



Class I Construction Permit

Permit Number: CLI-2012-0265
DERM Project Manager: Lourdes Barrelli

Issue Date: 9/4/2015 *CH*
Expiration Date: 9/4/2017 *MGT*

Permittee

City of Miami
 c/o Daniel Alfonso, City Manager
 3500 Pan American Drive
 Miami, Florida 33133
 (305) 416-1225

Contractor

To Be Determined

Bond

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

Engineers

Christopher Adam Zavatsky, P.E. License # 76885
 Steven Mark Goldstein, P.E. License # 44423
 BCC Engineering
 (305) 670-2360

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

Plans Entitled: CITY OF MIAMI
 CAPITAL IMPROVEMENTS PROGRAM

Date Signed and Sealed: April 18, 2014,
 February 4, 2015,
 August 3, 2015, and
 August 4, 2015

Project Location: Miami Woman's Club (Club)
 1737 North Bayshore Drive
 Miami, Florida 33172

and

Margaret Pace Park (Park)
 1745 North Bayshore Drive
 Miami, Florida 33172

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

Project Description:

- Removal of 154 linear feet of the upper 2 to 3 foot portion of the existing retaining wall.
- Spall and crack repair of the existing seawall.
- Installation of a 594 square foot irregular shaped marginal concrete viewing platform. The platform will begin at the south property line of the Club and extend 154 linear feet to the north as follows:
 - A pile supported 13.3 section located between 0 and 13.3 linear feet from the south property line that will measure 12.5 feet wide at the south property line and 12.1 feet wide at the north end. A fence will be installed along the south end of the new concrete platform at the south property line of the Club, perpendicular to the shoreline.
 - A 140.7 foot long cantilevered section will connect the 13.3 linear foot section to the Park. The cantilevered section will extend 4.5 feet wide at the south end and will decrease to 1.5 feet wide at the north end that connects to the south end of the Park property.

**** This permit does not authorize work on the adjacent property to the south (1717 North Bayshore Drive)**

Attachment A: Mooring Prohibited Area

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Specific Conditions

1. The name, address, telephone number, and license number of the contractor who will be performing the work must be submitted a minimum of 14 days prior to the commencement of work. Work authorized by this permit shall not commence until written acceptance of the contractor has been issued.
2. **The installation of riprap is not authorized by this permit.**
3. **The viewing platform is prohibited from being utilized for any non-water-dependent uses (e.g. extension of upland facilities, landscaping, etc.). Authorization for the installation of any structures or accessories not depicted on the final approved plans will require prior review and approval by DERM.**
4. All work shall be performed from the uplands; no in-water work is authorized without prior review and approval by DERM.
5. Due to shallow water depths and the presence of benthic resources, vessels shall be restricted from mooring in areas designated as a "Mooring Prohibited Area." Mooring of vessels anywhere along the area designated as a "**Mooring Prohibited Area,**" shall be strictly prohibited (**Attachment A**). Failure to comply with this specific condition may be subject to enforcement by DERM.
6. **Environmental controls and best management practices must be implemented to prevent any materials related to demolition and construction from entering the surrounding water. Any material removed as well as material applied to accomplish repairs must be contained so as to prevent fugitive particulates and/or discharge to surface waters. Any materials which fall into the water shall be removed immediately. The contractor shall ensure that no material is placed in the water either temporarily or permanently.**
7. **Turbidity controls shall be installed and maintained in a manner such that adequate clearance is maintained at all times between the turbidity control device and existing seagrass or benthic resources. The implementation of turbidity control devices shall not result in impacts to seagrass or water quality.**
8. A minimum of 3 "No Mooring/Mooring Prohibited" signs shall be placed every 50 feet along the waterward side of the viewing platform.
9. The installation of fenders, davits, mooring whips, cleats, or any hardware to facilitate the mooring of vessels at the property is prohibited. Failure to comply with this specific condition may be subject to enforcement by DERM.
10. The elevation of the viewing platform shall be graded landward and a curb with an elevation of a minimum of 6 inches greater than the surface of the concrete deck shall be installed at the waterward edge of the viewing platform in order to prevent positive drainage of stormwater to tidal waters. All upland storm drainage shall comply with the standards of Chapter 24 of the Code of Miami-Dade County, Florida and with federally mandated National Pollutant Discharge Elimination System (NPDES). It is the responsibility of the permittee and/or the contractor to contact the Water Control Section of DERM at (305) 372-6681 for appropriate stormwater drainage approvals.
11. Please be advised that the federal government has designated all or part of the subject property as critical habitat for one or more endangered species. You are not authorized to commence any work or activities pursuant to this permit until you obtain any and all approvals or permits, if necessary, from the federal government pursuant to the Endangered Species Act and from the State of Florida pursuant to Florida law on endangered species. Please be advised that, even after work commences, if Miami-Dade County is advised by the federal government, the State of Florida, or a court that an activity on the subject property is in violation of the Endangered Species Act, in violation of Florida law on endangered species, or in violation of a permit or approval granted by the federal government pursuant to the Endangered Species Act, such violation may result in an immediate stop work order. You are strongly advised to consult with the United States Fish and Wildlife Service and any other necessary federal or state agencies before conducting any work or activities on the property. The Vero Beach office of the United States Fish and Wildlife Service may be reached at (772) 562-3909. Please be aware that the federal government may require certain actions or protections on the property, and this may result in the need to modify the plans for the property. Therefore, it is recommended that you consult with the United States Fish and Wildlife Service at an early stage in the process. In the event that the United States Fish and Wildlife Service advises that your plans for the subject

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property may result in a "take" of endangered or threatened species, you are strongly recommended to inform Miami-Dade County in writing at the earliest stage possible.

See General Permit Conditions.

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General Permit Conditions

1. This permit must be kept on-site during all phases of construction.
2. All work shall be performed in accordance with the above referenced plans and in accordance with the attached specific and general permit conditions. If a General Condition(s) conflicts with a Specific Condition(s) in this permit document, the Specific Condition shall be the controlling condition for work authorized by this permit.
3. This permit only authorizes the work described in page 1 under Project Description. Any additional work in, on, over or upon tidal waters or coastal wetlands at the property shall require additional Class I approval.
4. Any deviation from the approved plans for this project shall be submitted in writing to, and approved by DERM prior to the commencement of this project. The contractor and the permittee shall take whatever remedial action is necessary to bring the project into compliance with the permit and approved plans upon determination by DERM that the structure is not in compliance with such.
5. DERM shall be notified no later than 48 hours and no earlier than 5 days prior to the commencement of the work authorized by this permit, unless otherwise noted herein. The permittee and/or contractor may notify DERM by calling (305) 372-6575 or by submitting the attached Notice of Commencement of Construction via hand delivery, U.S. Mail, or facsimile at (305) 372-6479.
6. Prior to performing any work, the contractor shall verify the location of all underground and overhead utility lines and verify that no utilities will be damaged by the work. Contact Sunshine State One-Call of Florida at 1-800-432-4770 or on the web at <http://www.callsunshine.com/corp/before/submitting.html> for locating underground utility lines.
7. The permittee and the contractor are hereby advised that under Florida law, no person shall commence any excavation, filling, construction, or other activity involving the use of sovereign or other lands of the State, title to which is vested in the Board of Trustees of the Internal Improvement Trust Fund or FDEP, until such person has received the required authorization for the proposed use from the Board of Trustees or FDEP. If such work is done without consent, or if a person otherwise damages state land or products of state land, the Board of Trustees may levy administrative fines of up to \$10,000 per offense pursuant to the Florida Administrative Code.
8. The permittee and contractor shall obtain all required approvals from all local, State and Federal agencies prior to performing the work authorized by this permit.
9. Trimming or alteration of mangroves, buttonwoods or wetland vegetation other than what is authorized by this permit is prohibited. Work not authorized by this permit shall require additional Class I approval.
10. All work authorized by this permit shall be performed by the contractor and/or subcontractor holding an applicable certificate of competency and shall be licensed in Miami-Dade County to perform such work. Any work which is subcontracted shall require that the permittee and contractor (i.e. the contractor who is listed on this permit) notify the project manager at DERM at (305) 372-6575 or by facsimile at (305) 372-6479 a minimum of 72 hours prior to the subcontractor performing any work. Notification shall include the name of the subcontractor performing the work, the subcontractor's Miami-Dade County license number or state general contractor license number, and scope of work. Failure to comply with this condition is a violation of the Class I permit and may result in enforcement action by the Department.
11. The contractor shall take all necessary precautions to prevent construction or demolition debris from falling into the water or adjacent wetlands. Any debris that falls into the water and/or adjacent wetlands shall be removed immediately. Construction and demolition debris shall be disposed of in accordance with all Federal, State, and local regulations.
12. Turbidity controls (such as, but not limited to, turbidity curtains) shall be implemented whenever visible plumes are present to ensure compliance with the water quality standards stipulated in Section 24-42(3) of the Code of Miami-Dade County. Turbidity controls shall be employed and maintained in the most effective manner possible to prevent turbidity from extending beyond the control mechanism in place.

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13. Turbidity may not exceed 0 Nephelometric Turbidity Units (NTU) within the Aquatic Preserve or 29 NTU outside of the Aquatic Preserve, above background beyond the turbidity control device or 50 feet from any point of discharge. Turbidity levels shall be monitored. If the turbidity levels exceed the above standards, all construction shall stop and additional turbidity controls shall be implemented. Work shall not resume until the contractor has implemented adequate turbidity control methods and has received authorization from DERM to recommence work. At DERM's discretion, turbidity samples may be required to be collected in accordance with Section 24-44.2(3) of the Code of Miami-Dade County.
14. If any work or activity associated with this project is to take place in navigable waters, the contractor shall instruct all personnel associated with the project of the potential presence of manatees and the need to avoid collision with manatees. All vessels associated with the project must operate at "Idle Speed/No Wake" at all times while in water where the draft of the vessel provides less than a 4 foot clearance from the bottom. Additionally, all vessels will follow routes of deep water whenever possible. All in-water construction activities shall cease upon the sighting of a manatee(s) within 50 feet of the project area and will not resume until the manatee(s) has departed the project area. Any collision with and/or injury to a manatee shall be reported immediately to the "Manatee Hotline" (1-888-404-FWCC), the U.S. Fish and Wildlife Service, Jacksonville Field Office (904) 791-2580, and DERM (305) 372-6864.
15. The contractor shall ensure that all vessels associated with the construction shall operate within waters of sufficient depth so as to preclude bottom scouring or prop dredging and shall maintain a minimum of 1 foot of water between the vessel bottom and submerged aquatic resources.
16. The contractor shall ensure that there are no impacts to seagrass, hard corals, or soft corals as a result of construction operations, such as, but not limited to, propeller scouring; and vessel or barge anchoring, grounding or spudding. The marine contractor and permittee shall be held jointly liable for any of these unauthorized impacts. For any impacts caused by the construction operation, DERM shall require, at a minimum, restoration and mitigation.
17. For the purposes of this permit, "vessel" is herein defined as any craft designed to float or navigate on water, including but not limited to: sailboats, powerboats, rowboats, boats, ships, skiffs, houseboats, personal watercraft and inflatable boats.
18. Pursuant to Section 24-48.10 of the Code of Miami-Dade County the work or structures authorized under this permit shall be privately maintained by the permittee, his successors and assigns. Whenever, in the opinion of the Director of the DERM, said work or structures are not maintained in such a manner so as to prevent deterioration to the extent that they become a hazard to the public or to navigation, or create an obstruction of flow, or prevent access for drainage maintenance purposes, or may damage adjacent property, then the owner is required to perform any necessary remedial work.
19. Unless otherwise authorized in this permit and pursuant to Sections 24-48.23 and 24-48.24 of the Code of Miami-Dade County, the installation or construction of non-water-dependent floating or fixed structures (e.g. covered structures, canopies, helicopter pads, commercial signs, etc.) is prohibited in, on, over or upon any of the tidal waters of Miami-Dade County and constitutes a violation of this permit. Failure to comply with this condition may subject the permittee to enforcement action without further warning.
20. The time allotted to complete the work for which this permit has been issued shall be limited to the period stipulated on the permit unless the permittee requests an extension of time from the Department in writing at least 30 days prior to the date of permit expiration. Applications for extensions of time that are not timely filed pursuant to Section 24-48.9(2)(b) of the Code of Miami-Dade County will be returned to the permittee.
21. An application for Transfer of a Class I permit may be filed with DERM at any time prior to the transfer of property ownership up to 120 days after the date of transfer of fee simple ownership of the property that is the subject of the permit. The Application for Transfer must be signed by both the transferee and transferor. Applications for Transfer shall be filed in the form prescribed by DERM and shall not be processed if the filed Application for Transfer is not fully complete in all respects pursuant to Section 24-48.18, of the Code of Miami-Dade County within 120 days of the date of transfer of property ownership.

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

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

NOTICE OF COMMENCEMENT OF CONSTRUCTION

PERMIT NO.: _____

PERMITTEE'S NAME: _____

PROJECT LOCATION: _____

PERMIT ISSUANCE DATE: _____

CONTRACTOR NAME: _____

PROPOSED DATE OF COMMENCEMENT: _____

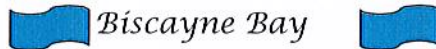
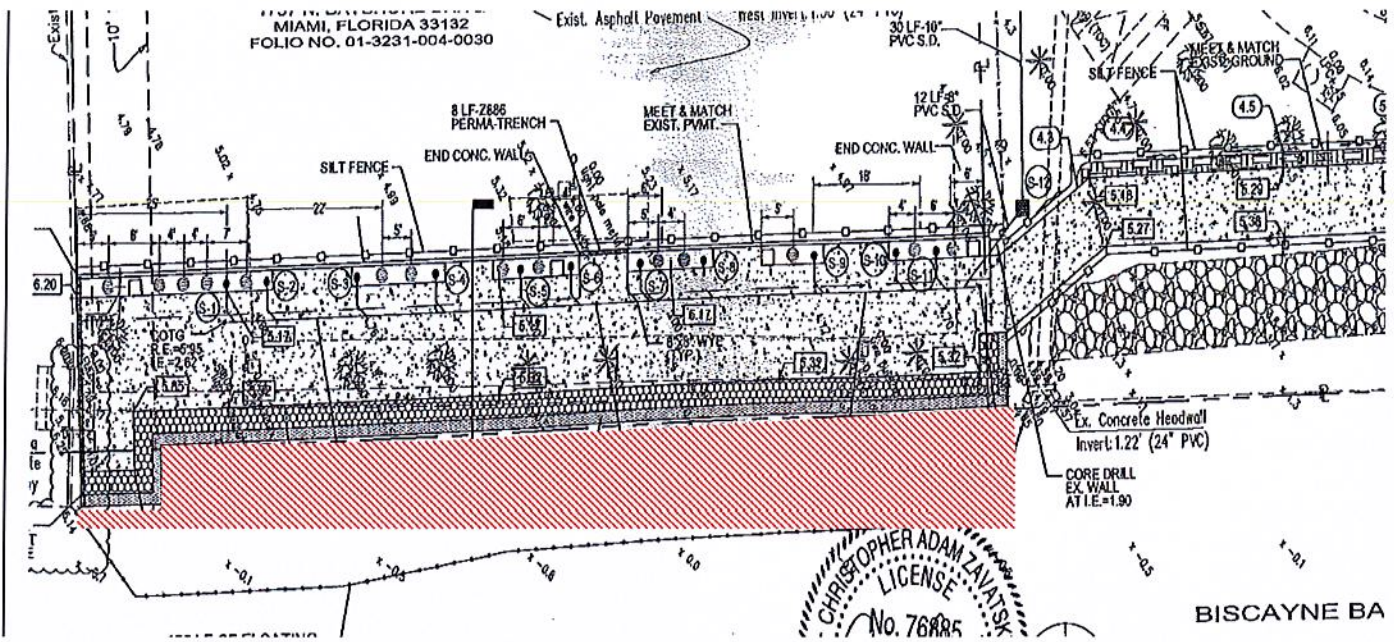
ANTICIPATED DATE OF COMPLETION: _____

COMMENTS: _____

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ATTACHMENT A

MOORING PROHIBITED AREA



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