 6 years. This data does not differentiate between power and sailing vessels.

Follow-up discussions with the City's dockmaster for Watson Island Marina indicate that the 43 slips were fully leased to vessel owners between 1987 and 1992. Prior to 1998, records are scarce. However, a review of aerial photography provides some data regarding mooring history.

Since 1985 when the MPP was being developed, 23 or more powerboats have been documented at the marina in aerial photographs reviewed with Miami-Dade County Department of Environmental Resources Management (DERM) staff.

Proposed Mega-Yacht Harbor Facility Manatee Protection Compliance

The state-approved MDCMPP provides marine facility siting recommendations based on criteria including minimal manatee/boat travel pattern overlap, minimal benthic community disturbance and compatibility with surrounding land uses. As noted above, the proposed Project uses are consistent with the MDCMPP designations and historic uses onsite.

The greatest potential risk to manatees would occur as vessels travel north or south within the Intracoastal Waterway. Mega-yachts, the primary target vessels for the proposed facility, travel at slower speeds and must utilize Government Cut for deep water ingress/egress. Given the size and typical travel patterns of these vessels, it is not likely that they would travel north or south in the Intracoastal Waterway, particularly not for significant distances or at significant speeds. Vessels less than 100 feet in length that may utilize the facility will similarly utilize Government Cut for ocean access and function consistent with historic travel patterns.

Construction

Marina construction activities will comply with standard manatee protection guidelines and permit conditions. Manatee habitat (seagrass beds) is proposed to be dredged to accommodate the mega-yacht drafts; these unavoidable impacts will be mitigated through restoration of seagrass habitat within Biscayne Bay.

Design and Operations

The proposed mega-yacht facility will accommodate vessels up to 465 feet in length. The maximum vessel number of 50 will be limited to no more than 23 vessels less than 100 feet in length at any time, with specific sub-categories noted below. Of the 23 vessels less than 100 feet in length authorized at the facility, the majority will be oceangoing luxury yachts, with the balance being facility service vessels, water taxis and launched yacht tenders.

Speed Zones: Vessel speed restrictions in the vicinity of the Project provide valuable protection to manatees within their foraging areas and travel corridors. These speed zones are well enforced by local, state, and federal agencies.

Large Vessel Mooring: All docks that will accommodate large vessels (100 feet or greater in length) are now designed as pile supported structures. The marginal dock provides the required standoff from the bulkhead at the Project site.

Small Yachts and Tenders: As market studies conducted relative to the proposed Project indicate that it may not be economically viable to fill all proposed slips year-round with vessels greater than 100 feet in length, the applicant has requested authorization to offer a maximum of 14 slips

(consistent with the historic use by powerboats) for powerboat vessels, including yacht tenders, less than 100 feet in length, at any point in time. Tenders may be launched from yachts to conduct inspections of their vessels and provide other service functions. Launching of these tenders will be controlled by the dockmaster and strictly supervised. Due to strict security controls, these vessels will likely be limited in their movement within or outside of the facility.

Water Taxis: Two slips are proposed for water taxis to convey upland hotel and harbor guests to local waterfront destinations. A public fuel dock is not proposed at the Project site; fuel services will only be provided to vessels leasing a slip at the facility (and public agency vessels, such as the Florida Marine Patrol). Additionally, the applicant has agreed to limit fuel services in this manner to compensate for the proposed transient water taxi use to ensure no net increase in potential impacts to manatees.

Fishing Vessels: Four slips are proposed for use by commercial fishing vessels at the facility. It is anticipated that the travel patterns and functions of these fishing vessels will be similar to the existing/historic commercial and charter fishing vessel use of the site.

Service Vessels: Three service vessels and one non-motorized small barge are proposed to assist with facility operations and will be controlled by the harbor master. The service vessels will be approximately 30 feet in length and will not leave the harbor and fishing/water taxi pier area. Services by these vessels will include deploying fuel containment booms, security services and providing tug-type assistance to incoming and outgoing mega-yachts. At no time will the total number of vessels in the harbor exceed 50 (including all proposed vessels in the preferred design) and at no time will the total number of vessels less than 100 feet in length exceed 23 in harbor waters.

Conclusions

New mega-yacht slips associated with the proposed Project are compliant with the "Large Vessel Berthing" and "Special Use" designations of the MDCMPP. Slips for vessels less than 100 feet in length (23 total: 14 for non-fishing vessels and yacht tenders, 2 for water taxis, 4 for fishing vessels, and 3 for service vessels) will not result in an increased risk to manatees, as they are consistent with the existing and historic uses described above.

Exhibit C:
Recommendation Memorandum from Director of Environmental Resources
Management

Exhibit C

Memorandum

MIAMI-DADE
COUNTY

Date: September 12, 2006

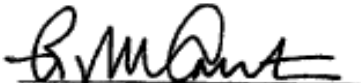
To: Honorable Chairman Joe A. Martinez and Members,
Board of County Commissioners

From: George M. Burgess
County Manager

Agenda Item No.5(EE)

Subject: Class I Permit Application by Flagstone Island Gardens, LLC and the City of Miami to Dredge 15.81 Acres of Submerged Bay Bottom for the Creation of a 50-Slip Mega Yacht Marina, Request for a Variance from Section 24-48.24 of the Code of Miami-Dade County for the Placement of Non-Water Dependent Fixed Structures Over Tidal Waters, and Acceptance of a Restrictive Covenant Running With the Land In Favor of Miami-Dade County

Attached, please find for your consideration an application by Flagstone Island Gardens, LLC and the City of Miami for a Class I Permit, a Request for Variance from Section 24-48.24 of the Code of Miami-Dade County, and acceptance of a Restrictive Covenant Running With the Land in favor of Miami-Dade County. Also, attached is the recommendation of the Director of the Department of Environmental Resources Management and a Resolution seeking the Board's approval of the aforesaid application, variance request, and acceptance of the restrictive covenant.


Assistant County Manager

Memorandum



Date: August 31, 2006

To: George M. Burgess
County Manager

From: Carlos Papineau, P.E., Acting Director
Environmental Resources Management

Subject: Class I Permit Application by Flagstone Island Gardens, LLC and the City of Miami to Dredge 15.81 Acres of Submerged Bay Bottom for the Creation of a 50-Slip Mega Yacht Marina, Request for a Variance from Section 24-48.24 of the Code of Miami-Dade County for the Placement of Non-Water Dependent Fixed Structures Over Tidal Waters and Acceptance of a Restrictive Covenant Running With the Land In Favor of Miami-Dade County

RECOMMENDATION

I have reviewed the application for a Class I Permit, the Request for Variance from Section 24-48.24 of the Code of Miami-Dade County, and the Restrictive Covenant Running with the Land proffered by Flagstone Island Gardens, LLC and the City of Miami. Based upon the applicable evaluation factors set forth in Section 24-48.3 and 24-48.25 of the Code of Miami-Dade County, I recommend that the Board approve this application, grant the variance request, and accept the Restrictive Covenant for the reasons set forth below.

BACKGROUND

The proposed project was previously approved by the Board on November 30, 2004, via Resolution No. R-1343-04. Pursuant to Section 24-48.19 of the Code of Miami-Dade County, Class I permit approvals by the Board shall only be valid for a period of 18 months from the date of approval unless another time period is stated in the approving Resolution. The applicants have stated that due to the complexity of design and the time required to obtain the United States Army Corps of Engineers permit for the proposed project, the final construction plans have not yet been completed. Therefore, the Class I permit could not be obtained within the originally allowed 18-month period, which expired on May 30, 2006. Pursuant to the requirements in Section 24-48.19 of the Code, the applicants have filed a new Class I permit application for the construction of the same project as previously approved. In addition, the applicants have requested that Board approval for this application be valid for 24 months rather than the typical 18 months.

The project area is located on Watson Island in the City of Miami. The project site was previously a municipal marina owned and operated by the City of Miami. The proposed project involves the construction of a 50-slip mega yacht marina with two main access piers. The two main access piers will make an inward turn at 470 linear feet from the seawall forming the marina basin. A portion of the proposed piers will be bi-level to provide a separate public access area to view Biscayne Bay. In addition, stairs are proposed to provide non-public access to the lower service level of the dock. The proposed project also includes the dredging of 15.81 acres of submerged Bay bottom to depths of minus eighteen (-18) feet and minus twenty-five (-25) feet with one foot of allowable over-dredge. The applicants have stated that dredging to these depths is necessary to accommodate the deeper drafts of mega yachts [vessels greater than 100 feet in length] that could not be moored at the previously existing marina. As proposed, the completed marina will be able to accommodate mega yachts with a maximum length not to exceed 465 feet.

Section 24-48.3 of the Code of Miami-Dade County requires that the Department of Environmental Resources Management (DERM) base its recommendation for approval, denial, or approval subject to conditions, limitations or restrictions, for Class I Permits on the applicable evaluation factors. One of these factors is consistency with recommendations of Miami-Dade County's Manatee Protection Plan (MDCMPP). The MDCMPP identifies the area of Biscayne Bay where this project is proposed as suitable for construction or expansion of large vessel docking facilities.

As the applicants have stated that the purpose of this project is to create a mega yacht marina, the applicants have agreed to limit the total number of non-mega yacht power vessels (less than 100 feet in length) mooring at this facility. In order to maintain consistency with the MDCMPP, and considering the existing historic use of the site, the Class I permit shall require that the maximum number of powerboats that are less than 100 feet in length, as measured at the water line, that will be moored at the proposed docking facilities located at the marina, shall not exceed a total of 23 powerboats at any one time. Of the maximum allowable powerboats, not more than two shall be water taxis to be used by the guests of the marina, not more than four shall be commercial fishing or diving charter boats, and not more than three shall be marina service vessels. In order to ensure compliance with this condition, the City of Miami has proffered the attached Restrictive Covenant Running with the Land as part of the Class I Permit requirements.

In addition, this project was evaluated to identify any potential conflicts with the proposed future construction of the Port of Miami Tunnel. Staff discussed details of this project with consultants and representatives from the Florida Department of Transportation (FDOT) and the Miami-Dade County Seaport Department. No conflicts were identified. However, if approved, the Class I Permit for this project will require that the applicant coordinate construction activities with FDOT regarding work on the Port of Miami Tunnel.

As part of this project, the applicants propose to dredge 15.81 acres of submerged Bay bottom to achieve the targeted water depths. The proposed dredging will impact various marine resources within the project footprint, including seagrass habitat, hard bottom/sponge communities, macro algal communities, and several acres of benthic infaunal habitat. In order to mitigate for impacts to seagrass areas and to the hard bottom/sponge habitat, the applicants propose to create additional replacement habitat. Restoration of the lost seagrass habitat will be accomplished by filling a previously dredged area of Biscayne Bay near the Julia Tuttle Causeway to a shallower depth and then capping it with clean sand to support seagrass growth. Replacement of the lost hard bottom/sponge habitat will be accomplished by filling a previously dredged deep depression in the same area and capping it with a coarse material suitable for the growth of a hard bottom/sponge community. To offset the other project-related impacts the applicants propose to place 2,439 cubic yards of limestone riprap boulders under the proposed dock structures and to place 25,670 cubic yards of limestone riprap boulders at a DERM-approved artificial reef site in Biscayne Bay.

In addition to requesting approval for the proposed dredging and construction of the marina, the applicants are requesting a variance from Section 24-48.24 of the Code of Miami-Dade County, which prohibits non-water dependent, fixed structures over tidal waters of the County. The applicants propose to construct planters, roof structures, storage closets, security fences, vessel fuelling service lines, and two pylons with statues, all of which are proposed for placement on the piers over tidal waters. Specifically, the applicants propose to construct planters along each edge of the second level piers. Said planters will border the two piers for approximately 470 linear feet, resulting in approximately 940 linear feet of planters on each of the piers. In addition, the applicants propose to install two covered structures at the end of the second level on each of the main piers. The applicants have indicated that due to the overall length of the pier structures, the covered structures are necessary to provide refuge from the elements at the far end of the pier. On the terminus of the main piers (i.e. harbor entrance) the applicants propose to install poles that will be

approximately 70 feet in height with 10-foot high statues on the top. Lastly, the applicants propose to install fuel lines running along the piers to provide in-slip fuel services to vessels moored at the docking facility.

The proposed project has been designed in accordance with all relevant Miami-Dade County coastal construction criteria and is also consistent with all other Miami-Dade County coastal protection provisions, with the exception of the proposed non-water dependent fixed structures for which the applicants are seeking a variance. Please find attached two Project Reports from the DERM Coastal Resources Section, which sets forth in more detail the reasons why the request for a variance and project are recommended for approval by DERM pursuant to the applicable evaluation factors set forth in Section 24-48.3 and in Section 24-48.25 of the Code of Miami-Dade County, Florida. The conditions, limitations, and restrictions set forth in the Project Report attached hereto are incorporated herein by reference hereto.

Attachments

- Attachment A: Class I Permit Applications
- Attachment B: Affidavit of Ownership
- Attachment C: Applicants/Agents Letter, Engineer Certification Letter and Project Sketches
- Attachment D: Names and Addresses of Owners of All Riparian or Wetland Property
Within Three Hundred (300) Feet of the Proposed Work
- Attachment E: Seagrass Mitigation Plan
- Attachment F: Benthic Mitigation Plan
- Attachment G: Harbor Operations Plan
- Attachment H: Manatee Protection Plan
- Attachment I: Restrictive Covenant Running with the Land
- Attachment J: Zoning Memorandum
- Attachment K: Project Report for Proposed Work – Class I Permit
- Attachment L: Project Report for Variance Request – Fixed Non-Water Dependent Structures



MEMORANDUM (Revised)

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

DATE: October 9, 2025

FROM: 
Gen Bonzon-Keenan
County Attorney

SUBJECT: Agenda Item No. 5(Q)

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(Q)
10-9-25

RESOLUTION NO. R-930-25

RESOLUTION TAKING ACTION ON CLASS I PERMIT APPLICATION BY THE CITY OF MIAMI AND YACHTING PROMOTIONS, INC. FOR A TEMPORARY 94 SLIP DOCKING FACILITY FOR AN ANNUAL BOAT SHOW WITHIN BISCAYNE BAY AT 838 MACARTHUR CAUSEWAY, MIAMI, MIAMI-DADE COUNTY, FLORIDA, FOR A PERIOD OF TEN YEARS, AND AUTHORIZING THE ACCEPTANCE OF A MODIFIED AND RESTATED RESTRICTIVE COVENANT RUNNING WITH THE LAND IN FAVOR OF MIAMI-DADE COUNTY

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

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that 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 the City of Miami and Yachting Promotions, Inc. for a temporary 94 slip docking facility for an annual boat show within Biscayne Bay at 838 MacArthur Causeway, Miami, Miami-Dade County, Florida, for a period of ten years, 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, and authorizes the acceptance of the proffered modified and restated restrictive covenant running with the land in favor of Miami-Dade County. 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 **Danielle Cohen Higgins** ,
 who moved its adoption. The motion was seconded by Commissioner **Eileen Higgins**
 and upon being put to a vote, the vote was as follows:

Anthony Rodriguez, Chairman	aye		
Kionne L. McGhee, Vice Chairman	aye		
Marleine Bastien	aye	Juan Carlos Bermudez	absent
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 9th day of October, 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