



Carlos A. Gimenez, Mayor

**Department of Regulatory and Economic Resources**

Environmental Resources Management

701 NW 1st Court, 6th Floor

Miami, Florida 33136-3912

T 305-372-6567 F 305-372-6407

miamidade.gov

October 11, 2012

City of Miami  
c/o Jose Lago, P.E.  
444 SW 2nd Avenue, 8th Floor  
Miami, Florida 33130

Re: Class I Permit Application CLI-2012-0265: City of Miami – Elevated walkway at 1737 North Bayshore Drive, Miami, Miami-Dade County, Florida. (Folio No. 01-3231-004-0030)

Dear Mr. Lago:

Please accept this letter in response to your submittal of a Class I permit application for the above referenced property. Department staff has conducted a biological assessment and has the following recommendations to continue processing your permit application.

The biological assessment revealed the presence of a dense coverage of benthic resources at the property and within the footprint of the proposed baywalk. Pursuant to Section 24-48.3 of the Code of Miami-Dade County (Code), potential adverse environmental impacts and cumulative adverse environmental impacts to benthic resources must be avoided and minimized. In addition, the baywalk is considered a prohibited non-water-dependent fixed structure pursuant to Section 24-48.24 of the Code.

During the site inspection, staff documented that the uplands landward of the proposed work are undeveloped, and that impacts to benthic resources could be avoided by constructing the baywalk on the upland portion of the City of Miami easement. Therefore, the Department recommends that the baywalk be constructed entirely on the uplands, which will not require Class I authorization. Please contact us regarding the continued processing of this application.

If you would like to discuss the information provided above, or have any questions concerning the application, please contact me at (305) 372-6582 or [fresan@miamidade.gov](mailto:fresan@miamidade.gov).

Sincerely,

A handwritten signature in blue ink that reads "Nicole Fresard".

Nicole Fresard, Biologist II  
Coastal and Wetlands Resources Section

cc: Rosalinda Rodriguez – U.S. Army Corps of Engineers ([rosalinda.rodriguez@usace.army.mil](mailto:rosalinda.rodriguez@usace.army.mil))  
Jill King – Florida Department of Environmental Protection ([jill.m.king@dep.state.fl.us](mailto:jill.m.king@dep.state.fl.us))

