

# MEMORANDUM

Amended  
Agenda Item No. 14(A)(2)

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

**DATE:** October 9, 2025

**FROM:** Geri Bonzon-Keenan  
County Attorney


**SUBJECT:** Resolution declaring the acquisition of the Fuel Facility Property for the operation of a port fuel facility and ancillary port purposes to be a public necessity; authorizing and directing the County Mayor and the County Attorney to take any and all appropriate actions to accomplish the acquisition of the subject property by negotiation or purchase at values established by appraisals, together with reasonable attorneys' fees and costs pursuant to sections 73.091 and 73.092, Florida Statutes, or by eminent domain court proceedings including declarations of taking, as necessary; establishing certain conditions precedent to the commencement of eminent domain proceedings; authorizing and designating the Chairman of the Board of the Chairman's designee to participate in the Mediation Proceedings or other negotiations with HRP Fisher Island LLC; and authorizing the County Mayor and the County Attorney to take any and all appropriate actions to accomplish the acquisition of the subject property by eminent domain court proceedings including declarations of taking, as necessary, and the payment of incentives

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## Resolution No. R-995-25

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The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Oliver G. Gilbert, III.

  
\_\_\_\_\_  
Geri Bonzon-Keenan  
County Attorney

GBK/smm

MDC001



**MEMORANDUM**  
(Revised)

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

**DATE:** October 9, 2025

**FROM:**   
Gen Bonzon-Keenan  
County Attorney

**SUBJECT:** Amended  
Agenda Item No. 14(A)(2)

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 \_\_\_\_\_

Amended  
Agenda Item No. 14(A)(2)  
10-9-25

RESOLUTION NO. R-995-25

RESOLUTION DECLARING THE ACQUISITION OF THE FUEL FACILITY PROPERTY FOR THE OPERATION OF A PORT FUEL FACILITY AND ANCILLARY PORT PURPOSES TO BE A PUBLIC NECESSITY; AUTHORIZING AND DIRECTING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE AND THE COUNTY ATTORNEY TO TAKE ANY AND ALL APPROPRIATE ACTIONS TO ACCOMPLISH THE ACQUISITION OF THE SUBJECT PROPERTY BY NEGOTIATION OR PURCHASE AT VALUES ESTABLISHED BY APPRAISALS, TOGETHER WITH REASONABLE ATTORNEYS' FEES AND COSTS PURSUANT TO SECTIONS 73.091 AND 73.092, FLORIDA STATUTES, OR BY EMINENT DOMAIN COURT PROCEEDINGS INCLUDING DECLARATIONS OF TAKING, AS NECESSARY; ESTABLISHING CERTAIN CONDITIONS PRECEDENT TO THE COMMENCEMENT OF EMINENT DOMAIN PROCEEDINGS; AUTHORIZING AND DESIGNATING THE CHAIRMAN OF THE BOARD OF THE CHAIRMAN'S DESIGNEE TO PARTICIPATE IN THE MEDIATION PROCEEDINGS OR OTHER NEGOTIATIONS WITH HRP FISHER ISLAND LLC; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE AND THE COUNTY ATTORNEY TO TAKE ANY AND ALL APPROPRIATE ACTIONS TO ACCOMPLISH THE ACQUISITION OF THE SUBJECT PROPERTY BY EMINENT DOMAIN COURT PROCEEDINGS INCLUDING DECLARATIONS OF TAKING, AS NECESSARY, AND THE PAYMENT OF INCENTIVES

**WHEREAS**, the Dante B. Fascell Port of Miami (the "Port" or "PortMiami") is among America's busiest seaports, with recent economic impact studies showing that PortMiami has a positive economic impact of \$61,400,000,000.00 on Florida, comprising 3.9 percent of Florida's gross domestic product; and

**WHEREAS**, in addition, the activities on PortMiami directly and indirectly provide and support more than 340,000 jobs, facilitating the generation of \$2.2 billion in state and local tax revenues; and

**WHEREAS**, the continued success of PortMiami depends on its ability to keep pace with the demands of the cruise and cargo shipping industries so that they can operate efficiently; and

**WHEREAS**, part of the ensured continued success of PortMiami entails maintaining the availability of marine fuel, which is essential to the infrastructure and operation of an effective and efficient maritime transportation facility and the operations of the common carriers that use and conduct business at PortMiami; and

**WHEREAS**, this Board incorporates the County Mayor’s memorandum dated September 17, 2025 titled “Update to the Board of County Commissioners in Advance of Tomorrow’s Special Meeting Relating to Fuel for PortMiami” and the County Mayor’s memorandum dated October 7, 2025 titled “Report Following the Special Meeting held on September 18, 2025, Regarding Matters Related to Fuel for PortMiami and its Users” (together, the “Necessity Memoranda”) and attached hereto as Composite Exhibit “C”; and

**WHEREAS**, based on the findings and conclusions contained in the Necessity Memoranda this Board determines that the property therein described as the Fuel Facility Property is necessary for the public purpose of the continued operation of a fuel facility for PortMiami and any other ancillary port purpose that may be accomplished on the premises; and

**WHEREAS**, the Fuel Facility Property at Fisher Island is legally identified in Exhibit “B” and shown on the map attached as Exhibit “A” as attached hereto and incorporated herein (the “Fuel Facility Property” or “Property”); and

**WHEREAS**, the Fuel Facility Property provides critical support to common carriers and vessel operators transporting individuals and cargo into and out of the United States via PortMiami, and is a vital and necessary component of PortMiami's operations and continued success as set forth in the Necessity Memoranda; and

**WHEREAS**, PortMiami requires ownership and control of the Fuel Facility Property to ensure the present, future and long-term viability and stability of the Port's operations and infrastructure; and

**WHEREAS**, this Board finds and declares the acquisition of the Fuel Facility Property (specifically, a fee simple interest in Parcel 1, a leasehold interest in Parcel 2, and an easement interest in Parcel 3, as identified and described in Exhibits "A" and "B" hereto), for the public purpose of continued and future operation and control of the Port's fuel facility on the premises and ancillary port purposes, to be required and necessary for the Port's operations, infrastructure, and basic functions and to avoid the elimination or interruption of the Fuel Facility Property's ability to continuously supply ships berthing at PortMiami with fuel; and

**WHEREAS**, Miami-Dade County is authorized under the Constitution and Laws of Florida, including chapters 73, 74, 125, 127, and 315, Florida Statutes, and sections 1.01(A) (1), (2) and (21), of the Home Rule Charter of Miami-Dade County, to acquire said property by purchase or eminent domain proceedings; and

**WHEREAS**, prior to the commencement of eminent domain proceedings, the County and the record owner of the Fuel Facility Property—HRP Fisher Island LLC ("HRP")—have agreed to conduct mediation on October 20, 2025, with a previously agreed mediator (the "Mediation Proceedings"); and

**WHEREAS**, on September 18, 2025, this Board adopted Resolution No. R-897-25, which included various authorizations and directives relating to the Fuel Facility Property and this Board desires for the authority and directives set forth herein to be supplemental to those contained in Resolution No. R-897-25,

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA**, that:

**Section 1.** This Board ratifies and adopts the matters set forth in the foregoing recitals.

**Section 2.** This Board finds and declares that the acquisition of the Fuel Facility Property, as legally described in Exhibit “B” and depicted on Exhibit “C” attached hereto and incorporated herein by reference, is needed for the public purpose of the continued operation of a fuel facility for PortMiami and any other ancillary port purpose that may be accomplished on the premises.

**Section 3.** This Board authorizes the County Mayor or County Mayor’s designee to take any and all appropriate actions to acquire the Fuel Facility Property and provide compensation to all interested parties for such acquisition, either by negotiation, by purchase at value established by appraisals, together with reasonable attorneys’ fees, expert fees, and costs pursuant to sections 73.091 and 73.092, Florida Statutes, or by eminent domain court proceedings including a declaration of taking as necessary for and on behalf of Miami-Dade County. Subject to the availability of sufficient and legally available funds, in order to potentially reduce project time and to avoid the expense of litigation, the County Mayor or County Mayor’s designee is further authorized to issue an incentive offer to purchase the Fuel Facility Property, in a total amount not to exceed 1.5 percent over the appraised value of the property.

**Section 4.** The directive in section 3 to initiate eminent domain proceedings shall be subject to the following conditions precedent: (1) that 60 days from October 20, 2025, have elapsed without an agreement between the County and HRP, or, if sooner, that the mediator in the Mediation Proceedings has declared an impasse and (2) that the County Mayor or County Mayor's designee shall present at mediation at least 3 on-port options for a fuel facility, including consideration of economic and operational feasibility, as well as the availability of utilities and site access. The County Mayor or County Mayor's designee shall provide the results of its analysis to the Board.

**Section 5.** This Board authorizes and designates the Chairman of the Board or the Chairman's designee to participate in the Mediation Proceedings and any other negotiations with HRP.

**Section 6.** Directs that, pursuant to Resolution No. R-974-09, the County Mayor or County Mayor's designee shall record any instruments of conveyance accepted pursuant to the terms of this resolution in the public records of Miami-Dade County and (a) provide a recorded copy of each instrument to the Clerk of the Board within 30 days of execution of said instruments; and (b) the Clerk of the Board shall attach and permanently store a recorded copy of each of said instruments together with this resolution.

**Section 7.** It is the intention of the Board that the directives and delegations of authority contained in this resolution are supplemental to those contained in Resolution No. R-897-25.

The Prime Sponsor of the foregoing resolution is Commissioner Oliver G. Gilbert, III. It was offered by Commissioner **Oliver G. Gilbert, III**, who moved its adoption. The motion was seconded by Commissioner **Raquel A. Regalado** and upon being put to a vote, the vote was as follows:

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

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

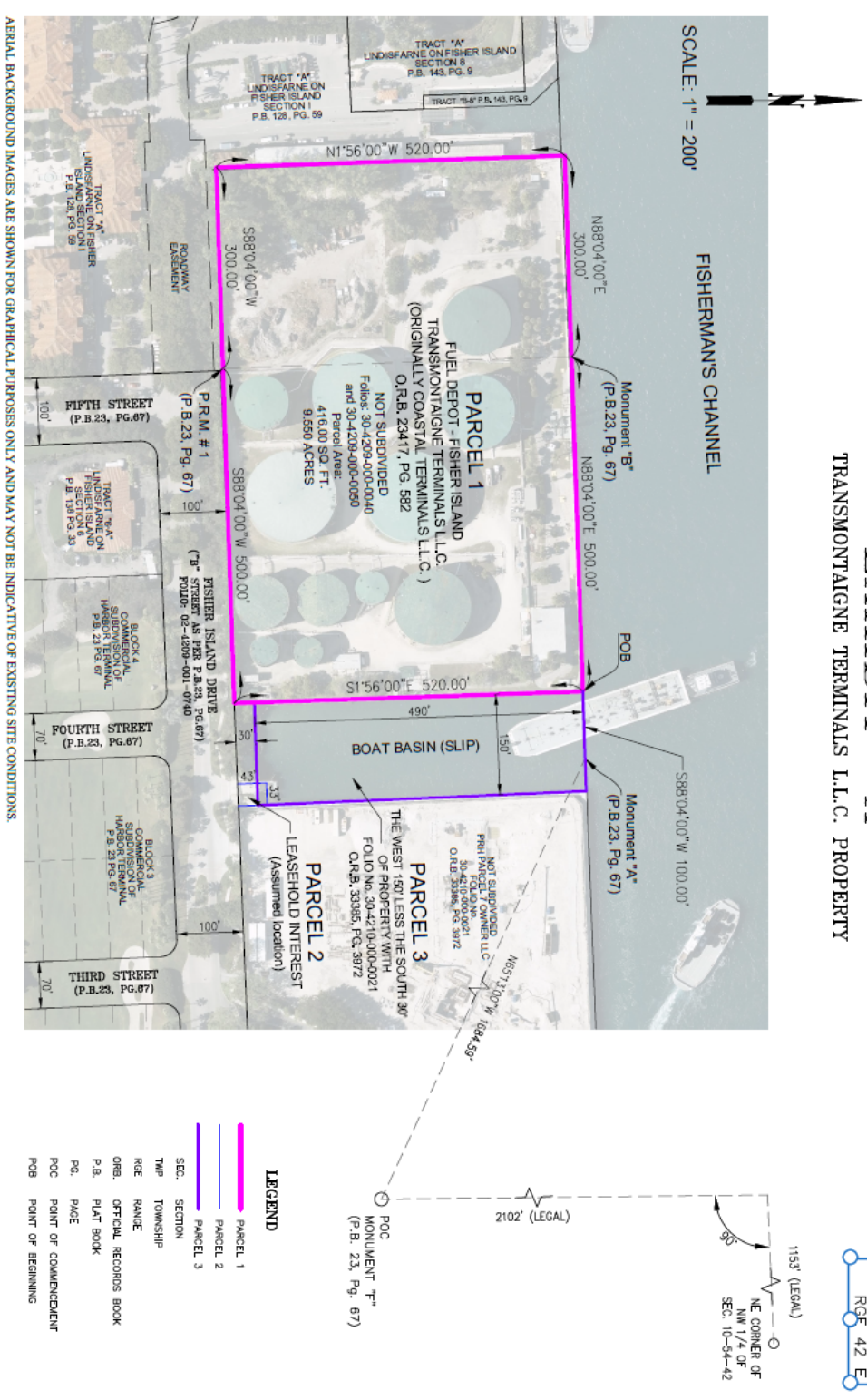
Approved by County Attorney as  
to form and legal sufficiency.

MAG

Miguel A. Gonzalez  
Andrea Gonzalez Mateo

# EXHIBIT "A"

## TRANSMONTAGNE TERMINALS L.L.C. PROPERTY



MIAMI-DADE COUNTY  
DEPARTMENT OF TRANSPORTATION AND PUBLIC WORKS  
RIGHT OF WAY DIVISION  
ENGINEERING SECTION



**EXHIBIT "A"**  
TRANSMONTAGNE TERMINALS L.L.C. PROPERTY

SCALE: 1" = 200'  
CHECKED BY: A. Fraga  
DRAWN BY: M. Barreiro  
PROJECT: 20250156  
SHEET: 1 of 1

**Exhibit "B"**  
**(Legal Description)**

**LEGAL DESCRIPTION**

**PARCEL 1 (Fuel Depot Property)**

A tract of land in Miami-Dade County, Florida described as follows:

For a point of reference **Commence** at a concrete monument designated as "Monument F", as shown on a Plat entitled COMMERCIAL SUBDIVISION OF HARBOUR TERMINAL, as recorded in Plat Book 23, Page 67, of the Public Records of Miami-Dade County, Florida; said "Monument F" being 1153.00 feet West and 2102.00 feet South of the Northeast corner on the Northwest 1/4 of Section 10, Township 54 South, Range 42 East; thence North 65°13'00" West along the Southerly boundary of the U.S. Government Reservation, a distance of 1684.59 feet to a point on the Northerly boundary of said Harbor Terminal for Monument "A"; thence South 88°04'00" West along the Northerly boundary of said Harbor Terminal, a distance of 100.00 feet to the **Point of Beginning**; thence South 01°56'00" East, a distance of 520.00 feet; thence South 88°04'00" West along the Northerly boundary line of "B" Street, now known as Fisher Island Drive, a distance of 500.00 feet to a point indicated as P.R.M. No.1 as the Northwest corner of Fifth and "B" Street(s), same as shown on the above mentioned recorded Plat; thence continue South 88°04'00" West along the Westerly projection of the Northerly boundary line of "B" Street, a distance of 300.00 feet; thence North 01°56'00" West, a distance of 520.00 feet to the Northerly boundary line of said Harbor Terminal; thence North 88°04'00" East along the Northerly boundary of the Harbor Terminal, a distance of 300.00 feet to Monument "B"; thence continue North 88°04'00" East along the Northerly boundary of the Harbor Terminal, a distance of 500.00 feet to the **Point of Beginning**.

TOGETHER WITH,

**PARCEL 2 (Leasehold interest boat slip)**

The leasehold interest created by that certain unrecorded Boat Slip Lease dated July 1, 1982 between Island Developers, Ltd., as lessor, and Belcher Oil Company, predecessor in interest to Grantor, as lessee, pertaining to the following described property:

One-half of the bay bottom located beneath the East one-half of that certain boat slip situated on the north shore of Fisher Island, Miami-Dade County, Florida, with dimensions of 43 feet in length and 33 feet in width.

TOGETHER WITH,

**PARCEL 3 (Easement interests in Boat Basin)**

All rights set forth in Easement Agreement dated January 8, 1927, recorded in Official Records Books 1039 at Page 281 of the Public Records of Miami-Dade County, Florida, and First Amendment to said Easement Agreement dated January 21, 2025, recorded in Official Records Books 34594 at Page 2641 of the Public Records of Miami-Dade County, Florida to the Boat Basin specifically described as follows:

That portion of submerged land situated on the north shore of Fisher Island, Miami-Dade County, Florida, measuring 490 feet in length and 150 feet in width; also described as the west 490 feet, less the south 30 feet, of the property conveyed by Special Warranty Deed dated September 14, 2022, recorded in Official Records Books 33385 at Page 3972 of the Public Records of Miami-Dade County, Florida.


**Exhibit "C"**  
**(Necessity Memoranda)**

# Memorandum



**Date:** September 17, 2025

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

**From:** Daniella Levine Cava  
Mayor 

**Subject:** Update to the Board of County Commissioners in Advance of Tomorrow's Special Meeting Relating to Fuel for PortMiami

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This memorandum serves to provide information in advance of tomorrow's special meeting relating to fuel for PortMiami.

Currently, PortMiami's cruise and cargo line customers supply their vessels through the maritime fuel depot identified by its present owner, TransMontaigne Terminals LLC ("TransMontaigne") as the Fisher Island Terminal (the "Fuel Facility Property" or the "Property"). TransMontaigne currently operates this Fuel Facility Property and is reportedly engaged in a transaction to sell the Property for a reported sale price of approximately \$180 million, although the conditions and details of such potential sale are not currently known. The purchaser has indicated that it intends to repurpose the Property from its historical usage to residential housing. Should the Property sell and be redeveloped for the any alternate use, PortMiami customers would lose access to their primary fuel supply.

It is essential for Miami-Dade County to own and control the Fuel Facility Property for PortMiami. Losing the ability to provide fuel would substantially hamper PortMiami's functionality and would ultimately diminish Miami's position as the world's largest cruise port and largest international container port in Florida. Notably, fuel facilities are present in other major Florida ports including Port Everglades (PEV), Port Canaveral, Tampa, and Jacksonville. It is vital to further protect and improve upon the economic activity generated by PortMiami, by securing PortMiami's access to nearby maritime fuel while limiting the prospect of its dependence on third parties or competitor ports.

My administration has considered other options to the acquisition of the Fuel Facility Property. These include barging fuel from PEV, berthing a tanker (known as a "mother vessel") at PortMiami to fuel vessels, building an on- or off-port fuel facility, and utilizing the rail lines to bring fuel trains into PortMiami. However, these options were deemed not viable due to various reasons outlined in the Background section of this memorandum.

## **Recommendation**

It is recommended that the Board approve declaring the acquisition of the Fuel Facility Property – whether accomplished through a negotiated transaction or through eminent domain court proceedings – to be a public necessity for the operation of a fuel facility as an essential part of the Port's maritime industry and infrastructure, as well as for any ancillary port purposes and authorizing my Administration to acquire the Fuel Facility Property.

## **Background**

### **A. Economic Impact of PortMiami and Planning Considerations**

PortMiami is globally known as the Cruise Capital of the World and the Cargo Gateway of the Americas. This is a result of PortMiami's substantial throughput of cargo and cruise passengers. For instance, in 2024, PortMiami handled approximately 1.1 million TEUs of cargo and more than 8.2 million cruise passengers. PortMiami anticipates exceeding these figures this year.

A consultant retained by PortMiami conducted an economic impact study focusing on the local and regional economic impacts generated by maritime activity in 2023 at PortMiami. That economic impact study revealed that activity at PortMiami directly and indirectly supports 340,078 jobs. Further, activity at PortMiami generates \$61.4 billion annually, comprising 3.9 percent of Florida's gross domestic product. The report also concluded that PortMiami generates \$2.2 billion of state and local taxes.

The economic impact study determined that "[i]n order to continue to grow the economic significance of the Port, continued investment in cargo and cruise terminal infrastructure will be required, ensuring that PortMiami continues as a world class cruise and cargo port, capable of handling the next generation of cruise and container vessels."

Notably, this observation is consistent with various goals set forth in the transportation and economic elements of the Comprehensive Development Master Plan ("CDMP"), which establish that the County should seek to "provide for an effective and efficient maritime transportation facility and services" and "maintain and expand Miami-Dade County airports and seaports to seek excellence in capacity utilization, security, customer service and environmental sensitivity among cargo and passenger facilities worldwide." Indeed, an objective of the CDMP is for the County to "[s]eek to maintain and expand the PortMiami status as the world's leading cruise homeport and Florida's largest container port." And one of the ways that the County may achieve that objective is by "[i]dentify[ing] options and develop[ing] plans for expansion of PortMiami."

The acquisition of the Fuel Facility Property furthers this objective by protecting and ensuring PortMiami's access to nearby maritime fuel—critically needed for its operations—while avoiding the adverse prospect of dependence on third parties or competitor ports that are inadequate to meet the Port's fuel facility needs and threaten the viability of the Port's present and future operations and infrastructure.

### **B. Historical Usage of the Fuel Facility Property**

PortMiami's cruise and cargo line customers use and need the Fuel Facility Property to supply their vessels. The Fuel Facility Property was built on Fisher Island in the 1920s to supply marine fuel to users of PortMiami. This facility is the principal source of marine fuel supply for the cruise and cargo lines servicing PortMiami. TransMontaigne currently owns and operates this facility.

According to information published by TransMontaigne regarding the capabilities of the Fuel Facility Property, the facility features 2 docks and has a storage capacity of 672,669 barrels. In order to ensure the perpetual viability of the Port's marine and common carrier industry which supports countless jobs and is a primary economic engine of Miami-Dade County, it is essential

for Miami-Dade County to own and control the Fuel Facility Property. In this manner, the County can protect the continuation of such services both now and in the future and can plan for any future needs.

According to press reports, TransMontaigne is engaged in a transaction to sell the Fuel Facility Property for a reported sale price of approximately \$180 million to an entity that intends to repurpose the facility from its historical and existing usage to supply fuel to the Port's common carrier infrastructure, to residential housing, although the conditions and details of this transaction are not of public record. Should the Property sell and be redeveloped for the reported alternate use through this or any other transaction beyond the County's control, PortMiami customers would have no access to their primary fuel supply.

### **C. Adverse Impacts from the Loss of the Fuel Facility Property**

Fuel facilities are present and part of the functioning port infrastructure in other major Florida ports including Port Everglades (PEV), Port Canaveral, Tampa, and Jacksonville. Similarly, PortMiami needs a fuel facility to function at its present and future level of operations. Losing the ability to provide fuel and to control the provision of this essential component to the port industry, diminishes PortMiami's ability to maintain Miami's position as the world's largest cruise port and largest international container port in Florida.

Miami-Dade County is a major bunkering hub for all cruise lines, which bunker here because of reliability and utilize the Fuel Facility Property as a contingency port when other locations are out of fuel or have weather diversions. Most lines have ships that cannot bunker in places other than Miami. PEV and the Caribbean are not ready to handle the PortMiami bunkering calls, because there is not enough storage capacity to meet the additional demand that would arise if the Fuel Facility Property were no longer a bunkering option. Miami-Dade County is also a major bunkering hub for Seaboard Marine on the cargo side. Certain Seaboard ships can only bunker at the Fuel Facility Property and other ports in their service string cannot handle their fuel needs.

The cruise and cargo shipping lines are cognizant of the adverse impact to the industry should the current availability of fuel at PortMiami cease. Given the importance of the Fuel Facility Property to their operations, on September 5, 2025, the Florida-Caribbean Cruise Association ("FCCA") wrote to County officials on behalf of its common cruise carrier member lines—including Carnival Cruise Line, MSC Cruises, Norwegian Cruise Line, Royal Caribbean International, and Virgin Voyages—to advise that any conversion of the Fuel Facility Property from its present use would (1) "[j]eopardize Miami-Dade's competitive advantage by forcing ships to consider other ports with guaranteed fuel access"; (2) "[u]ndermine Miami's standing as a top homeport – as there is no major homeport in the United States that does not provide bunkering and fueling"; (3) "[r]isk the potential loss of ship deployments in the future, which would cascade into lost airline passengers, fewer hotel room nights, reduced restaurant and retail activity, and a significant contraction in tax revenue"; and (4) "[t]rigger ripple effects across the local economy, placing at risk the jobs, small businesses, and livelihoods that rely on a healthy cruise and cargo industry." Accordingly, the FCCA urged the County "to take all necessary steps to ensure this facility remains available for its critical maritime purpose."

Accordingly, acquiring ownership of and control over the Fuel Facility Property would enable the County to protect its present operations, plan for its future operations and, by extension,

prevent potential future harm to the local economy and job market. Without the Fuel Facility Property, multiple vessels that call on PortMiami will be unable to fuel in other areas due to the lack of capacity. Furthermore, the loss of fueling capabilities potentially would negatively impact lines' ability to meet forecasted passenger movements and cargo throughput. In such case, even if the County were to hold cruise and cargo lines to their contractual commitments, the County would suffer an adverse economic impact, as guaranteed revenues are lower than actual revenues.

#### **D. Alternatives Considered**

PortMiami has considered other options to the acquisition of the Fuel Facility Property. These include barging fuel from PEV, berthing a tanker (known as a "mother vessel") at PortMiami to fuel vessels, building an on- or off-port fuel facility, and utilizing the rail lines to bring fuel trains into PortMiami.

Barging fuel from an alternate location had been considered the fallback position if there is no fuel supply in Miami. When analyzed, it is evident that barging fuel is not a viable option as many variables make it unreliable. The main reason is that neither PEV nor Freeport (Bahamas) have current tank capacity to add the fuel supply needed for vessels at PortMiami in addition to their own vessels. Should PEV or Freeport construct additional tank capacity, there would still be the issues of reliability from weather, operations, and timing that make barging fuel an infeasible option.

The mother vessel option would require a dedicated berth for a tanker at PortMiami, which would fill barges from the Port. Dedicating a berth, currently identified as Wharf 1 due to the draft of the tanker vessel, would severely limit the ability for Neo-Panamax cargo vessels to traverse the South Shipping Channel. The tanker would have the ability to service only up to six vessels on one day, whereas PortMiami currently bunkers eight vessels in a day and the Port has the capability to berth eleven cruise vessels a day. This option would not work long term. As cruise projections show PortMiami's cruise calls increasing, the tanker concept would not be sustainable over the long term.

The Seaport also analyzed the option of constructing a new on- or off-port marine fuel facility. It is anticipated that a marine fuel facility would require at least 6 acres to serve the current and expected marine fuel demand. For the on-port option, PortMiami—a land-constrained island—does not have 6-acres to dedicate to a marine fuel facility without requiring the reduction in footprint of contractually obligated land or creating substantial adverse impacts on PortMiami's road and rail network. Reducing the footprint of contractually obligated land would also, in addition to generating its own transaction costs and creating the need for new infrastructure to accommodate the transfer of fuel throughout PortMiami, the costs of which would likely exceed the anticipated acquisition costs of the Fuel Facility Property, have a cascading adverse impact on PortMiami's productivity and the local and statewide economic impact generated by PortMiami.

For the off-port option, the Seaport has not been able to identify suitable waterfront property other than the Fuel Facility Property. Further, even if a property were available, the draft of fuel vessels would require dredging to accommodate berthing. Alternatively, the tanker could berth at the Port, and a pipeline would be constructed from the Port to the off-port site. In addition, the option

of an inland off-port storage location has been analyzed. This approach would require a pipeline to pump the fuel from the tanker, berthed at the Port. Due its viscosity marine oil fuel cannot easily be pumped long distances without costly enhancements to the pipeline. The tasks associated with constructing a pipeline would not be accomplished before the loss of the TransMontaigne facility to residential development.

For each of the off-port options evaluated, the County would likely need to invest in the acquisition of property and the construction of a pipeline and marine fuel facility. These costs are anticipated to be well in excess of \$180 million reported sale price of the existing fuel facility. Further, the debt service for the costs of acquisition and construction would outweigh the market's ability to pay a higher cost for fuel.

Finally, the Seaport has considered the viability of utilizing existing train rail lines to transport fuel into the Port with fuel tank cars. This option is not viable due to the limited capacity of fuel that can be transported by rail and the unfeasibility of on-port operations. A hydrant system connecting the intermodal rail yard to the cruise and cargo berths would have to be built to live-load the fuel distribution from the train cars to the vessels. It is anticipated that fuel train operations would impact vehicular traffic on-port by blocking intersections and the Intracoastal Waterway bridge. Fuel by rail would also diminish the movement of the Port's container throughput via the Intermodal Rail Yard as the tracks would not be available for cargo handling while discharging fuel.

### **Conclusion**

The acquisition of the Fuel Facility Property – whether accomplished through a negotiated transaction or through eminent domain court proceedings – provides the County with the necessary ownership of the Property and allows the County to contract with a third party for the operation of the fuel facility, which is critical to PortMiami. This provides the County with an already-built fuel facility, that is already the primary facility providing fuel for the Port's operations and common carriers, and provides for the County's ability to own, control, and operate its fuel facility indefinitely. The County needs to own the Property to control operations—and ensure the long-term stability—in connection with PortMiami's critical fueling and infrastructure needs. Accordingly, it is recommended that the Board authorize the acquisition of the Fuel Facility Property, while also providing PortMiami the tools necessary to potentially offset the costs of funding the acquisition and to continue the operation of the site on a long-term basis.


c: Geri Bonzon-Keenan, County Attorney  
Gerald K. Sanchez, First Assistant County Attorney  
Jess M. McCarty, Executive Assistant County Attorney  
Office of the Mayor Senior Staff  
Hydi Webb, Director, PortMiami  
David Clodfelter, Director, Office of Management and Budget  
Yinka Majekodunmi, Commission Auditor  
Basia Pruna, Director, Clerk of the Board  
Office of Policy and Budgetary Affairs

# Memorandum



**Date:** October 7, 2025

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

**From:** Daniella Levine Cava   
Mayor

**Subject:** Report Following the Special Meeting held on September 18, 2025,  
Regarding Matters Related to Fuel for PortMiami and its Users

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## **Executive Summary**

This Report serves as an update to the Miami-Dade Board of County Commissioners (Board) of the actions taken in relation to fuel supply options for PortMiami (or the Port) and its users since the Special Meeting and on the status of the negotiations. The Report also serves to address various alternative options for fueling analyzed by PortMiami and answers questions presented by the Board at the Special Meeting.

The primary goal of the County should be a permanent location for a fuel facility under the control of PortMiami. To that end, the Port continues to work towards acquisition of the property, as directed by Resolution No. R-897-25. On October 1 the Port received a new proposal from HRP Fisher Island LLC (HRP) that was significantly different from any prior proposal received, entailing plans for the current fuel facility landowner TransMontaigne Terminals L.L.C. (TransMontaigne) to invest an estimated \$200 million in developing a new on-port or port-adjacent fuel facility, among other considerations.

This memo and Report attached outline what has transpired since the Special Meeting, and details the Port's current fueling operations, an analysis of alternative scenarios for fueling, a map detailing the space use on-port and current contractual obligations, and responses to questions asked at the Special Meeting.

## **Background**

The existing Fuel Facility Property located on Fisher Island (the "Fisher Island Terminal" or "Fuel Facility Property"), in unincorporated Miami-Dade County, is under contract to be sold by the current landowner, TransMontaigne, to HRP, a private developer, for residential development purposes. While the County does not have a contract with TransMontaigne for the provision of fuel to PortMiami from the Fuel Facility Property, throughout PortMiami's existence and growth, that facility has served the public purpose of transferring and storing marine fuel for PortMiami's operations. By Resolution No. R-897-25, the Board directed and authorized the County Mayor or County Mayor's designee, among other things, to take any and all appropriate actions to acquire the Fuel Facility Property, through the negotiation for 31 days of an agreement for the purchase of

the Fuel Facility Property, including all improvements thereon, for appraised value, and to offer certain incentives.

Although to our knowledge, the title to the Fuel Facility Property has not yet transferred to HRP, since the Special Meeting, the County has received confirmation from its current owner — TransMontaigne — that any negotiations concerning the Fuel Facility Property should be conducted through HRP. In addition to several meetings with HRP and PortMiami stakeholders, the County conducted a perimeter site visit of the Fuel Facility Property with HRP, which was followed up with an in-person meeting with HRP and its representatives.

On October 1, 2025, the County received a new proposal from HRP that was drastically different from the previous two proposals received from HRP, both of which would have kept the Fuel Facility Property at its existing location. Both previous proposals included agreements for 30 and 40 years respectively, each with a total cost over \$1.1 billion to the County (far exceeding estimated acquisition costs for the property) and would not have provided guaranteed access to fuel beyond those terms for the cargo and cruise industries. They would have required the County to repeat the present discussions regarding fuel availability upon expiration of those agreements. These discussions did not contemplate an offer to move the fuel facility to a new site.

The October 1<sup>st</sup> proposal entails TransMontaigne investing an estimated \$200 million in developing a new fuel facility either on-port (on land leased from the port) or at an alternative adjacent location. Without suggesting the location of the fuel farm on PortMiami, the October 1<sup>st</sup> proposal assumes the relocation of the fuel tanks on approximately 6-7 acres. In response to this proposal, the Port sent a letter to HRP soliciting additional information.

Alternatives that include building a new fuel facility on-port have historically been rejected, and continue to pose significant logistical challenges, due to the lack of available acreage, lack of berth availability, lack of deep water needed to accommodate fueling vessel draft, impact on current and future cruise and cargo operations, environmental concerns, existing contractual obligations, and the cost to construct a new facility compared to the cost to acquire the Fuel Facility Property. Prior to constructing a new fuel tank farm on the Port, extensive environmental permitting is required for both the on-port facilities and the water side berths. Being in an Outstanding Florida Water and the Biscayne Bay Aquatic Preserve, typical permitting timelines for berth improvements that require dredging take 3-4 years while dredging in a federal channel, if needed, can take up to 10-15 years.

After a preliminary analysis, the Port has identified that the only way to create sufficient acreage for an on-port solution and create the required berth(s) is to renegotiate existing contracts and reconfigure footprint for the development of a new fuel facility. The Port is analyzing the potential adverse impacts of such action, including potential capital costs, timing implications and impacts to future growth.

In order to respond to and fully vet HRP's proposal to discuss a location on-port or on an adjacent property, the Port revisited the analysis it had previously done for on-port and port-adjacent solutions, as referenced in the attached Report. The Port will continue to evaluate locations in light of HRP's proposal to bear all costs of building the facility.

The economic impact of PortMiami on the region and the state cannot be underestimated. In 2023, the Port supported over 341,000 direct and indirect jobs and contributed over \$61 billion to the local economy (3.9% of the \$1.6 trillion Florida GDP). The Port's economic output also impacts Miami International Airport (MIA), where over 10% of its domestic passengers and over 4% of its international passengers arrive at MIA to take a cruise. Similarly, many cruise passengers arriving in Miami stay in local hotels, utilize taxis and ride-shares, dine at restaurants, visit local attractions, and shop locally. Continuing access to reliable, competitively priced fuel is critical to supporting thousands of local, good-paying jobs at the Port and Miami International Airport, as well as supplying tax revenue that supports key services in our community.

***PortMiami continues to actively:***

- (1) Perform the internal due diligence necessary to prepare for the acquisition of the fuel farm property, whether on a negotiated basis or through condemnation;
- (2) Engage with HRP to negotiate an acquisition of the Fuel Facility Property, as directed by the Board. The Port has been prepared to meet with HRP to share information necessary for a negotiated transaction through an agreed upon confidential mediation but as of the writing of this memo is pending a confirmed date from HRP; and
- (3) Evaluate the October 1 proposal from HRP for an on-port or port-adjacent facility.

Attached to this memo is a Report outlining a status update detailing what has transpired since the Special Meeting, a description of the current fueling operations in Miami, an analysis of alternative scenarios for fueling, responses to questions asked at the Special Meeting, and a detailed map demonstrating the space use on-port and identifying the entities that have current contractual authority to the use and operation of such property. Additionally, attached are letters of support from Port stakeholders.

Attachment

- c: Geri Bonzon-Keenan, County Attorney  
Gerald Sanchez, First Assistant County Attorney  
Jess McCarty, Executive Assistant County Attorney  
Hydi Webb, Director & CEO, PortMiami  
Office of the Mayor Senior Staff  
Yinka Majekodunmi, Commission Auditor  
Basia Pruna, Director, Clerk of the Board

# Report

PortMiami Fuel Update  
Following Special Meeting on 9/18/25

Attachment to Memo  
“Report Following Special Meeting on September 18, 2025,  
Regarding Matter Relating to Fuel for PortMiami and its Users”  
Board of County Commission Meeting  
October 9, 2025

MDC021

### **Status Update**

Immediately following the Special Meeting, one of HRP's principals reached out to the County to advise that he would be the single point of contact on all conversations pertaining to the Fuel Facility Property. On September 22<sup>nd</sup>, 2025, the County and HRP met to discuss the motion passed by the Board and tour the Fuel Facility Property site from the perimeter. On September 23<sup>rd</sup>, the County submitted a letter to both the property owner (TransMontaigne) and the buyer (HRP) requesting confirmation regarding who the County should be negotiating with, along with requests for documentation relating to the Fuel Facility Property and the pending transaction. TransMontaigne and HRP both subsequently confirmed that any negotiations concerning the Fuel Facility Property should occur with HRP.

On September 25, the County and HRP met again to discuss the Board's action on September 18. The County and HRP agreed to explore the possibility of a pre-litigation mediation conference for the purpose of sharing information and documents relating to the acquisition of the Fuel Facility Property. The County has requested a series of documents that would shed light on the value and condition of the Fuel Facility Property, including the purchase and sale agreement, appraisals, and environmental studies.

The County and HRP have been coordinating the mediation with HRP's counsel. The County offered a series of mediators, emphasizing prompt availability in its recommendation of mediators (and offering mediators that were available as soon as September 30), but HRP has requested that the mediation take place in mid- or late-October. A date for the mediation has not been finalized as of the date of this memorandum. Thus far, none of the documentation requested by the County has been provided by either HRP or TransMontaigne.

The resolution resulting from the Special Meeting, among other things, requires the County Mayor or Mayor's Designee to "employ appraisers...to acquire the Fuel Facility Property." The County reached out to several appraisal companies licensed in the state of Florida that specialize in industrial properties. The two appraisers under contract are expected to complete an appraisal by November. The County has also contracted with a planning firm as customary to provide information required by the appraisers.

Additionally, the Port is working with an architecture and engineering firm to analyze the feasible fueling facilities to serve Port customers, which among other items, will (1) identify the minimum facility space requirement for a modern tank farm facility with enough capacity to accommodate both existing and future fuel capacity at the Port and (2) estimate the cost to upgrade infrastructure at the Fuel Facility Property as well as operation and maintenance costs. As of July 2025, DERM records indicate that the facility has resolved all compliance violations that may be causing a concern for ongoing cleanup efforts of the petroleum discharge under the State cleanup program, and noted that one aboveground tank is pending the submittal of the internal and external integrity testing results required per API Standard 653.

**A. PortMiami Fuel Operation**

Since the late 1920s, PortMiami’s cruise and cargo lines have used the Fuel Facility Property, constructed by Belcher Oil Company, to supply their vessels. This facility has been the sole source of marine fuel supply for PortMiami. TransMontaigne currently owns and operates the Fuel Facility Property. They also own a fuel facility at Port Everglades (PEV) of a similar size as the one on Fisher Island.

**1. Existing Facility’s Specifications**

The Fuel Facility Property comprises 9.6 acres on Fisher Island. These 9.6 acres, though located on Fisher Island, are not currently associated with the Fisher Island community. For example, the Fuel Facility Property is not a participant in Fisher Island’s amenities and does not bear the obligations associated with Fisher Island residency or membership.

The Fuel Facility Property operates as a bulk fuel terminal with 672,669 barrels of capacity. The Fuel Facility Property carries Emission Control Area (ECA) Marine Diesel (MGO), No. 6 Fuel Oil High Sulfur (RMG), and No. 6 Fuel Oil Low Sulfur (VLSFO). The type or blend of marine fuel that cruise and cargo vessels take on varies depending on the vessel. These three types of marine fuel are blended on-site at the Fuel Facility Property to create the grade or blend required by each individual cruise and cargo ship. In calendar year 2024, it was reported that the Fuel Facility Property tanks sold 3.88 million barrels of fuel in Miami. Because of the seasonality of PortMiami’s cruise business, PortMiami’s fuel facility must have sufficient capacity to serve the cruise business at the height of the cruise season. 92% of the Fuel Facility Property’s volume was sold to the cruise industry.

The terminal contains the following assets:

- 12 large bulk product oil storage tanks
- 2 small tanks containing boiler and pump engine fuel, diesel
- 2 propane tanks feeding the air recovery system
- 1 tank that previously contained red dye and is currently out of service (OOS)
- Totes of firefighting foam (AFFF)
- Marine equipment
- Two Berths – Tanker Berth (accommodates up to 750-foot vessel) and Slip Berth (accommodates up to 300-foot vessel)
- Marine fuel loading and offloading equipment
- Internal pipeline network
- Seawall
- 300 HP Boiler and ancillary equipment
- 6 buildings

HRP informed PortMiami that there are certain outstanding (or upcoming?) tank repair recommendations that are estimated to cost between \$4 and \$6 million.

## **2. Existing Facility's Operations**

There are four parties involved in the current operations to supply fuel to cruise and cargo vessels. First, there are the users (i.e., the cruise and cargo lines) who negotiate a minimum annual guaranteed amount of fuel purchase with the Supplier (FreePoint Commodities). The supplier purchases the fuel from refineries and ships the product to the fuel storage facilities in Miami and PEV via supply tanker vessels (tanker). The operator (also the current landowner, TransMontaigne) transfers the fuel from the tanker to the storage tanks at their facility. The provider (currently Kirby Inland Marine, LP or "Kirby") fills their barges from the tanks and then delivers the fuel to each vessel on the outboard or waterside of the vessel at the port. PortMiami has never been directly involved in any part of the fueling operations.

TransMontaigne's current operations entail three different supply tanker vessels delivering three different types of marine fuel. These vessels are 750' long, with a beam (width) of 106,' and a maximum draft (depth) of 36'. The supply tanker vessels hold up to 300,000 barrels of fuel.

Currently, the tankers berth on the north side of the Fuel Facility Property, just south the federal Fisher Island Turning Basin. The fuel from the tanker is transferred to the corresponding receiving tank (each tank contains a different type of marine fuel). From the receiving tank, the fuel is transferred to the mixing and/or settling tank and later to the discharge tank. The RMG is mixed with the MGO and VLSFO in mixing tanks to create the specific blends each cruise or cargo vessel requires. The blend is then pumped into the delivery barges. Consequently, each of fuel type requires its own fuel tank before the fuels are transferred into the blending and discharge tanks.

The delivery barges are used to deliver fuel from the Fuel Facility Property to fuel the cruise and cargo vessels. The delivery barges are 270' long with a beam of 54' and a depth of 12', they hold up to 20,000 barrels of fuel. Kirby berths their barges along the east side of the Fuel Facility Property in the slip. The barges were custom built to fit in half of the slip. A hose connects the barge to the manifold which is the point of connection along the seawall for the barge to receive the fuel. It takes the barge 6-8 hours to fill depending on the fuel type, with the low sulfur taking the longest. The barges traverse the channel to meet the cruise and cargo vessels at their PortMiami berths. The barges attach to the vessels and hook up to their fuel connection. It takes approximately 4 hours to transfer the fuel to a cruise vessel.

The fuel tanker can arrive at its berth any day of the week. Barges usually fill mid-week when cruise traffic is lower. Cargo ships are filled when at port any day of the week, while cruise ships are usually filled on Fridays, Saturdays, Sundays, and Mondays. Cruise ships take on much more fuel than cargo ships. As the Cruise Capital of the World, there is no other supply terminal that fuels cruise vessels as much in one peak day as PortMiami. On an average high season peak day, 8 cruise ships are filled at PortMiami. With PortMiami's projected growth in cruising and the development of added berths, the number of ships that will need to be supplied with fuel per day will only increase in the future. PortMiami is the largest bunker port in North America for cruise.

PortMiami, located on a 520-acre island, processed 8.2 million cruise passengers and 1.09 million TEUs of containerized cargo in Fiscal Year 2024. As a percentage of total land area, that is 15,700 passengers per acres, which is actually much greater since the cruise area on-port is functionally only 100-150 acres including circulation and parking making that number between 82,000 and 54,600 passengers per acre. Compared to other ports, Port Canaveral (the second largest cruise port by passengers) moves 7.6 million passengers on 1,500 acres or 5,000 passenger per acre and PEV (the third largest cruise port by passengers) with 4.13 million passengers on 2,190 acres or 1,885 passengers per acre. On a space-constrained island, PortMiami has the most efficient ratio of passenger to land area. Conversely, PortMiami and PEV move the same amount of cargo, 1.09 million TEUs, but PortMiami does it on 520 acres versus PEV's 2,190 acres. JAXPort in Jacksonville has 3 separate marine terminals equaling 1,500 acres and moves a little more cargo, 1.3 million but on land that is triple the size of PortMiami. Every inch counts at PortMiami and 85% of the land is contractually obligated and 14% is roadway. The remaining 1% is land the Port uses for operations.

## **B. Alternatives to Existing PortMiami Fuel Operation**

PortMiami analyzed various options to maintain fueling in Miami. These include (1) constructing an on-port fuel facility, (2) purchasing the existing fuel facility on Fisher Island, (3) constructing an off-port fuel facility on waterfront property, (4) constructing an off-port fuel facility on non-waterfront property, (5) barging fuel from other Ports, (6) piping fuel from Port Everglades, (7) bunkering from PortMiami by berthing a tanker (known as a "mother vessel") at the Port to fuel vessels, (8) building a floating fuel facility, (9) utilizing trucks to fuel vessels berthed at Port, and (10) bringing fuel via rail to fuel vessels. Each alternative explains the concept and summarizes how it would or would not work for the Port. The applicable capital infrastructure cost, operating cost, and financial impact of the alternative to the Port along with a detailed cost table for each alternative are being analyzed and will be provided.

### **1. Constructing a New Fuel Facility On-port**

The Port will need to identify between 6-10 acres of property on-port to dedicate to the construction of a fuel facility. The operations will also require 1-2 dedicated berths for the fuel tanker and the barges. Depending on the location of the berths, dredging may be required along with upgrades to the marine infrastructure. Additionally, the construction of a hydrant system to connect the berths to the tanks is desirable for an efficient and cost-effective operation and is strongly recommended to be built. Prior to constructing a new fuel tank farm on the port, extensive environmental permitting is required for both the on-port facilities and the water side berths. On-port environmental permitting includes numerous permits from both the Department of Environmental Resources Management (DERM) and the Florida Department of Environmental Protection (FDEP) such as: stormwater management permits, air permits, industrial waste permits, storage tank permits, and national pollution discharge elimination system permits. A major component of these permit requirements is the Spill Prevention Control and Countermeasure Plans (SPCCP) and a Storm Water Pollution Prevention Plan (SWPPP). Separately, all marine improvements will require permits from DERM, FDEP and the US Army Corps of Engineers (USACE). Being in an Outstanding Florida Water and the Biscayne Bay Aquatic Preserve, typical permitting timelines

for berth improvements that require dredging takes 3-4 years. If changes are needed in the federal channel, these improvements are studied by the USACE and Congressional authorization (and appropriations) is required prior to design and construction. This may take up to 10-15 years. *See Attachment A (Depiction of PortMiami).*

### **Waterside**

**Dedicated Berths for Tanker Vessels and Barges:** The Port will need to identify berths to accommodate fuel tankers and delivery barges potentially replacing existing cruise or container vessels berths. PortMiami will need to have a dedicated berth for both the fuel tanker and at least one fuel barge at the same time to maintain existing fueling capacity needs and conditions. The fuel tanker vessels have a draft of up to 36' and, with an additional 2' under keel clearance (a requirement of the pilots), require a 38' deep channel to navigate. Draft constraints in the Port's channels may require dredging or lightering of the fuel vessels.

PortMiami's main channel (located on the north side of the Port where most of the cruise ships dock) is 36' deep—too shallow to accommodate the fuel vessels without lightering or dredging the channel. There are also significant challenges with respect to the availability of berthing for fuel vessels and barges: due to the operations of fueling at PortMiami being cruise centric with a greater number of tanker vessel calls during the cruise high season, it would be infeasible to berth a tanker vessel in this area as all berths are contractually obligated with preferential berthing contracts. Additionally, a cruise ship may not be able to traverse the channel while a tanker vessel is berthed and transferring fuel to the storage tanks.

Switching to the south side of the Port, the berths are currently all dedicated to cargo operations, except for Bays 188-195 (Cruise Terminal J) which are for berthing cruise ships. Wharves 2-5, with a draft of -50', are the Port's Neo-Panamax (1,200ft long by 168ft beam (width)) berths which are under preferential berthing agreements with our cargo terminals. PortMiami is the only port south of Norfolk, Virginia that is dredged to -50' and can accommodate a Neo-Panamax vessel, which carries more than 13,000 TEUs, without tide restrictions. The County and the State of Florida cannot viably give up these berths; the economic impact to the State would be too great. Additionally, Wharves 2-6 and Bays 148-188 are contractually obligated with preferential berthing and preferential crane allocations in exchange for required throughput and crane hour MAGs. The existing, non Neo-Panamax cargo bays, Wharf 1, 6, and bays 148 to 188, were further analyzed. The cargo bays are designed for docking container vessels and will need to be retrofitted for fuel vessels and bunker barges. A dedicated berth for each will be required (one for the fuel tanker and one for the delivery barge), because they will be fueling simultaneously. This will eliminate two cargo berths. Each berth is further analyzed below.

**Wharf 1:** Wharf 1 is at the extreme east end of the Port. This berth has the appropriate depth however; the location is restricted due to navigational limitations. If no modifications are done to the berth, a neo-Panamax vessel cannot traverse the federal channel while a tanker is berthed, which impacts the use of wharves 2-5, previously noted of crucial importance to the Port. This option also eliminates the use of the wharf for a small container vessel. Any modification to reduce

the waterside width of the berth in order for a neo-Panamax vessel to traverse the channel past the fuel tanker vessel by cutting back land presents different challenges. Wharf 1 is on piles and wharf 1 extension is a bulkhead. These two areas would need to be demolished, and a new seawall would be built with its bulkhead, bollards, and fenders. The new berth would also require non-federal dredging. By cutting back the wharf, the access roadway to the Biscayne Bay Harbor Pilot House would be eliminated and the FPL electrical substation expansion planned to occur in the area would be impacted. The barge cannot be berthed adjacent to a tanker at Wharf 1 because it would eliminate the operational use of Wharf 2, which is a neo-Panamax berth. The barge would need to be located at a separate berth which would require building two hydrant systems, one from the tanker to the fuel storage tanks and one from the fuel storage tanks to the delivery barge.

**Wharf 6 and Bays 148-157+/-:** This option analyzes a barge at Wharf 6 and tanker at adjacent bays 148-157. The barge at Wharf 6 would only allow one cargo vessel to berth on the remainder of the wharf, whereas the cargo terminal operator has preferential berthing rights along the entire wharf and preferential crane allocations with MAG throughput and crane hours. Berthing here cannot be done without modifications. Modifications include an extension of the existing wharf that would require either filling in a portion of the wharf or constructing mooring and/or breasting extensions. It also requires non-federal dredging, wharf reconstruction, a new seawall, bollards, fenders, removal of the roll-on-roll-off pier, and hydrant pipelines to and from the berth and storage tanks. A portion of this area is part of an on-going seawall rehabilitation project for B148-155 to increase cargo berthing capacity and align with the port's cargo growth planning efforts. That project is planned to begin construction in 2028. PortMiami would need to redesign and construct the new berth requirements if the tanker or barge were to berth there. Additionally, it reduces the travel and operational limits of where the mobile harbor cranes can work a ship. It also reduces or eliminates the container yard pre-staging area.

**Bays 172-190:** If no modifications are made to the channel and a tanker vessel and barge are berthed in this location, then it eliminates the ability to berth a cruise ship at PortMiami's only boutique terminal on the south side. This is because the cruise ship would not be able to pass the fuel tanker when berthed until future federal channel navigational improvements along Dodge Island Cut are completed. Widening of this cut is one of the alternatives in the on-going feasibility study with the U.S. Army Corps of Engineers. Provided that the navigational channel improvement project is authorized by Congress after the feasibility study is completed, construction is not planned to begin for another 10 years. Additionally, the fuel tanker would not be able to navigate with a draft deeper than 32' (it would need to come in lightered with less fuel in the tanks). This alternative eliminates the potential location of a proposed Fisher Island commercial ferry that the Fisher Island Association has requested. Should channel modifications be completed, this alternative would still eliminate the development of a new cruise terminal, but allows the existing cruise terminal to remain open. It also shortens the length of berths for container vessels. A hydrant pipeline system from the berths to the storage tanks and back would still be required, along with building a new seawall, redeveloping the existing bulkhead, fenders, and bollards. The construction of the two manifolds, one for tanker fuel discharge to the on-port storage tanks and one for barge fueling, will eliminate the possibility of the cargo terminal operator using their

mobile harbor cranes at the two berths to load/unload container ships. The docks are contractually obligated, and the upland area is under the cargo terminal operator's long-term leasehold. This land is under preferential berthing contracts and preferential crane allocations with minimum annual guaranteed throughput and crane hours. It also reduces or eliminates the container yard pre-staging area.

**Landside:**

**Development of Storage Tanks On-port:** In the analysis performed by the Port before the Special Meeting, the Port identified only up to 2 acres of land that were either contractually uncommitted or not programmed for future development. At the time, the Port was trying to identify between 6-10 acres of land based on its understanding of the requirements for a fuel facility with adequate capacity to serve PortMiami's existing needs. PortMiami is a land-constrained island that does not have 6-10 acres of non-contractually obligated land to dedicate to a marine fuel facility. Accordingly, to acquire such acreage, PortMiami would have to reclaim contractually obligated land, which would come with its own transaction costs and have a cascading adverse impact on PortMiami's productivity and the local and statewide economic impact generated by PortMiami. Further, reclaiming that acreage would create substantial adverse impacts on PortMiami's transportation network and create the need for new infrastructure to accommodate the transfer of fuel throughout PortMiami, the costs of which would likely exceed the anticipated acquisition costs of the Fuel Facility Property.

While the Port is subject to the same constraints that existed prior to the Special Meeting, the Port has studied the following locations.

**Cargo Terminal Area:** The Port leases land to three privately-operated cargo terminals. These yards contain both revenue generating cargo throughput land as well as non-revenue generating land which is paid for through a base rent. The leases in this area are long-term agreements with the cargo terminal operators and the leaseholders would have to agree to amend their contracts. The cargo terminal operators' agreements require guaranteed cargo container throughput, minimum annual volume guarantees, and land rent. Two yards have additional gantry crane minimum annual guarantees. If operators agree to amend their contracts, redevelopment densification obligations will be required to preserve the cargo terminals' capacity. These include electric rubber-tired gantry densification for the movement of similar container throughput on a reduced land footprint and site improvements and infrastructure. Depending on the location of the potential fuel facility, it impacts the operational infrastructure of the terminal yard. Additional redevelopment requirements may also be needed, which may include cargo gate relocation, maintenance and repair facilities, administration offices, cargo lay down area, reefer infrastructure, etc. In addition, contract amendments may require allowances to install fuel piping from the berthing facilities to and from the fuel tank farm.

**Non-contractual Land:** The Port has identified areas of land ranging from 1-3 acres. Some of these locations are in the cruise area of the Port and are critical to cruise operations and the movement of passengers, specifically, the ground transportation operations and parking. Impacting

these areas will stunt the Port ability to meet its projected growth demands. Some of these areas are also designated for future roadway expansions on a Port that already has major traffic challenges. These areas are also designated for a future multimodal transportation hub to meet projected cruise growth and improve on-port traffic congestion.

There are easements associated with the Port of Miami Tunnel under a portion of the area that will restrict certain development, these easements prohibit construction above portions of the tunnel and may limit the type of development in the easement area.

The Port has a Facilities, Maintenance and Housekeeping Building (FMH) and a Miami-Dade Fire Rescue (MDFR) Station along the cruise spine. In the Master Plan that is being updated, MDFR and the Port have discussed expanding the existing fire station, but the expansion is minimal and adjacent to the existing site. There is no other space on-port to relocate the FMH Building which houses all the tradespeople, fleet vehicles, and materials and equipment stockroom needed for the daily operations and maintenance of the Port's facilities.

**There is no parcel of non-contractually obligated land with a contiguous 6-10 acres at PortMiami.** Even if a fuel facility could be split amongst small parcels, duplicate infrastructure (including equipment and pumpstations) would need to be constructed to operate the facility and required setbacks would increase the acreage required for the project.

**Other contractually obligated land:** In addition to land contractually obligated to the Port's cruise and cargo customers, the Port has long-term land that is contractually obligated to the Biscayne Bay Pilots and the Marine Spill Response Corporation (MSRC). These areas range from approximately 1-4 acres, under either long term or short-term contracts. Use of the land would require relocating long-term users. The sites are at both extreme ends of the Port. Having fuel tanks at each end of the island will require double underground fuel lines across the Port to the fuel tanker berth.

**Cargo Central:** At the center of the Port there is an area dedicated to cargo operations which consists of the main cargo ingress and egress roadways and queuing area for cargo trucks, the Port's main pump station, the Commercial Vehicle Inspection Station, which is required for all incoming provisioning trucks, secondary U.S. Customs and Border Protection check points, outbound radiation portal monitors, auxiliary cruise road access for high traffic days and emergency vehicle accesses lanes. The entire area would not be available for a fuel facility. Any impact to the Port's roadway system and cargo operations would need to be analyzed. If the area were to be used, the above-mentioned functions that would be impacted would need to be redeveloped somehow, somewhere.

**2035 Master Plan Southwest Ferry Infill:** In the 2035 Master Plan an area was identified under the Long-Term Preferred Cruise Plan Alternative to infill land at the southwest part of the Port for the construction of a ferry service. Should this be considered as a potential option it would take until 2042 to go through the permitting and development process. This includes the federal channel

improvements of dredging, mitigation, and environmental permitting. Construction of the site would require filling in the bay with land, a new seawall, bulkhead, fenders, bollards, and site development.

**Hydrant System (Pipeline):** A hydrant delivery system or pipeline would need to be constructed from the tanker berth to the storage tanks and from the storage tanks to the cruise and cargo ships or the barge berth. A hydrant delivery system versus barging would help reduce the cost to the fuel consumers over the long-term, which may help off-set some of the initial costs of building on-port. The length of the pipeline will be determined by the location of the berths in relation to the storage tanks, so the cost cannot be determined without further analysis.

Further analysis would need to be done to calculate the cost of capital infrastructure work to construct berthing for a fuel tanker and barges, a fuel storage facility and hydrant pipelines to either the cruise and cargo ships or to the barges. Additionally, the utility costs associated with a fuel facility on-port, such as upgrades to the FPL electrical substation to add capacity, along with the infrastructure required to densify the cargo terminal yard for the loss of throughput area. This needs to be offset with the loss to the Port from converting revenue generating land to a fuel facility. It is anticipated that the debt service for the costs of construction would outweigh the market's ability to pay a higher cost for fuel.

## **2. Acquisition of Fuel Facility Property**

If the County acquired the Fuel Facility Property, PortMiami's fuel would continue to be provided from the tanks on Fisher Island. Operations would continue under the status quo. Acquisition is the Port's preferred option as it would secure an already built and zoned fuel facility for the County to operate indefinitely.

As contemplated in the motion adopted at the Special Meeting, under this option, the County would negotiate the purchase of the property. If negotiations reach an impasse, and the Board adopts a resolution authorizing condemnation, then the County would initiate a condemnation action to take the property.

In both these scenarios, the Port expects to pay the appraised value of the land, which is yet to be determined. Based on publicly available information, it is estimated that the value of the property may be close to \$200 million. A condemnation action would also cause the County to incur significant fees and costs for both sides to any litigation, along with the risk of a jury determination of property value at the conclusion of the litigation, which could be lengthy. Specifically, the County could acquire the property by way of a "quick take" proceeding in which the Board would need to authorize acquisition by eminent domain; the County would then need to make an offer to purchase the property based on a valid appraisal; then engage in good faith negotiations for at least 30 days; then file suit and schedule an "Order of Taking" hearing approximately sixty (60) days in advance, or more; prevail at the Order of Taking hearing, an evidentiary hearing at which the County would need to prove public purpose, necessity, and a good faith estimate of value; make a deposit within 20 days, at which point the County becomes the titleholder and owner of the

property; ultimately, a jury trial or settlement would determine the final amount of compensation owed for the taking, along with the amounts of fees and costs paid to the property owner by the County.

Under either scenario resulting in acquisition of the Fuel Facility Property, the County would own the land and contract for the operation of the fuel facility. This is the Port's preferred option as it would secure an already built and zoned fuel facility for the County to operate indefinitely. The County, unless negotiated in contracts with the operator, would bear responsibility for capital infrastructure work and future operations and maintenance costs. Finally, under state and federal environmental laws, the County would assume responsibility for environmental conditions existing on the Fuel Facility Property. To cover its investment in the acquisition, the County would negotiate with its cruise and cargo customers for either higher throughput or passenger guarantees or the imposition of a cost recovery fee.

### **3. Constructing a New Fuel Facility on Waterfront Property**

The County has reviewed options for potential waterfront property that is adjacent or in the vicinity of PortMiami, consisting of at least 6-10 acres, and has determined that none of the properties are feasible for the construction of a fuel facility.

These properties (e.g., Virginia Key, Bayside, Parcel B, and Miami Marine Stadium) are either environmentally sensitive, require substantial dredging or improvement, or have historical or recreational value that render them unsuitable for an industrial development. The Port also considered land up the Miami River and anywhere south of PEV. In addition, the Port has also considered Watson Island and the Terminal Island.

All of the properties would require an industrial dock or a hydrant pipeline to tanks located elsewhere. The sites would need the water depth for a tanker if not near the Port. If the property is south of PEV, it needs to be close enough where barging would not present those same challenges as barging from PEV. Additionally, depending on the operations, a pipeline may need to be built from the waterfront property to PortMiami to fuel the cruise and cargo vessels.

With respect to each of the Port-adjacent properties considered, in addition to acquisition costs, investments would need to be made for the construction of a fuel facility (including dredging) and hydrant pipeline. The debt service would need to be compared to the market's ability to pay a higher cost for fuel. However, the debt service for the costs of acquisition and construction could outweigh the market's ability to pay a higher cost for fuel.

### **4. Constructing a New Fuel Facility on Non-Waterfront Land in Miami-Dade County**

Under this option, PortMiami would identify 6-10 acres of inland property to be purchased for the construction of a fuel facility and construct a pipeline connecting the facility to the Port. This approach would require a pipeline to pump the fuel from the tanker, berthed at the Port or Fisher Island, to the non-waterfront fuel terminal.

Due to its viscosity, marine oil fuel cannot easily be pumped long distances without costly enhancements to the pipeline. Additionally, any pipeline longer than 1 mile requires compliance with regulations of the U.S. Department of Transportation and the Environmental Protection Agency. The tasks associated with constructing a pipeline would not be accomplished by 2027.

The County would need to invest in the acquisition of property and the construction of a hydrant pipeline, pump stations, and a marine fuel facility. The debt service for the costs of acquisition and construction would likely outweigh the market's ability to pay a higher cost for fuel.

### **5. Barging Fuel from an Alternate Port**

Under this option, ocean going barges fill-up at an alternate location like PEV or Freeport (Bahamas) and then travel to bunker vessels at PortMiami.

Barging fuel from an alternate location has been considered the fallback position if there is no fuel supply in Miami, but this option includes many variables that make it an unreliable option, mainly because neither PEV nor Freeport have the current tank capacity to accommodate the fuel volumes needed for the vessels at PortMiami in addition to their own vessels. Should PEV or Freeport construct additional tank capacity, there would still be the issues of reliability from weather, operations, and timing that make barging fuel an infeasible option.

PEV is a public dock, and the supplier would have to get in queue to be able to berth the tanker to fill the tanks and then the barges to load fuel to bring to Miami. The wait for an available berth can be up to 3-4 days. Each tanker takes 1-3 days to unload fuel, and each barge takes 8 hours to load. There would be 3-8 tankers unloading each month and 3-5 barges loading potentially every day to 3 days. The vessels at PortMiami could not wait the 3-4 days for a barge to berth and load fuel. Additionally, PEV's fueling operations for cruise ships is similar to PortMiami's with most of the fueling occurring in the peak cruise season. The time durations are not feasible or safe fuel operations to accommodate both south Florida ports do not work. In addition, the barge would need to navigate from PEV to PortMiami; this is usually done at night, which has its own navigational and safety challenges and barge providers are hesitant to run these night operations. The barges would need to be ocean going, which are much larger than the current barges used at PortMiami, so new barges would need to be purchased/chartered. The barges would also need to be U.S. flagged to meet Jones Act requirements, which typically increases costs to the customers.

Potential costs would include capital infrastructure work to construct berthing areas around the Port to accommodate new ocean-going barges and customers would pay higher fuel costs due to operational costs of transporting fuel via these new barges.

### **6. Piping Fuel from Port Everglades**

Under this option, PortMiami would construct a pipeline from the TransMontaigne facility in PEV to PortMiami. Due its viscosity, marine oil fuel cannot easily be pumped long distances without costly enhancements to the pipeline. The tasks associated with constructing a pipeline would not be accomplished by 2027. Additionally, any pipeline longer than 1 mile requires compliance with

regulations by the U.S. Department of Transportation and the Environmental Protection Agency, which would be difficult to achieve within the 2-year timeframe. This option also requires that PEV have the capacity to store fuel for use by PortMiami, which it currently does not.

The County would need to invest in the acquisition of easements and possible properties for the pipeline (including through the use of eminent domain) every few miles for pump stations, both inside and outside of the County. The debt service for the costs of acquisition and construction would outweigh the market's ability to pay a higher cost for fuel.

### **7. Bunkering at PortMiami with a Supply Vessel (Mother Vessel)**

The current fuel supplier, FreePoint, has suggested a temporary solution via a supply vessel or mother vessel. In this scenario, the fuel supplier would charter one or two tanker vessels (i.e., mother vessel) from the Gulf that would dock at a dedicated berth at PortMiami. The tanker would then unload fuel to the barges on the outboard side of the tanker, and the barges would distribute fuel to the cruise or cargo vessels.

The mother vessel's draft would be around 39', so for the first week it would berth at Wharf 1 on the eastern end of the Port impacting the use of the channel and Wharves 2-5 as described above. Once it unloads approximately 25% of its fuel, its load would lighten, and the draft would decrease to 34'. At that point, the mother vessel would move to an alternate berth at Port for another 3 weeks where each week it would unload fuel onto the barges. At the end of the month, once the mother vessel's tanks are empty, it would either leave to refuel and be replaced with a second mother vessel, or it would get refueled at Port from another chartered vessel.

Which of the two scenarios will occur would be determined by vessel dimensions (i.e., the vessel does not block the channel or turning basin), berth availability, and operations. The mother vessel concept would carry half the capacity of the Fuel Facility Property tanks. The dedicated berth for the mother vessel option, currently identified as Wharf 1 due to the draft of the tanker vessel, would severely limit the ability for Neo-Panamax cargo vessels to traverse the South Shipping Channel. The mother vessel option would service at most 6 vessels per day. PortMiami has had days of servicing 8 vessels simultaneously. As cruise projections show PortMiami's cruise operations increasing, the mother vessel concept will not be sustainable over the long term.

The County would need to dedicate a cargo berth to the mother vessel, thus reducing revenue from wharfage and the ability to berth a Panamax cargo ship. Freepoint will need to invest in one or two charter vessels they currently do not have in their fleet. Additionally, the mother vessel would need to be moved each time a Neo-Panamax vessel is traversing the channel, that movement is a cost to the fuel supplier who would then charge a higher price to the customers.

### **8. Floating Fuel Farm**

This option looks at constructing a floating fuel farm adjacent to deep waters. This option was presented to the Port through several meetings that were held with an engineering firm that has constructed floating fuel farms overseas. The floating fuel farm would consist of fuel storage tanks

on a floating dock with the capability to berth a fuel tanker, which requires a draft of -38 feet (vessel draft of -36' with a minimum 2 feet of under keel clearance). The tanker would off load fuel to the storage floating tanks on the floating barge. All fuel blending and storage would occur on the floating dock just as it is today at TransMontaigne's facility. A fuel barge would come alongside the floating dock and to fill-up from the fuel tanks. This option is similar to what occurs today except the fuel tanks would be on a floating barge instead of on land.

Based on meetings with the engineering firm, it was confirmed that the floating fuel farm cannot be located in naturally deep, offshore waters for continuous safe operations. The floating fuel farm requires an in-shore deepwater location adjacent to the federal channel. This option looked at several locations in-shore, in and along the federal channel, including the waters in and to the west of Fisher Island Turning Basin and the open waters south of Fisherman's Channel and north of the Rickenbacker Causeway. The floating fuel farm would be designed to be removed from the harbor during storm events and follow U.S. Coast Guard (USCG) requirements. All options require dredging the footprint of the floating dock for the water to be deep enough to float the fuel tanks (depths in the range of -32 to -48 feet) and either (1) closure of a portion of the federal channel during the 1-3day fuel tanker to storage tank fuel transfer operation, or (2) additional dredging in the Biscayne Bay to create a fuel tanker berth.

Closure of any portion of the federal channel for its intended navigational purposes requires USCG and USACE approval. Locating the floating fuel farm west of the Fisher Island Turning Basin faces approval challenges due to the proximity to the USCG station and an active commercial marina. Additionally, both cargo and cruise vessels must transit through this turning basin to get either to Governmental Cut on the north side of the Port or to Fisherman's Channel on the south side. Therefore, the Fisher Island Turning Basin and its surrounding areas was not deemed feasible. Locating a floating fuel farm south of Fisherman's Channel would need to be towards the west end of the channel due to the Bill Sadowski Critical Wildlife Area restrictions. Logistically, this scenario poses several long lead timelines and challenges. Community support for a floating fuel farm in Biscayne Bay south of the Port would be the first step, followed by coordination with USCG for safe operation requirements, land acquisition, multiple environmental permits, and construction. Additionally, Florida Statutes Section 258.397 identifies this portion of the Biscayne Bay as an aquatic preserve that may limit new developments in the Biscayne Bay.

Costs would include the investment in the acquisition of riparian rights, dredging the federal channel for access to minimize navigational restrictions to existing PortMiami operations (and associated mitigation requirements), and the construction of a floating marine fuel facility. The floating fuel farm concept does not appear to be feasible.

## **9. Trucking Fuel to Port**

In this scenario, fuel would be delivered via truck to the Port to fill vessels from the dock. Fuel is currently received via trucks at PortMiami for very limited operations. Relying only on trucking fuel carries capacity issues. According to the cruise lines, any ship requiring more than 8 trucks is not cost positive. A ship can take on an average of 1,500 barrels per call. That equates to 66 trucks

staging to fuel each vessel. The trucks must drive on the working dock, among the provisions and baggage being loaded on to the ships. Trucks use a pump skid to fuel from 4 trucks at once. It takes those 4 trucks 1 hour to discharge. Meaning that the 17 turns (of 4 trucks each) would take almost 17 hours to fuel the ship. The ships are at Port from around 5:00 am until 4:00 pm, therefore they are not at Port long enough for the trucks to fuel the ship.

Additionally, if the plan is to truck the fuel from PEV, then PEV would need to increase their marine fuel tank capacities. If the fuel is to be trucked from an alternate Port or from the refineries in the gulf, then there's an added cost to transport the fuel.

Capital infrastructure work will be required to construct staging areas around the Port to accommodate a high volume of trucks for each vessel waiting to fuel. It also requires converting revenue generating land to staging area. Customers would pay a higher fuel costs due to operational costs of transporting fuel from refineries in the Gulf via truck to Miami instead of shipping.

### **10. Delivering Fuel via Train Rail**

In this scenario fuel would be transported via trains to the Port. PortMiami has considered the viability of utilizing existing train rail lines to transport fuel into the Port with fuel tank cars. This option is challenging due to the limited capacity of fuel that can be transported by rail and the unfeasibility of on-port operations. A hydrant system connecting the intermodal rail yard to the cruise and cargo berths would have to be built to live-load the fuel distribution from the train cars to the vessels. It is anticipated that fuel train operations would impact vehicular traffic on-port by blocking intersections and the Intracoastal Waterway bridge. Fuel by rail would also diminish the movement of the Port's container throughput via the Intermodal Rail Yard as the tracks would not be available for cargo handling while discharging fuel.

Capital infrastructure work to construct a hydrant pipeline and point of connection would be required. Customers would pay a higher fuel costs due to operational costs of transporting fuel from refineries in the Gulf via train to Miami instead of shipping.

### **Questions from Special Meeting**

***What do other Ports in the US of comparable size do? Do they have mix? Do they have other ways to ship fuel in?***

PortMiami's fuel operations do not compare with other ports in the U.S. or globally. PortMiami is a cruise centric fueling center, while other ports are cargo centric or storage ports. Storage ports receive gasoline for vehicles and/or jet fuel to deliver within a region, similar to PEV, or to stockpile and reexport to other areas. There is no other Port in the U.S. outside of Florida of comparable size to PortMiami for cruise fuel. PortMiami is closely followed by PEV and Port Canaveral. Both PEV and Port Canaveral have similar operations as PortMiami. Fuel is received via a tanker vessel, offloaded to storage tanks with a smaller capacity for storage than Miami, and then delivered to cruise and cargo ships either via a hydrant system or barges. Only a handful of ports in the world use a hydrant system to deliver fuel to cruise vessels, two of which are PEV and Port Canaveral. The rest of the ports use a barge system for delivery. PEV's tank capacity at the

only marine fuel terminal which receives delivery via tanker vessels and belongs to TransMontaigne, is 483K barrels, 30% smaller than in Miami. The only ways to ship fuel to a port are via a tanker vessel or barges.

***What is the process of eminent domain, how does it work?***

Eminent domain is a legal process that allows a government to acquire property rights that it needs for a public purpose. Also known as “condemnation”, it is governed by specific standards and rules in the Florida Constitution. Specifically, the Constitution authorizes governments to take property for public purposes and require the government to pay “just compensation.” Chapters 73 and 74, Florida Statutes, govern the manner and process by which the County is allowed to take property by eminent domain. In a condemnation action, the County bears the expenses of fees and costs for both sides to any litigation. The property owners are entitled to “just compensation,” which normally amounts to fair market value, and the amount of compensation is determined by a 12-person jury. The County could acquire the property by way of a “quick take” proceeding, in which the government can take title, ownership, and possession of a property in the initial phase of the litigation and then have the final amount of compensation determined at a later point by the jury, or a future settlement between the parties (as often occurs). A slow take proceeding, which is rarely used by the County, provides for the determination of a “taking” (the government’s acquiring the property by law) and the final amount of compensation at the conclusion of the entire litigation, which can take years. In order to initiate an eminent domain proceeding, the Board would need to authorize acquisition by eminent domain resolution; the County would then need to make an offer to purchase the property based on a valid appraisal; then engage in good faith negotiations for at least 30 days; then file suit, if negotiations are unsuccessful. In a “quick take” procedure, the County would seek to schedule an Order of Taking hearing approximately sixty (60) days out from the time of filing suit. In order to prevail at the Order of Taking hearing, an evidentiary hearing, the County would need to prove public purpose, necessity, and a good faith estimate of value. Upon prevailing and having the court enter an Order of Taking, the County would then make a deposit (representing a good faith estimate of the value of the property) within twenty (20) days, at which point the County becomes the titleholder and owner of the property. Ultimately, a jury trial or settlement would determine the final amount of compensation owed for the taking, along with the amounts of fees and costs paid to the property owner by the County, to which they are entitled by law. Specifically, the property owner will recover all reasonable fees expended on expert witnesses (such as appraisers, land planners, architects, engineers, surveyors, etc.) and the attorneys’ will recover a portion (20-30%) of the “benefit” achieved for their client (calculated as the difference between the government’s first offer and the final amount of compensation determined by final judgment or settlement).

Eminent domain is available to the County at any time that it determines it requires a certain property for a public purpose. Only the Board of County Commissioners can authorize a taking by eminent domain.

***Which path [negotiations or eminent domain] is less expensive, less financial burden to the Port and County?***

Eminent domain is based on first making a negotiated offer of the appraised value of the highest and best use of the property and typically allows the County to offer up to 15% over the appraised value of the property (although the allowable markup is subject to the Board's discretion). If the seller does not agree to sell within these parameters and chooses to go to litigation, then the County can be liable to pay added litigation fees.

The resolution passed by the Board, afforded the County Mayor or County Mayor's designee the ability to negotiate to pay the appraised value or up to 1.5% above the appraised value plus additional costs for reimbursement of verify incurred costs by the prospective purchaser, and up to \$500,000 for reasonable attorney fees. It is unknown at this time which of these two paths will be less of a financial burden.

***When was the property previously sold?***

The Fuel Facility Property has passed hands from one energy company to another. Belcher Oil Company, who first purchased the land in 1926 and built the first tank in 1929, was acquired by Coastal Corporation (Coastal) in 1977; this acquisition included the Fuel Facility Property. In 2003, Coastal was acquired by TransMontaigne, a privately held energy company. TransMontaigne became publicly traded in 2005 and was acquired by Morgan Stanley. In 2014, Morgan Stanley sold its stake in TransMontaigne to NGL Energy Partners LP, who later sold its stake in TransMontaigne to ArcLight Capital Partners in 2016. In all these transactions, the operating companies of this asset have either been bought out by other energy companies or sold their stake to other energy companies. The risk of losing marine fueling in Miami was never present until 2024.

***What is the Closing Date?***

This question has been asked of HRP and TransMontaigne several times and has not been shared. Per a U.S. Securities and Exchange Commission filing this summer by TransMontaigne, the closing of the sale is expected to be in the fourth quarter of 2025.

End of Report

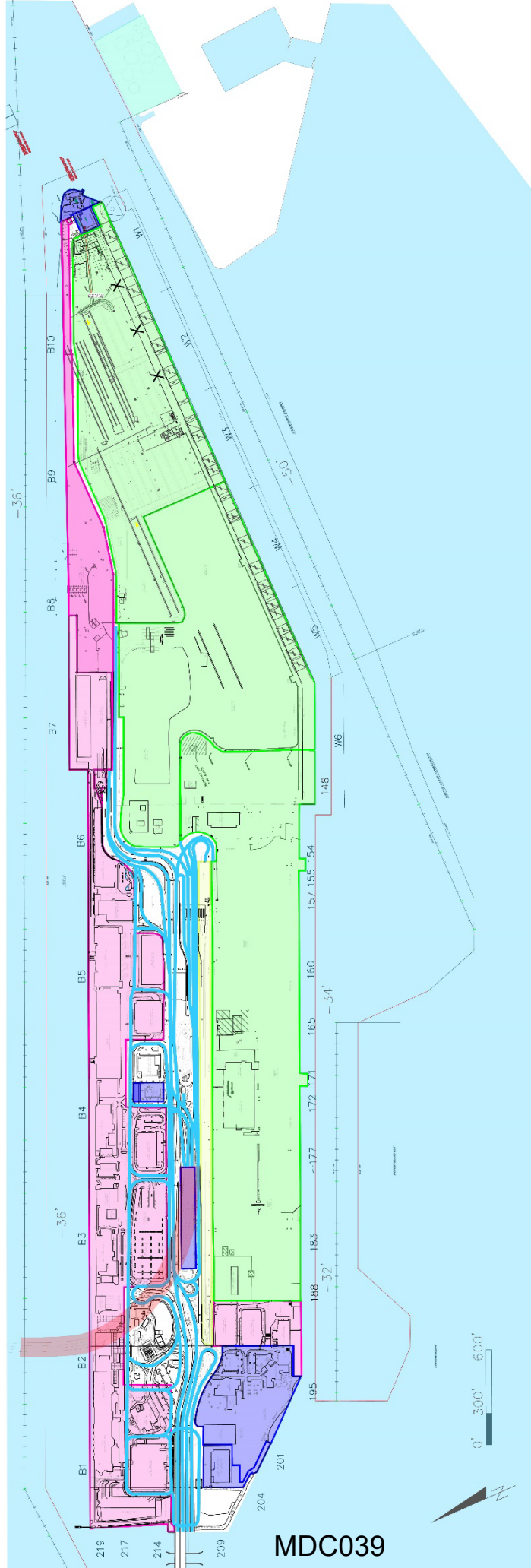
Attachments

A: Port Diagram

Letters of Support

Attachment A  
Port Diagram

# PortMiami



- Contractually Obligated Cargo
- Contractually Obligated Cruise & Associated Parking
- MSRC, Pilots, RCG
- Fire Station, FPL Substation, & Tunnel
- Intermodal Railyard
- Other
- Tunnel
- Fisher Island Terminal
- Access Roads

- CARGO PARTNERS**
- Seaboard Marine
  - POMTOC
  - SFCT

- CRUISE PARTNERS**
- Royal Caribbean Group
  - Carnival Corp
  - Norwegian Cruise Line
  - MSC Cruises
  - Virgin Voyages

## Letters of Support



# Atlantic Maritime Company

1901 Brickell Ave Ste B201, Miami, FL 33129

October 02, 2025

The Honorable Anthony Rodriguez  
Stephen P. Clark Government Center  
111 NW 1st Street  
Miami, FL 33128

Subject: Urgent Concern Regarding Fisher Island Fuel Facility Redevelopment

Dear Chairman Rodriguez,

I am writing on behalf of the Atlantic Maritime Company, LLC and the hundreds of Longshoremen we employ at PortMiami. Our company and employees play a vital role in supporting the daily operations of this critical maritime hub, which include a wide variety of cargo vessels and cruise ships. Many of these vessels rely on Port Miami as their primary or only viable refueling option.

The Fisher Island fuel facility is an essential component of PortMiami's infrastructure, and its continued operation is key to maintaining both the efficiency of port operations and the economic stability of our region. PortMiami supports nearly two thousand local union workers, whose livelihoods are directly tied to the ongoing success of the port. Any disruption to the fuel supply would not only create operational bottlenecks but could also prompt shipping lines and passenger vessel lines to reconsider their long-term commitments to PortMiami, which could potentially result in the shifting of operations to other ports. Such a shift would have devastating economic consequences, including significant job losses and a downturn in trade activity.

Given the vital importance of this facility to the region's economy and maritime operations, we urge the Commission to carefully consider the broader implications of the proposed redevelopment. The decision to eliminate or replace the fuel facility must take into account not only immediate concerns but also the long-term sustainability and resilience of PortMiami's infrastructure. Preserving this fuel service is critical to safeguarding our local workforce, ensuring the port's competitiveness, and protecting the economic well-being of Miami-Dade County.

We are confident that, with thoughtful consideration, a solution can be found that balances development goals with the need for strategic infrastructure. We welcome the opportunity to discuss this matter further and are committed to working with all stakeholders to ensure that PortMiami continues to thrive.

Thank you for your time and attention to this important issue. We look forward to the opportunity to engage with you on how best to safeguard the future of PortMiami.

Sincerely,

Christopher C. Arocha

President

Atlantic Maritime Company, LLC

1901 Brickell Avenue, B201

Miami, FL 33129

MDC041



305-373-4765   
305-371-6874   
2541 S.W. 27th Ave,   
Miami, FL 33133

Monday, October 6, 2025

The Honorable Anthony Rodriguez  
Stephen P. Clark Government Center  
111 NW 1st Street  
Miami, FL 33128

Subject: Importance of Preserving the Fisher Island Fuel Facility

Dear Chairman Rodriguez,

On behalf of our entire management and staff at Farovi Shipping Corporation, we are writing to express serious concerns regarding the proposed redevelopment of the Fisher Island fuel facility for residential purposes.

This facility is a vital component of PortMiami's daily operations, serving as a key fueling source for both cargo ships and cruise vessels. As agents directly involved in the movement of goods and passengers at the port, we fully understand the critical importance of this infrastructure in sustaining PortMiami's role as a global leader in the maritime industry.

In 2024 alone, the port welcomed over 8 million cruise passengers and processed upwards of 1 million TEUs of cargo. These achievements are made possible through the close coordination of port authorities, labor, terminal operators, and crucial infrastructure, such as the Fisher Island fuel facility.

Losing this fueling site would disrupt vessel scheduling, create operational inefficiencies, and could ultimately deter shipping lines and cruise operators from choosing PortMiami. The ripple effects could be significant—fewer ship calls, reduced cargo and passenger volume, and widespread job losses throughout the region.

We respectfully urge both the Mayor and the County Commission to recognize the long-term strategic importance of preserving this facility. This decision extends beyond immediate convenience—it is about safeguarding the future vitality of PortMiami and the thousands of livelihoods it supports.

Thank you for your leadership and for your continued support of Miami-Dade's maritime economy. We remain committed to working collaboratively with you and all stakeholders to ensure that PortMiami continues to thrive as a global gateway.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jorge P. Roviroso', is written over a horizontal line.

Jorge P Roviroso  
President  
Farovi Shipping Corporation

MDC042



# FLORIDA-CARIBBEAN CRUISE ASSOCIATION

10390 USA Today Way • Miramar, Florida 33025  
Phone: (954) 441-8881 • Fax: (954) 441-3171 • E-mail: [info@f-cca.com](mailto:info@f-cca.com)

September 5 2025

Hon. Eileen Higgins  
District 5 Commissioner  
Miami-Dade County

Dear District 5 Commissioner Higgins;

On behalf of the Florida-Caribbean Cruise Association (FCCA) and our Member Lines, we write to underscore the vital role PortMiami plays in the economic and social fabric of Miami-Dade County. As the “Cruise Capital of the World,” PortMiami generates more than \$10.1 billion in cruise-related economic activity, sustains over 45,000 local jobs, and welcomed a record 8.23 million cruise passengers last year. In total, the Port contributes more than \$61 billion annually to Miami-Dade’s economy, supporting over 340,000 jobs across Florida.

This tremendous success and future growth are only possible because of a strong infrastructure foundation that ensures operations remain efficient, reliable, and sustainable. Chief among these foundations is the ability to safely and securely bunker fuel at the Port. The Fisher Island fuel facility has long been the linchpin of this system, providing the ready access required to keep ships operating, businesses thriving, and jobs secure.

The proposed sale and potential repurposing of the Fisher Island facility poses a serious threat to this balance. Its loss would:

- Jeopardize Miami-Dade’s competitive advantage by forcing ships to consider other ports with guaranteed fuel access.
- Undermine Miami’s standing as a top homeport — as there is no major homeport in the United States that does not provide bunkering and fueling. Losing this capability would be a major impediment and a competitive disadvantage.
- Risk the potential loss of ship deployments in the future, which would cascade into lost airline passengers, fewer hotel room nights, reduced restaurant and retail activity, and a significant contraction in tax revenue.
- Trigger broader ripple effects across the local economy, placing at risk the jobs, small businesses, and livelihoods that rely on a healthy cruise and cargo industry.

This is not a simple real estate transaction — it is a matter of strategic economic security for Miami-Dade County and the State of Florida. Fuel bunkering is not optional; it is the foundation upon which our cruise sector, cargo trade, and global leadership are built.

#### **FCCA Member Lines**

*AIDA Cruises • Carnival Cruise Line • Celebrity Cruises • Costa Cruises • Cunard Line • Disney Cruise Line • Explora Journeys  
Hapag-Lloyd Cruises • Holland America Line • MSC Cruises • Margaritaville at Sea • Norwegian Cruise Line • Oceania Cruises • P&O Cruises • Princess Cruises  
Regent Seven Seas Cruises • Royal Caribbean International • Seabourn • SeaDream Yacht Club • Silversea Cruises • TUI Cruises • Virgin Voyages • Windstar Cruises*

MDC043

The FCCA respectfully urges the County and relevant authorities to take all necessary steps to ensure this facility remains available for its critical maritime purpose. Protecting this infrastructure is not only about safeguarding today's success but also about ensuring the sustainable growth of PortMiami and the countless livelihoods it supports.


We stand ready to provide any additional data, testimony, or support required. Thank you for your leadership and for recognizing the importance of this issue to Miami-Dade and all of Florida.


Respectfully yours,

A handwritten signature in black ink that reads "Michele M. Paige". The signature is written in a cursive style with a large, stylized initial "M".


Michele M. Paige,  
Chief Executive Officer  
Florida-Caribbean Cruise Association



305-373-4765 

305-371-6874 

[www.floridastevedoring.com](http://www.floridastevedoring.com) 

2541 S.W. 27th Ave,   
Miami, FL 33133

October 2, 2025

The Honorable Anthony Rodriguez  
Stephen P. Clark Government Center  
111 NW 1st Street  
Miami, FL 33128

Subject: Preservation of the Fisher Island Fuel Facility – A Critical Port Asset

Dear Chairman Rodriguez,

On behalf of the management and staff of Florida Stevedoring Inc., we are writing to express our deep concern regarding the proposed redevelopment of the Fisher Island fuel facility for residential use.

This facility plays a vital role in the day-to-day operations of PortMiami, serving as a critical fueling point for both cruise and cargo vessels. As stevedores responsible for ensuring the efficient movement of goods and passengers through the port, we understand firsthand the importance of reliable fueling infrastructure in maintaining the port's competitive edge.

PortMiami supports over 340,000 jobs and generates approximately \$61 billion in annual economic activity. In 2024 alone, the port processed over 8 million cruise passengers and more than 1 million TEUs of cargo. The continued success of these operations depends on a seamless partnership among port authorities, terminal operators, labor, and essential infrastructure, such as the Fisher Island fuel facility.

The repurposing or removal of this fueling site would not only disrupt vessel operations but could also result in decreased ship calls, a reduction in cruise and cargo throughput, and ultimately, job losses throughout Miami-Dade County. We are concerned that such a decision would undermine the long-term economic sustainability of the port and erode confidence among global shipping and cruise partners.

We respectfully urge the Mayor and the Commission to recognize the strategic importance of this facility and take the necessary steps to preserve it. Protecting this infrastructure is not just about today's operation; it's about safeguarding the future growth of PortMiami and the many livelihoods it supports.

Thank you for your leadership and continued commitment to our port and community. We stand ready to work with you and other stakeholders to ensure PortMiami remains strong, competitive, and resilient.

Sincerely,



Frank V. Rovirosa  
Vice President  
Florida Stevedoring Inc.

MDC045



President: Luis Gonzalez  
Vice President: Juan Losada • Secretary / Treasurer: Anthony Arrufat

## INTERNATIONAL LONGSHOREMEN'S ASSOCIATION \*\*\*LOCAL 1922\*\*\*

1007 North America Way • Suite 407 • Miami, Florida 33132  
Main: 305.379.8694 • Fax: 305.357.5355  
Website: [www.ILA1922.com](http://www.ILA1922.com)

September 16, 2025

The Honorable Anthony Rodriguez  
Stephen P. Clark Center  
111 NW 1<sup>st</sup> Street  
Office of the Chair  
Miami, FL 33128

Dear Chairman Rodriguez,

We are writing on behalf of the over 1,500 members of International Longshoreman Association (ILA) Locals 1416 and 1922. The men and women of our locals work the cruise and cargo vessels that dock at PortMiami, one of the most important economic engines of Miami-Dade County. As the "Cruise Capital of the World" and the "Cargo Gateway of the Americas," PortMiami generates \$61 billion in economic activity and supports 340,000 jobs, including ours. Last year, we helped process a world record 8.23 million cruise passengers and over 1 million TEUs of cargo for the tenth consecutive year.

The success of PortMiami can be attributed to the working relationship between PortMiami, cruise and cargo partners, working labor, and a strong infrastructure foundation. The Fisher Island fuel facility is a critical part of this system, providing a vital function for the ships that call on our port.

We are concerned that the repurposing of the Fisher Island fuel facility would adversely impact the livelihood of our members and the economy of Miami-Dade County. Failure to reliably fuel cruise and cargo vessels that call on PortMiami would result in fewer ship calls, which means fewer cruise passengers, reduced cargo throughput and fewer local jobs. The effects of reduced activity on our docks would be felt throughout the region.

We respectfully request the leadership of Miami-Dade County take the necessary measures to ensure this fuel facility remains accessible. Protecting this infrastructure is not only about safeguarding today's success, but also about ensuring the sustainable growth of PortMiami and the countless livelihoods it supports.

Thank you for your leadership and for recognizing the importance of this issue to the members of ILA Locals 1416 and 1922, the residents of Miami-Dade County, and all of Florida.

Respectfully yours,

Luis Gonzalez  
President, ILA Local 1922



# INTERNATIONAL LONGSHOREMEN'S ASSOCIATION AFL-CIO LOCAL 1416

816 NW 2ND AVENUE, MIAMI, FL 33136

TELEPHONE 305-371-6781 • FAX 305-374-7646

September 16, 2025

The Honorable Anthony Rodriguez  
Stephen P. Clark Center  
111 NW 1<sup>st</sup> Street  
Office of the Chair  
Miami, Fl 33128

## OFFICERS

EUGENE DIXON  
*President*

STEPHEN HOPKINS  
*Vice President*

DANA W. FERGUSON  
*Financial Secretary-Treasurer*

DELANDRIUS JACKSON  
*Recording Secretary*

LARRY MCKNIGHT  
*Business Agent / Safety Management*

CRYSTAL C. PITTMAN  
*Administrative Assistant*

## TRUSTEE BOARD

RICARDO GIBSON

DELANDRIUS JACKSON

LARRY MCKNIGHT

CLARENCE PITTMAN III

TYRELL STEWART SR.

Dear Chairman Anthony Rodriguez and the Board of County Commissioners,

We are writing on behalf of the over 1500 members of International Longshoreman Association Locals 1416 and 1922. The men and women of our locals work the cruise and cargo vessels that dock at PortMiami, one of the most important economic engines of Miami-Dade County. As the "Cruise Capital of the World" and the "Cargo Gateway of the Americas" PortMiami generates \$61 billion in economic activity and supports 340,000 jobs, including ours. Last year we helped process a world record 8.23 million cruise passengers last year and over 1 million TEUs of cargo for the tenth consecutive year.

The success of PortMiami can be attributed to the partnership of Miami-Dade County, cruise and cargo partners, working labor and a strong infrastructure foundation that ensures operations remain efficient, reliable, and sustainable. Chief among these foundations is the ability to safely and securely bunker fuel at the Port. The Fisher Island fuel facility has long been the linchpin of this system, providing the ready access required to keep ships operating, businesses thriving, and jobs secure.

The proposed sale and potential repurposing of the Fisher Island facility poses a serious threat to this balance. Its loss would:

1. Jeopardize Miami-Dade's competitive advantage by forcing ships to consider other ports with guaranteed fuel access.
2. Undermine Miami's standing as a top homeport — as there is no major homeport in the United States that does not provide bunkering and fueling. Losing this capability would be a major impediment and a competitive disadvantage.
3. Risk the potential loss of ship deployments in the future, which would cascade into lost airline passengers, fewer hotel room nights, reduced restaurant and retail activity, and a significant contraction in tax revenue.



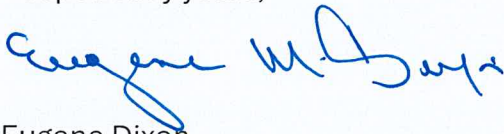
4. Trigger broader ripple effects across the local economy, placing at risk the jobs, small businesses, and livelihoods that rely on a healthy cruise and cargo industry.

This is not a simple real estate transaction — it is a matter of strategic economic security for Miami-Dade County and the State of Florida. Fuel bunkering is not optional; it is the foundation upon which our cruise sector, cargo trade, and global leadership are built.

We respectfully request the County and relevant authorities to take all necessary steps to ensure this facility remains available for its critical maritime purpose. Protecting this infrastructure is not only about safeguarding today's success but also about ensuring the sustainable growth of PortMiami and the countless livelihoods it supports.

Thank you for your leadership and for recognizing the importance of this issue to the members of ILA Locals 1416 and 1922, the residents of Miami-Dade and all of Florida.

Respectfully yours,



Eugene Dixon  
President  
ILA Local 1416

September 29, 2025

The Honorable Anthony Rodriguez  
Chairman and District 10 Commissioner – Miami-Dade County  
Stephen P. Clark Center  
111 NW 1<sup>st</sup> Street  
Miami, FL 33128

Dear Chairman Rodriguez,

Seaboard Marine handles more cargo through PortMiami than any other shipping line. As a long-time partner and tenant of PortMiami since 1987, we annually move between 40-45% of all cargo passing through PortMiami on our ships. Headquartered in Miami for over four decades, we are proud to be an integral part of the \$61 billion in annual economic activity generated by PortMiami.

Much like the cruise lines, many of Seaboard Marine's vessels are "home ported" here, meaning PortMiami is the only U.S. port called by these ships. Our route network is focused on the Caribbean Basin and Latin America, with Miami being the focal point.

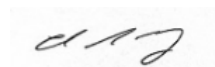
The geographic proximity to key markets and the improving infrastructure has made, and continues to make, PortMiami an attractive port. Combined with an experienced workforce and historical support from local officials, our company has grown, and we continue to grow, as the leading ocean transportation provider in the hemisphere.

We are very concerned, though, about the potential repurposing of the Fisher Island facility and future fuel availability. Quite simply, ships need fuel. There is no major "home port" in the United States that lacks the ability to hold and supply fuel for ships. Without this capability, PortMiami would be at a distinct disadvantage, which would necessitate a reevaluation of our vessel calls and activities at PortMiami.

We respectfully urge Miami-Dade County officials to take appropriate steps to ensure the Fisher Island facility remains available for marine fuel in the long term.

Please advise if we can assist in providing any additional information or support. We appreciate your leadership on this issue of critical importance to the local economy and the hundreds of thousands of jobs created by a vibrant PortMiami.

Respectfully yours,



Edward Gonzalez  
President

**SOUTHEAST FLORIDA EMPLOYERS PORT ASSOCIATION, INC.**  
1007 North America Way\*\*Suite 403 \*\* MIAMI, FLORIDA 33132

October 02, 2025

The Honorable Raquel A. Regalado  
Commissioner District 7– Miami Dade County  
Stephen P. Clark Government Center  
111 NW 1st Street  
Miami, FL 33128

Subject: Urgent Concern Regarding Fisher Island Fuel Facility Redevelopment

Dear Commissioner Regalado,

On behalf of the Port Miami employers represented by SEFEPA, I am writing to express our strong concern regarding the proposed repurposing of the Fisher Island fuel facility for residential development.

This facility plays a vital role in supporting maritime operations at Port Miami. It provides essential fueling services to a wide range of vessels, including cargo ships and cruise liners, many of which rely on Port Miami as the only viable option for refueling.

As an association of employers, we provide Cargo and Cruise employment for nearly two thousand local union workers at Port Miami. Eliminating this facility would not only disrupt daily operations but could also prompt shipping lines to reconsider their long-term commitments to Port Miami. Such a shift would have serious economic consequences for our region, including job losses and reduced trade activity,

We urge the Commission to carefully consider the broader implications of this redevelopment and to prioritize the long-term sustainability of Port Miami's infrastructure. Preserving the Fisher Island fuel facility is a matter of economic resilience and strategic foresight.

Thank you for your attention to this matter. We welcome the opportunity to discuss this issue further and remain committed to working collaboratively to protect the interests of our port and its stakeholders.

Sincerely,



Eddy Montoto  
Director  
Southeast Florida Employers Port Association (SEFEPA)  
1007 N. America Way, Suite 403  
Miami, FL 33132