

# Florida Department of Environmental Protection

SOUTHEAST DISTRICT OFFICE 3301 GUN CLUB ROAD, MSC 7210-1 WEST PALM BEACH, FL 33406 561-681-6600 Rick Scott Governor

Carlos Lopez-Cantera Lt. Governor

> Noah Valenstein Secretary

February 28, 2018

City of Miami Department of Real Estate Asset Management c/o Daniel Rotenberg, Director 444 SW 2<sup>nd</sup> Avenue, 3<sup>rd</sup> Floor Miami, FL 33130

Sent via e-mail: drotenberg@miamigov.com

Re: File No.: 13-0217762-015-EG

File Name: Miami Dinner Key Mooring Field

Dear Mr. Rotenberg:

This is to acknowledge receipt of your notice on December 15, 2017 to use a General Permit (GP), pursuant to Rule 62-330.420, Florida Administrative Code (F.A.C.) to develop a managed mooring field adjacent to the north end of Dinner Key Marina, which shall accommodate 25 vessels. The project consists of installing 36 regulatory buoys, which include 11 mooring field buoys, 22 danger/shoal seagrass habitat limited entry zone buoys, and 3 channel marker buoys. The mooring, regulatory, and channel marker buoys shall be installed using galvanized helical anchors as depicted in the attached drawings. The project is located in Biscayne Bay, within the Biscayne Bay Aquatic Preserve, Outstanding Florida Waters, Class III Waters, adjacent to 3400 Pan American Drive, Miami (Section 22, Township 54 South, Range 41 East), in Miami-Dade County (Latitude N 25° 43' 43.66", Longitude W 80° 13' 52.85").

Your intent to use a general permit has been reviewed by Department staff for three types of authorizations: (1) regulatory authorization, (2) proprietary authorization (related to state-owned submerged lands), and (3) federal authorization. The authority for review and the outcomes of the reviews are listed below. Please read each section carefully.

Your project did not qualify for the federal authorization, therefore, additional authorization must be obtained prior to commencement of the proposed activity. This letter does not relieve you from the responsibility of obtaining other federal, state, or local authorizations that may be required for the activity. Please refer to the specific section(s) dealing with that portion of the review below for advice on how to proceed.

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

File Name: Miami Dinner Key Mooring Field

Page 2 of 5

# 1. Regulatory Review. – APPROVED

Authority for review- Part IV of Chapter 373, F.S., Title 62, F.A.C. and in accordance with the operating agreements executed between the Department and the water management districts, as referenced in Chapter 62-113, F.A.C.

Based on the forms, drawings, and documents submitted with your notice, it appears that the project meets the requirements for the General Permit under Rule 62-330.420, F.A.C. Any activities performed under a general permit are subject to general conditions required in Rule 62-330.405, F.A.C. (attached), and the specific conditions of Rule 62-330.420, F.A.C. (attached). Any deviations from these conditions may subject the permittee to enforcement action and possible penalties.

Please be advised that the construction phase of the GP must be completed within five years from the date the notice to use the GP was received by the Department. If you wish to continue this GP beyond the expiration date, you must notify the Department at least 30 days before its expiration.

# 2. Proprietary Review – NOT REQUIRED

The activity appears to be located within the boundaries of Deed No. 19448 and does not appear to be located on sovereign submerged lands, and does not require further authorization under Chapter 253 of the Florida Statutes, or Chapter 18-21 of the Florida Administrative Code.

### 3. Federal Review – SPGP NOT APPROVED

Your proposed activity as outlined on your application and attached drawings does not qualify for Federal authorization pursuant to the State Programmatic General Permit and a SEPARATE permit or authorization shall be required from the Corps. You must apply separately to the Corps using the appropriate federal application form (ENG 4345). More information about Corps permitting may be found online in the Jacksonville District Regulatory Division Sourcebook.

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

# **Additional Information**

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

# **NOTICE OF RIGHTS**

This action is final and effective on the date filed with the Clerk of the Department unless a petition for an administrative hearing is timely filed under Sections 120.569 and 120.57, F.S., before the deadline for filing a petition. On the filing of a timely and sufficient petition, this action will not be final and effective until further order of the Department. Because the administrative hearing

File Name: Miami Dinner Key Mooring Field

Page 3 of 5

process is designed to formulate final agency action, the hearing process may result in a modification of the agency action or even denial of the application.

# Petition for Administrative Hearing

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

- (a) The name and address of each agency affected and each agency's file or identification number, if known;
- (b) The name, address, any email address, any facsimile number, and telephone number of the petitioner; the name, address, and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding; and an explanation of how the petitioner's substantial interests are or will be affected by the agency determination;
- (c) A statement of when and how the petitioner received notice of the agency decision;
- (d) A statement of all disputed issues of material fact. If there are none, the petition must so indicate:
- (e) A concise statement of the ultimate facts alleged, including the specific facts that the petitioner contends warrant reversal or modification of the agency's proposed action;
- (f) A statement of the specific rules or statutes that the petitioner contends require reversal or modification of the agency's proposed action, including an explanation of how the alleged facts relate to the specific rules or statutes; and
- (g) A statement of the relief sought by the petitioner, stating precisely the action that the petitioner wishes the agency to take with respect to the agency's proposed action.

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

# <u>Time Period for Filing a Petition</u>

In accordance with Rule 62-110.106(3), F.A.C., petitions for an administrative hearing by the applicant must be filed within \_\_\_ days of receipt of this written notice. Petitions filed by any persons other than the applicant, and other than those entitled to written notice under Section 120.60(3), F.S., must be filed within \_\_\_ days of publication of the notice or within \_\_\_ days of receipt of the written notice, whichever occurs first. Under Section 120.60(3), F.S., however, any person who has asked the Department for notice of agency action may file a petition within \_\_\_ days of receipt of such notice, regardless of the date of publication. The failure to file a petition within the appropriate time period shall constitute a waiver of that person's right to request an administrative determination (hearing) under Sections 120.569 and 120.57, F.S., or to intervene in this proceeding and participate as a party to it. Any subsequent intervention (in a proceeding initiated by another party) will be only at the discretion of the presiding officer upon the filing of a motion in compliance with Rule 28-106.205, F.A.C.

# Extension of Time

File Name: Miami Dinner Key Mooring Field

Page 4 of 5

# Mediation

Mediation is not available in this proceeding.

# FLAWAC Review

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

# Judicial Review

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

If you revise your project after submitting the initial joint application, please contact us as soon as possible. Also, if you have any questions, please contact Danielle Sattelberger at the letterhead address or at (561) 681-6609 or by email at <a href="mailto:Danielle.Sattelberger@dep.state.fl.us">Danielle.Sattelberger@dep.state.fl.us</a>. When referring to this project, please use the FDEP file number listed above.

Executed in Orlando, Florida.

Danielle Sattelleer

STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION

Danielle Sattelberger

Environmental Specialist II

Southeast District

File Name: Miami Dinner Key Mooring Field

Page 5 of 5

# **Attachment(s):**

General Conditions for All General Permits, Ch. 62-330.405, F.A.C. Specific General Permit Rule, Ch. 62-330.420, F.A.C. Project Drawings, 7 pages

# CERTIFICATE OF SERVICE

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

FDEP – Monica Sovacool, Danielle Sattelberger
Lisa Spadafina, Miami-Dade County RER, <a href="mailto:spadaL2@miamidade.gov">spadaL2@miamidade.gov</a>
Denise Rach, FFWCC, <a href="mailto:Denise.Rach@myfwc.com">Denise.Rach@myfwc.com</a>
Christy Brush, Moffatt & Nichol, Inc., <a href="mailto:cbrush@moffattnichol.com">cbrush@moffattnichol.com</a>
Jaime Pabon, Moffatt & Nichol, Inc., <a href="mailto:jpabon@moffattnichol.com">jpabon@moffattnichol.com</a>

# FILING AND ACKNOWLEDGMENT

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

February 28, 2018

Clerk Date

### 62-330.405 General Conditions for All General Permits

The following general permit conditions are binding upon the permittee and are enforceable under Chapter 373, F.S. These conditions do not apply to the general permit in Section 403.814(12), F.S.

- (1) The general permit is valid only for the specific activity indicated. Any deviation from the specified activity and the conditions for undertaking that activity shall constitute a violation of the permit and may subject the permittee to enforcement action and revocation of the permit under Chapter 373, F.S.
- (2) This general permit does not eliminate the necessity to obtain any required federal, state, local and special district authorizations prior to the start of any construction, alteration, operation, maintenance, removal or abandonment authorized by this permit.
- (3) This general permit does not convey to the permittee or create in the permittee any property right, or any interest in real property, nor does it authorize any entrance upon or activities on property which is not owned or controlled by the permittee, or convey any rights or privileges other than those specified in the general permit.
- (4) The general permit does not relieve the permittee from liability and penalties when the permitted activity causes harm or injury to: human health or welfare; animal, plant or aquatic life; or property. It does not allow the permittee to cause pollution that violates state water quality standards.
- (5) Section 253.77, F.S., provides that a person may not commence any excavation, construction, or other activity involving the use of state-owned or other lands of the state, the title to which is vested in the Board of Trustees of the Internal Improvement Trust Fund without obtaining the required consent, lease, easement, or other form of authorization authorizing the proposed use. Therefore, the permittee is responsible for obtaining any necessary authorizations from the Board of Trustees prior to commencing activity on state-owned lands.
- (6) The authorization to conduct activities under a general permit may be modified, suspended or revoked in accordance with Chapter 120, F.S., and Section 373.429, F.S.
- (7) This permit shall not be transferred to a third party except pursuant to Rule 62-330.340, F.A.C. The permittee transferring the general permit shall remain liable for any corrective actions that may be required as a result of any permit violations prior to sale, conveyance, or other transfer of ownership or control of the permitted project, activity, or the real property at which the permitted project or activity is located.
- (8) Upon reasonable notice to the permittee, Agency staff with proper identification shall have permission to enter, inspect, sample and test the permitted system to ensure conformity with the plans and specifications approved by the permit.
- (9) The permittee shall maintain any permitted project or activity in accordance with the plans submitted to the Agency and authorized in this general permit.
  - (10) A permitee's right to conduct a specific activity under this general permit is authorized for a duration of five years.
- (11) Activities shall be conducted in a manner that does not cause or contribute to violations of state water quality standards. Performance-based erosion and sediment control best management practices shall be implemented and maintained immediately prior to, during, and after construction as needed to stabilize all disturbed areas, including other measures specified in the permit to prevent adverse impacts to the water resources and adjacent lands. Erosion and sediment control measures shall be installed and maintained in accordance with the *State of Florida Erosion and Sediment Control Designer and Reviewer Manual (Florida Department of Environmental Protection and Florida Department of Transportation June 2007*), available at www.dep.state.fl.us/water/wetlands/docs/erp/FLErosionSedimentManual\_6\_07.pdf, and the *Florida Stormwater Erosion and Sedimentation Control Inspector's Manual (Florida Department of Environmental Protection, Nonpoint Source Management Section, Tallahassee, Florida, July 2008), available at www.dep.state.fl.us/water/nonpoint/docs/erosion/erosion-inspectors-manual.pdf.*
- (12) Unless otherwise specified in the general permit, temporary vehicular access within wetlands during construction shall be performed using vehicles generating minimum ground pressure to minimize rutting and other environmental impacts. Within forested wetlands, the permittee shall choose alignments that minimize the destruction of mature wetland trees to the greatest extent practicable. When needed to prevent rutting or soil compaction, access vehicles shall be operated on wooden, composite, metal, or other non-earthen construction mats. In all cases, access in wetlands shall comply with the following:
- (a) Access within forested wetlands shall not include the cutting or clearing of any native wetland tree having a diameter 4 inches or greater at breast height;

- (b) The maximum width of the construction access area shall be limited to 15 feet;
- (c) All mats shall be removed within 72 hours after the work commences; and
- (d) Areas disturbed for access shall be restored to natural grades immediately after the maintenance or repair is completed.
- (13) Barges or other work vessels used to conduct in-water activities shall be operated in a manner that prevents unauthorized dredging, water quality violations, and damage to submerged aquatic communities.
- (14) The construction, alteration, or use of the authorized project shall not adversely impede navigation or create a navigational hazard in the water body.
  - (15) Except where specifically authorized in a general permit, activities must not:
- (a) Impound or obstruct existing water flow, cause adverse impacts to existing surface water storage and conveyance capabilities, or otherwise cause adverse water quantity or flooding impacts to receiving water and adjacent lands;
- (b) Cause an adverse impact to the maintenance of surface or ground water levels or surface water flows established pursuant to Section 373.042, F.S., or a Works of the District established pursuant to Section 373.086, F.S.; or
- (16) If any prehistoric or historic artifacts, such as pottery or ceramics, stone tools or metal implements, dugout canoes, or any other physical remains that could be associated with Native American cultures, or early colonial or American settlement are encountered at any time within the project site area, work involving subsurface disturbance in the immediate vicinity of such discoveries shall cease. The permittee or other designee shall contact the Florida Department of State, Division of Historical Resources, Compliance and Review Section, at (850) 245-6333 or (800) 847-7278, as well as the appropriate permitting agency office. Such subsurface work shall not resume without verbal or written authorization from the Division of Historical Resources. If unmarked human remains are encountered, all work shall stop immediately and notification shall be provided in accordance with Section 872.05, F.S.
- (17) The activity must be capable, based on generally accepted engineering and scientific principles, of being performed and of functioning as proposed, and must comply with any applicable District special basin and geographic area criteria.
- (18) The permittee shall comply with the following when performing work within waters accessible to federally- or state-listed aquatic species, such as manatees, marine turtles, smalltooth sawfish, and Gulf sturgeon:
- (a) All vessels associated with the project shall operate at "Idle Speed/No Wake" at all times while in the work area and where the draft of the vessels provides less than a four-foot clearance from the bottom. All vessels will follow routes of deep water whenever possible.
- (b) All deployed siltation or turbidity barriers shall be properly secured, monitored, and maintained to prevent entanglement or entrapment of listed species.
- (c) All in-water activities, including vessel operation, must be shutdown if a listed species comes within 50 feet of the work area. Activities shall not resume until the animal(s) has moved beyond a 50-foot radius of the in-water work, or until 30 minutes elapses since the last sighting within 50 feet. Animals must not be herded away or harassed into leaving. All on-site project personnel are responsible for observing water-related activities for the presence of listed species.
- (d) Any listed species that is killed or injured by work associated with activities performed shall be reported immediately to the Florida Fish and Wildlife Conservation Commission (FWC) Hotline at 1(888)404-3922 and ImperiledSpecies@myFWC.com.
- (e) Whenever there is a spill or frac-out of drilling fluid into waters accessible to the above species during a directional drilling operation, the FWC shall be notified at imperiledspecies@myfwc.com with details of the event within 24 hours following detection of the spill or frac-out.
- (19) The permittee shall hold and save the Agency harmless from any and all damages, claims, or liabilities which may arise by reason of the construction, alteration, operation, maintenance, removal, abandonment or use of any activity authorized by the general permit.
- (20) The permittee shall immediately notify the Agency in writing of any submitted information that is discovered to be inaccurate.

Rulemaking Authority 373.026(7), 373.043, 373.118(1), 373.406(5), 373.4131, 373.414(9), 373.4145, 373.418, 403.805(1) FS. Law Implemented 373.044, 373.118(1), 373.129, 373.136, 373.406(5), 373.413, 373.4131, 373.414(9), 373.4145, 373.416, 373.422, 373.423, 373.429, 403.814(1) FS. History—New 10-3-95, Amended 10-1-07, Formerly 62-341.215, Amended 10-1-13.

### 62-330.420 General Permit to Local Governments for Public Mooring Fields.

- (1) A general permit is granted to any local government to construct, operate, and maintain a public mooring field for up to 100 vessels, including a dinghy dock and sewage pumpout dock directly supporting the mooring field.
- (2) The Notice of Intent to use this general permit required under subsection 62-330.402(1), F.A.C., shall include the following additional information:
- (a) Mooring Field Management Plan (Management Plan) that provides reasonable assurance that the mooring field and supporting land-based facility will comply with all of the requirements of this general permit. The Management Plan shall be binding on the permittee for the life of the mooring field. Any revisions or modifications to the Management Plan require written approval, by the Department, prior to becoming effective.
- (b) All drawings and documents in support of the proposed mooring field and associated land-based support facility, including details on the anchoring systems proposed for mooring vessels in the mooring field, and any docks, pumpout facilities, kiosks, and in-water navigational signs and markers proposed.
- (c) A scaled bathymetry plan showing water depths throughout the proposed mooring field, including any ingress and egress channels directly associated with the mooring field and water depths at any docks proposed at the land-based support facility.
- (d) A benthic resource inventory of the proposed mooring field location as well as the areas for the proposed dinghy and pumpout docks.
- (3) To qualify for this general permit, the local government must comply with the following specific conditions, in addition to the general conditions in Rule 62-330.405, F.A.C.:

# (a) Management Plan:

- 1. At least 30 days prior to submittal of a notice to use this general permit, the local government shall conduct at least one pre-application meeting with the Department to discuss the adequacy of the Management Plan, existing or proposed land-based support facility, project design, and implementation details.
- 2. Example Management Plans are included in the "References and Design Aids" for Volume I, available at http://www.dep.state.fl.us/water/rulesprog.htm#erp. Entities using this general permit are not required to follow the examples.

# (b) Siting Criteria:

- 1. Navigational access must already exist between the mooring field and the nearest customarily used access channel or navigable waters for the sizes of vessels for which the mooring field is designed to serve, such that no new dredging is required to create access or adequate mooring depths.
- 2. The mooring field and mooring areas associated with the dinghy dock and pumpout vessel dock shall be sited in an area with adequate circulation and flushing based on the bathymetry plan required in paragraph (2)(c), above, and the proposed drafts and types of vessels to be moored.
- 3. The mooring field shall be associated with an existing or permitted land-based support facility that is operational prior to the mooring field being occupied. The land-based support facility shall provide amenities and conveniences for the number of occupants that are using the mooring field (e.g., parking, bathrooms, shower facilities, laundry facilities, etc.). These details shall be included in the Management Plan.
  - 4. The mooring field, dinghy dock, and sewage pumpout dock shall not be located in the following areas.
- a. Within any marked or customarily used navigational channel, or within setbacks established by the U.S. Army Corps of Engineers for federal channels.
- b. Where they would adversely affect waters classified by the Department of Agriculture and Consumer Services as approved, conditionally approved, restricted, or conditionally restricted for shellfish harvesting as set forth in Chapter 5L-1, F.A.C. This can be demonstrated by providing a letter of no objection from the Department of Agriculture and Consumer Services. However, no letter is required if a project will be located in Palm Beach, Broward, or Miami-Dade County.
- c. Where they would adversely affect critical habitat designated by the U.S. Fish and Wildlife Service or U.S. National Marine Fisheries Service for any federally-listed threatened or endangered species under the Endangered Species Act of 1973.

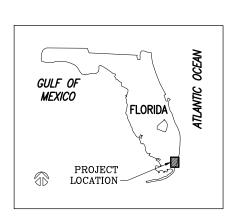
- d. In predominantly fresh waters as defined in Chapter 62-302, F.A.C.
- (c) Design criteria:
- 1. The mooring field shall accommodate no more than 100 vessels (excluding any dinghies that may be attached to parent vessels).
- 2. Vessel mooring systems and the installation plans must be designed by a Florida registered professional so that the mooring systems with vessels attached withstand, at a minimum, tropical storm force winds and so that the associated tethers, lines, and buoys do not scour or damage the bottom. The mooring system and associated tethers, lines, and buoys shall be maintained for the life of the facility.
- 3. The mooring field shall be permanently associated with a land-based support facility that provides the following:
- a. Pumpout either fixed or portable, or a pumpout vessel under contract for service or owned by the land-based support facility capable of serving all vessels using the mooring field, and a plan for regular pumpouts of vessels when needed.
- b. A landing platform or dinghy dock for mooring field users to access the land-based support facility, as well as a dock for a fixed sewage pumpout or mooring for the pumpout vessel if one is requested. Such docks are authorized to be constructed under this general permit, provided neither dock exceeds 500 square feet of structure over wetlands and other surface waters, and sufficient water depth exists at the dock for the sizes of vessels for which the dock is designed to serve.
- 4. The mooring field shall be marked in accordance with Florida Fish and Wildlife Conservation Commission requirements under Chapter 327, F.S., including markings of the outside boundaries of the mooring field.
- 5. Dredging and filling of wetlands or other surface waters is authorized only for the installation of pilings; mooring buoys; vessel mooring systems; mooring field regulatory; boundary, and information markers; dinghy docks; and sewage pumpout docks.
- 6. If located in a county with a Manatee Protection Plan (MPP) approved by the Florida Fish and Wildlife Conservation Commission, the mooring field shall be designed and maintained in conformance with the MPP. Documentation of plan consistency must be submitted concurrently with the notice to use the general permit in the form of a letter of consistency from the Commission. A review by the Commission can be requested at ImperiledSpecies@myFWC.com.
  - (d) Operational Criteria:
- 1. The local government or its contracted entity shall operate and maintain the mooring field and land-based support facility in accordance with the terms of this general permit, the Management Plan, and sovereign submerged lands lease (if applicable) throughout the life of the mooring field.
- 2. Occupied vessels with Type III marine sanitation devices shall be required to have their holding tanks pumped out, at a minimum, on a 7-day interval while continuously moored in the mooring field. The Management Plan shall specify a pumpout plan, tracking and inspection times, which generally shall not be less than a minimum 7-day interval. The pumpout plan shall include a flag notification system for facilities that are using a pumpout vessel and a proposed inspection schedule for Type I or II systems.
- 3. The local government must provide, at the land-based support facility, for the regular collection of solid waste, sewage, and recyclable goods from vessels moored at the mooring field. All collected sewage waste must be discharged at a facility permitted by the Department or the Florida Department of Health.
- 4. The local government must provide information to users explaining ways to minimize discharges of grey water, including encouragement to use land-based support facilities. This information also shall be included in the Management Plan.
- 5. The following activities are prohibited in the mooring field and at the dinghy dock and sewage pumpout dock at the land-based support facility, unless specifically authorized in the Management Plan or a separate, valid authorization under Part IV of Chapter 373, F.S.:
  - a. Major boat repair and maintenance.

- b. Fueling activities. However, this shall not prevent fueling at the land-based support facility.
- c. Boat hull scraping or painting.
- 6. The local government shall identify in the Management Plan whether it will provide brochures, or install and maintain a kiosk or permanent information display board in a clearly visible location at the land-based support facility, providing information on:
  - a. Operational provisions and restrictions associated with use of the mooring field and land-based support facility,
- b. Manatee protection and applicable manatee zones as adopted in Chapter 68C-22, F.A.C., which is incorporated by reference in subparagraph 62-330.417(3)(c)2., F.A.C.,
  - c. Location and availability of sewage pumpout facilities and procedures,
- d. Navigational ingress and egress to the mooring field and land-based support facility, including identification of channel markers, shoals, and other significant navigational issues, such as controlling water depths; or by providing charts for sale or a location where they may be purchased,
- e. Seagrasses, corals, and other significant resources in the adjacent waters, such as their location, protection, and avoidance of impacts, and their importance to the water resources; and,
- f. Prohibitions on discharging trash, sewage, and hazardous wastes into the water, and ways to minimize discharging grey water into the water.
  - (e) Sovereignty Submerged Lands Lease:
- 1. All public mooring fields and associated land-based support facilities located on sovereignty submerged lands require a lease from the Board of Trustees of the Internal Improvement Trust Fund in accordance with the application procedures and requirements of Chapters 18-18, 18-20, and 18-21, F.A.C., as applicable.
- 2. The lease boundary shall include the over-water surface area of the mooring field, encompassing all of the swing areas and square footage between the swing areas including internal thoroughfares.
- 3. The lease boundary shall include the preempted area for the dinghy dock and the sewage pumpout dock that contains a temporary mooring area to access a fixed sewage pumpout and for the mooring of a sewage pumpout vessel, if these structures are proposed and located on sovereignty submerged lands and not part of an existing lease or other forms of authorization by the Board of Trustees of the Internal Improvement Fund.
  - 4. The Management Plan shall be referenced in the lease, when located over sovereignty submerged lands.

Rulemaking Authority <u>373.043</u>, <u>373.044</u>, <u>373.118(4)</u>, 373.4131 FS. Law Implemented <u>373.117</u>, <u>373.118</u>, <u>373.413</u>, <u>373.414</u>, <u>373.416</u>, <u>373.422 FS.</u> History–New 11-19-15.

# DINNER KEY NORTH MOORING FIELD

CITY OF MIAMI SECTION 22, TOWNSHIP 54S, RANGE 41E



VICINITY MAP





LOCATION MAP

PROJECT

LOCATION MAP

SHEET INDEX

INDEX # SHEET REF # SHEET TITLE

1 G-001 COVER SHEET

2 G-002 GENERAL NOTES (1 OF 2)

3 G-003 GENERAL NOTES (2 OF 2)

4 V-101 EXISTING CONDITIONS, DEMOLITION, & DEBRIS REMOVAL

5 S-101 MOORING FIELD PLAN

6 S-102 MARINE RESOURCE PLAN

7 S-501 MOORING FIELD DETAILS & NOTES

LOCATION



PROJECT ADDRESS:
DINNER KEY MARINA
3400 PAN AMERICAN DRIVE

MIAMI, FL, 33133

DINNER KEY NORTH MOORING FIELD

Reference No.

G-001



# CITY COMMISSION

KEON HARDEMON, CHAIR
KEN RUSSELL, VICE CHAIR
WILFREDO (WILLY) GORT, COMMISSIONER, DISTRICT ONE
FRANK CAROLLO, COMMISSIONER, DISTRICT THREE
MANOLO REYES, COMMISSIONER, DISTRICT FOUR
FRANCIS SUAREZ, MAYOR
DANIEL J. ALFONSO, CITY MANAGER
VICTORIA MENDEZ, CITY ATTORNEY
TODD B. HANNON, CITY CIFRK

PERMIT DRAWINGS 26 JAN 2018

26 JAN 2018

- . GENERAL NOTES ARE NOT INTENDED TO REPLACE THE CONTRACT DOCUMENTS. SEE CONTRACT DOCUMENTS FOR REQUIREMENTS IN ADDITION TO THESE GENERAL NOTES. THE CONTRACT DOCUMENTS SHALL CONSIST OF THE COMPLETE PROJECT SPECIFICATIONS AND WORKING DRAWINGS INCLUDING BUT NOT LIMITED TO GENERAL PROVISIONS, SPECIAL PROVISIONS, DIVISION 1 REQUIREMENTS, TECHNICAL SPECIFICATIONS, AND ANY RELEVANT ADDENDA ITEMS. ALL WORK SHALL CONFORM TO THE REQUIREMENTS OF THE CONTRACT DOCUMENTS AND THE FDOT STANDARD SPECIFICATION FOR ROADWAY AND BRIDGE CONSTRUCTION (2016 EDITION).
- 2. THE WORKING DRAWINGS ARE NOT NECESSARILY COMPLETE IN EVERY DETAIL. THE CONTRACTOR SHALL PROVIDE ALL EQUIPMENT, MATERIAL, SERVICES, LABOR, ETC. FOR A COMPLETE INSTALLATION INCLUDING WORK REASONABLY INFERRED FROM THE CONTRACT DOCUMENTS AS BEING NECESSARY TO PRODUCE THE INTENDED RESULTS, WHETHER SHOWN OR NOT ON THE DRAWINGS.
- 3. THE CONTRACTOR SHALL VERIFY ALL DIMENSIONS AND EXISTING CONDITIONS BEFORE STARTING WORK. DO NOT SCALE PROJECT DRAWINGS. REPORT ANY DISCREPANCIES IN THE DRAWINGS AND/OR SPECIFICATIONS TO THE ENGINEER FOR CLARIFICATIONS OR ADJUSTMENTS PRIOR TO COMMENCING WORK. THE CONTRACTOR SHALL NOT BEGIN DEMOLITION/CONSTRUCTION IN ANY SUCH AFFECTED AREA UNTIL THE DISCREPANCY HAS BEEN RESOLVED.
- 4. SHOULD THERE BE A CONFLICT BETWEEN THESE GENERAL NOTES, WORKING DRAWINGS, AND/OR SPECIFICATIONS, THE MOST RESTRICTIVE INTERPRETATION SHALL PREVAIL. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING FROM THE ENGINEER ANY CLARIFICATION OR INTERPRETATION OF THE GENERAL NOTES, WORKING DRAWINGS, AND/OR SPECIFICATIONS IN WRITING AND IN ADVANCE OF THE BEGINNING OF DEMOLITION/CONSTRUCTION. NUMERICAL DIMENSIONS AND ELEVATIONS SHOWN SHALL SUPERCEDE ANY DISCREPANCY IN THE SCALING ON THE DRAWINGS.
- 5. ALL FEDERAL, STATE, AND LOCAL SAFETY REGULATIONS ARE TO BE STRICTLY FOLLOWED. METHODS OF DEMOLITION/CONSTRUCTION AND INSTALLATION OF MATERIAL IS THE CONTRACTOR'S RESPONSIBILITY.
- 6. THE CONTRACTOR SHALL ABIDE BY ALL APPLICABLE FEDERAL, STATE, AND LOCAL ENVIRONMENTAL PROTECTION STANDARDS, LAWS, AND REGULATIONS.
- 7. THE CONTRACTOR SHALL KEEP ACCURATE RECORDS OF ANY CHANGES MADE TO THE DRAWINGS ON A SEPARATE WHITE SET OF PLANS PROVIDED BY THE ENGINEER. UPON COMPLETION OF THE PROJECT, THE CONTRACTOR SHALL PROVIDE AS—BUILT SURVEY OF THE COMPLETED WORK TO THE ENGINEER PRIOR TO APPROVAL OF THE FINAL PAYMENT APPLICATION.
- 8. UNLESS OTHERWISE NOTED, THE CONTRACTOR SHALL, ON A DAILY BASIS, REMOVE FROM THE SITE ANY DEBRIS RESULTING FROM DEMOLITION/CONSTRUCTION. DISPOSAL OF MATERIALS IS THE RESPONSIBILITY OF THE CONTRACTOR. ALL MATERIALS TO BE REMOVED SHALL BECOME THE PROPERTY OF THE CONTRACTOR UNLESS OTHERWISE NOTED, AND SHALL BE DISPOSED OF AS SPECIFIED. ALL DEBRIS SHALL BE PROPERLY DISPOSED OF IN A PERMITTED LANDFILL. THE CONTRACTOR SHALL KEEP RECORDS OF ALL MATERIALS REMOVED FROM THE SITE, INCLUDING DESCRIPTION, QUANTITIES, AND DISPOSAL LOCATION.
- 9. EXISTING CONSTRUCTION, INCLUDING UTILITIES AND OTHER MISCELLANEOUS ITEMS WHICH ARE TO REMAIN, SHALL REMAIN UNDISTURBED AND BE PROTECTED, UNLESS NOTED OTHERWISE.
- 10. THE CONTRACTOR IS RESPONSIBLE FOR REPAIRING, AT HIS OWN EXPENSE, ANY AND ALL DAMAGES THAT MAY OCCUR OUTSIDE AND WITHIN THE LIMITS OF THIS PROJECT AS A RESULT OF DEMOLITION/CONSTRUCTION.
- 11. ALL AREAS DISTURBED DURING CONSTRUCTION SHALL BE REPAIRED BY THE CONTRACTOR TO THEIR ORIGINAL CONDITION, AT NO EXPENSE TO THE CITY, UNLESS OTHERWISE NOTED.
- 12. THE PROJECT SITE IS ALONG AN ACTIVE NAVIGATION CHANNEL. THE CONTRACTOR SHALL CONSIDER AND PLAN FOR THE EFFECTS OF PASSING VESSELS. THE CHANNEL SHALL REMAIN OPEN AND ACCESSIBLE DURING CONSTRUCTION.
- 13. THE CONTRACTOR SHALL PLACE CONSTRUCTION DEBRIS CONTROL DEVICES, TURBIDITY CURTAINS, BOOMS, TARPAULINS, FLOATS, STAGING, AND OTHER DEVICES AS NECESSARY TO PREVENT CONSTRUCTION DEBRIS FROM ENTERING THE WATER AND AIRBORNE MATERIALS FROM LEAVING THE IMMEDIATE VICINITY OF THE SITE. THE CONTRACTOR SHALL BE RESPONSIBLE FOR CLEANUP OF ANY MATERIALS DEPOSITED OUTSIDE THE WORK AREA.
- 14. THE CITY SHALL HAVE THE SOLE AUTHORITY TO DESIGNATE AND/OR LIMIT AREAS OF CONSTRUCTION, STAGING, ACCESS, AND STORAGE.
- 15. THE CONTRACTOR SHALL STAKEOUT ALL BASELINES OF CONSTRUCTION, THE LOCATION OF ALL NEW CONSTRUCTION, AND VERIFY ALL SETBACKS, OFFSETS, AND CLEARANCES PRIOR TO THE START OF WORK.
- 16. THE CITY MAKES NO REPRESENTATIONS ABOUT SUBSURFACE CONDITIONS THAT MAY BE ENCOUNTERED WITHIN THE LIMITS OF THE PROJECT.
- 17. A GEOTECHNICAL INVESTIGATION OF THE SITE WAS PERFORMED BY HP CONSULTANTS ON AUGUST 23, 2017. RESULTS OF INVESTIGATION ARE PROVIDED IN REPORT DATED NOVEMBER 8, 2017.
- 18. IF OTHER CONSTRUCTION PROJECTS EXIST IN THE IMMEDIATE VICINITY OF THE PROJECT SITE, CONTRACTOR SHALL COORDINATE WORK AS NECESSARY AT THE PROJECT SITE TO MINIMIZE IMPACTS TO OTHER CONTRACTORS. CONTRACTOR SHALL PROVIDE REASONABLE ACCESS THROUGH THE PROJECT SITE AT ALL TIMES.
- 19. SUBAQUEOUS UTILITIES MAY BE PRESENT AT THE PROJECT SITE. THE CONTRACTOR SHALL CONTACT SUNSHINE 811, 72 HOURS PRIOR TO THE START OF CONSTRUCTION TO VERIFY LOCATIONS OF SUBAQUEOUS UTILITIES PRIOR TO CONSTRUCTION. CONTRACTOR IS RESPONSIBLE FOR VERIFYING THE LOCATION OF ALL UTILITIES AND DEBRIS.
- 20. CONTRACTOR SHALL SUBMIT LOCAL NOTICE TO MARINERS PRIOR TO CONSTRUCTION.

### SURVEY NOTES

- 1. HYDROGRAPHIC AND RESOURCE DATA DEPICTED ON THESE DRAWINGS ARE BASED ON SURVEYS PERFORMED BY OLIN HYDROGRAPHIC SOLUTIONS COMPLETED JULY 20, 2017 AND ARE ONLY INDICATIVE OF THE CONDITIONS EXISTING AT THAT TIME.
- 2. HORIZONTAL COORDINATES ARE BASED ON THE 1983 NORTH AMERICAN DATUM, FLORIDA STATE PLANE (NAD 83 EAST). VERTICAL CONTROL IS BASED ON MLLW.
- 3. ALL ELEVATIONS PROVIDED ON THE DRAWINGS ARE REFERENCED TO MLLW, UON.
- 4. THE FOLLOWING DATA IS PROVIDED REGARDING TIDAL INFORMATION. TIDAL INFORMATION WAS OBTAINED FROM THE NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION (NOAA), NATIONAL OCEAN SERVICE (NOS) STATION 8723214 (VIRGINIA KEY, FL). ELEVATIONS ARE GIVEN IN FEET AND REFERENCED ON THE 1983-2001 EPOCH.

MAXIMUM	(HIGHEST OBSERVED WATER LEVEL)	+4.76
MHHW	(MEAN HIGHER HIGH WATER)	+2.19
MHW	(MEAN HIGH WATER)	+2.13
MTL	(MEAN TIDE LEVEL)	+1.12
MSL	(MEAN SEA LEVEL)	+1.10
MLW	(MEAN LOW WATER)	+0.11
MLLW	(MEAN LOWER LOW WATER)	+0.00
MINIMUM	(LOWEST OBSERVED WATER LEVEL)	-1.31

- 5. TIDAL DATA IS PER NOAA AVERAGES BASED ON 1983—2001 TIDAL EPOCH AND NOT GUARANTEED TO REPRESENT CONDITIONS WHICH MAY OCCUR DURING CONSTRUCTION. ACTUAL WATER LEVELS MAY VARY FROM LEVELS INDICATED. THE CONTRACTOR IS RESPONSIBLE FOR MAKING HIS OWN ESTIMATES OF WATER LEVELS WHICH MAY OCCUR DURING CONSTRUCTION. VARIATION OF TIDAL LEVELS FROM THOSE INDICATED OR CONTRACTOR'S ESTIMATION OF TIDAL LEVELS SHALL NOT BE CONSIDERED AS A CLAIM FOR ADDITIONAL COMPENSATION OR DELAY OF WORK.
- 6. THE CONTRACTOR SHOULD BE AWARE THAT THE PROJECT DATUM IS MLLW FOR ALL CONSTRUCTION; HOWEVER, PREVIOUS WORK AT THIS SITE MAY HAVE BEEN BASED ON DIFFERENT DATUMS. CAUTION SHOULD BE USED IF PREVIOUS PLANS ARE USED FOR ELEVATION REFERENCE AT THE SITE

### DESIGN LOADS

 MOORING ANCHORS ARE DESIGNED TO RESIST UPLIFT AND LATERAL MOVEMENT DUE TO THE EFFECT OF WIND, WAVES, CURRENT AND WATER LEVELS ACTING SIMULTANEOUSLY ON THE DESIGN VESSELS.

WIND LOADS (OCCUPIED): V = 75 MPH DURATION = 3-SEC GUST COASTAL LOADS ASSOCIATED WITH TROPICAL STORM FORCE WINDS: WAVES (OCCUPIED): HS=5.2 AND T=3.4 SEC; AVG WATER DEPTH 7.0' TIDAL CURRENT (OCCUPIED): 1.7, FPS STORM SURGE (UNOCCUPIED): 8.34 (ABOVE MSL)

### VESSEL RELOCATION

- 1. CONTRACTOR WILL COORDINATE WITH THE DINNER KEY MARINA MANAGEMENT TO IDENTIFY/NOTIFY VESSELS ANCHORED IN THE AREA OF THE MOORING FIELD THAT WILL INTERFERE WITH THE DEBRIS REMOVAL AND/OR ANCHOR INSTALLATION PRIOR TO CONSTRUCTION.
- IF THE FWC AND/OR MANAGEMENT ARE NOT ABLE TO HAVE THE VESSELS RELOCATED, CONTRACTOR WILL TEMPORARILY RELOCATE THE VESSELS AS REQUIRED DURING CONSTRUCTION TO INSTALL THE ANCHOR AND MOORING SYSTEMS.

### EMBEDMENT ANCHOR INSTALLATION AND PULL TEST

- CONTRACTOR SHALL INSTALL EMBEDMENT ANCHORS FROM AN APPROPRIATE BARGE, SPUDDED /MOORED IN POSITION.
- 2. ANCHOR INSTALLATION SHALL BE POSITIONED WITH MARINE DGPS POSITIONING EQUIPMENT CAPABLE OF HORIZONTAL ACCURACIES  $\pm 1$  FEET.
- 3. CONTRACTOR SHALL PULL TEST 10% OF EMBEDMENT ANCHORS AS DIRECTED BY THE ENGINEER.
- 4. CONDUCT PULL TEST UTILIZING A HYDRAULIC LOAD LOCKER ATTACHED TO ANCHOR HEAD ON THE SEA FLOOR TO MEASURE THE LOAD.
- 5. PROOF TEST THE ANCHOR TO A TEST LOAD OF 14,000 LBS.
- 6. ONCE PROOF TEST LOAD APPLIED, ALLOW LOAD LOCKER TO STABILIZE AND HOLD LOAD FOR 3 MINUTES.

### MOORING ASSEMBLY

- 1. STANDARD MOORING ASSEMBLY SHALL BE STORMSOFT OR APPROVED EQUAL DOWNLINE. TWO HEAVY DUTY, GALVANIZED STEEL INTEGRAL THIMBLES SPLICED AS TERMINAL FITTINGS, A LONG RUBBER SHOCK ABSORBER, A HEAVY DUTY UNDERWATER FLOAT, AND HELICAL ANCHOR.
- 2. HELICAL ANCHOR SHALL BE GALV HELICAL ANCHOR WITH 1-1/4" ROUND SHAFT AND MINIMUM 6"
  DIAMETER HELICALS. LENGTH OF ANCHOR SHALL BE DETERMINED BY MANUFACTURER BASED ON
  DATA PROVIDED IN GEOTECHNICAL REPORT.
- 3. 1-1/4" DOWNLINE SHALL BE MINIMUM HIGH-STRENGTH POLYESTER THAT DOES NOT ABSORB WATER AND RETAINS 100% OF ITS DRY 18,000 LB (MINIMUM) BREAKING STRENGTH.

- 4. BRAIDED RUBBER SHOCK ABSORBER SHALL BE 5' IN LENGTH WITH RUBBER MULTI-STRAND CORDS THAT ALLOW LIMITED STRETCH TO ABSORB SHOCK LOADS CREATED BY STORM SURGE AND BOAT WAKES.
- 5. UNDERWATER FLOAT SHALL BE HEAVY DUTY TO KEEP DOWNLINE OFF THE SEAFLOOR.
- 6. THIMBLES SHALL BE 1" (MINIMUM).
- 7. CONTRACTOR SHALL PROVIDE CHAFE GEAR FOR ALL STANDARD FITTINGS.
- 8. SHACKLE SHALL BE 7/8" (MINIMUM) GALV SAFETY BOLT SHACKLE WITH 13 KIP SERVICE CAPACITY, UON.
- 9. THIMBLE SHALL BE 1" (MINIMUM) GALV STEEL THIMBLE, UON.
- SWIVEL SHALL BE 1" (MINIMUM) GALV EYE-TO-EYE STEEL SWIVEL WITH 12.5 KIP SERVICE CAPACITY. UON.
- 11. COTTER PINS TO BE WRAPPED WITH HEAT SHRINK TUBING.

## MOORING BUOY

- MOORING BUOY SHALL BE SPHERICAL, WHITE PVC WITH BLUE REFLECTIVE STRIPE, BY CAROLINA WATERWORKS OR APPROVED EQUAL.
- 2. BUOY SHALL HAVE A THROUGH-BUOY ROD HANGER AFFIXED WITH A WASHER RING AND EYE-NUT.
- 3. BUOY SIZE SHALL BE 24" IN DIAMETER.
- 4. CONTRACTOR SHALL LABEL BUOYS WITH 4-INCH TALL ENGINEERING GRADE VINYL LETTERING. LABELING SYSTEM FOR BUOYS SHALL BE AS SHOWN ON SHEET S-501, DETAIL C1.

### MOORING PENNANT

- 1. PENNANT SHALL BE 1" POLYESTER WITH 18,000 LBS ULTIMATE TENSILE STRENGTH (MIN).
- 2. THE VESSEL END SHALL BE EYE—SPLICED AROUND A 1" NYLON SEADOG THIMBLE. THE LOWER END OF THE PENNANT SHALL BE EYE—SPLICED AROUND A HEAVY DUTY GALVANIZED THIMBLE. THE ROPE EYE ON THE LOWER END SHALL BE COVERED WITH HEAVY DUTY BLACK CHAFING HOSE BEFORE SPLICING AROUND THE DEEP WELL GALV THIMBLE.
- 5. PENNANT SHALL BE COVERED THE ENTIRE LENGTH WITH 1-1/2" PVC FLEX HOSE TO GUARD AGAINST MARINE GROWTH AND CHAFING FROM SWIVELS AND SHACKLES.
- 4. PENNANT SHALL HAVE A FLOAT OF ADEQUATE SIZE NEAR THE PICK UP END TO PREVENT THE PENNANT FROM DROPPING TO THE SEAFLOOR.

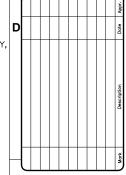
Permit Number

13-0217762-015-EG

Southeast District

PERMIT DRAWINGS 26 JAN 2018





DINNER KEY NORTH
MOORING FIELD
GENERAL NOTES (1 OF 2)

2937 SW 27th AVE., STE 101A COCONUT GROVE, R. 33135 305-230-1924 11 & nichol (R. EB 4877)

A SEAL

Sheet
Reference No.

G-002
INDEX: 2 OF 7

