



Class I Construction Permit

Permit Number: CLI-2018-0166
DERM Project Manager: Tammy Burton

Issue Date: 01/30/2020 *AP*
Work Expiration Date: 01/30/2022 *JL*

Permittee

City of Miami
 c/o Daniel Rotenberg, Director
 444 Southwest 2nd Avenue, Suite 325
 Miami, Florida 33130
 (305) 416-1458

Contractor

See Specific Condition #1.

Bond

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

Engineer

John H. Omslaer, P.E.#52733
 Dynamic Engineering Solutions. Inc.
 (954) 545-1740

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: WATSON ISLAND
 MOORING FIELD
 PROJECT
 Miami Beach, Florida

Date Signed and Sealed: 9/22/2018, 11/1/2018

Project Location: North of MacArthur Causeway, East of 1099 MacArthur Causeway
 Miami, Florida 33133

Project Description:

- Installation of a mooring field between GPS Coordinates N25°47'14.46", W80°10'18.52", N25°47.23.93", W80°10'00.75", N25°47'00.04", W80°10'07.69", N25°46'58.03", W80°10'07.65", N25°46'52.09", W80°10'07.69", N25°46'52.13", W80°10'15.34", N25°47'00.06", W80°10'15.29", N25°47'02.23", W80°10'18.60" as follows:
 - 108 buoys (i.e. 8 mooring field perimeter marker buoys, and 100 mooring buoys). All buoys authorized in this permit shall implement the use of stainless steel screw-down mooring anchors and be located at the approved locations as shown on the approved plans.

Attachment A - Mooring Facility Management Plan

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

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 by DERM has been issued.**
2. The subject mooring field shall be operated in accordance with the subject Class I permit conditions and the Mooring Facility Management Plan (Attachment A) for the life of the facility.
3. This mooring field is required to have a valid Miami-Dade County Marine Facilities Operating Permit (MOP) and to adhere to all conditions of said MOP prior to the operation, including the mooring of vessels. Information for this permit can be obtained from DERM at 305-372-6575.
4. In order to minimize impacts to marine resources, such as seagrass, macroalgae, soft and hard corals, and to minimize the potential for scouring impacts to the bay bottom and said resources, all buoys shall use a stainless steel screw-down anchoring system.
5. In order to minimize impacts to benthic resources, the permittee shall use intermediate floats to support slack in the chain to minimize the potential for scouring impacts to the bay bottom and benthic resources.
6. GPS positioning shall be utilized to set the buoys, and to check the positions of the buoys on a bi-annual basis and after any major storm events. The results of these checks shall be reported on a bi-annual basis to DERM's Coastal Resources Section, Attn: Compliance Supervisor, 701 NW 1st Court, 6th Floor, Miami, FL 33136. Failure to maintain the buoys shall constitute a violation of this permit.
7. The permittee is advised that the buoys authorized under this permit shall be maintained in a functional condition by the permittee. The buoys shall be repaired or removed if they become dilapidated to such an extent that they are no longer functional or become a navigational hazard. In addition, any abandoned and/or derelict vessels and/or marine vessel debris shall be removed. If DERM determines that said buoys are not maintained in a manner that prevents hazards to the public or to navigation, or that said buoys may damage adjacent property, then the permittee shall be required to perform any necessary remedial work. Failure to comply with this condition shall constitute a violation of this permit.
8. The contractor shall ensure that care is taken in the installation of the new anchoring system to avoid degradation of water quality and impacts to benthic resources such as seagrass communities. The permittee shall take all necessary precautions to prevent construction debris from falling into the water or remaining in the water. Any debris (i.e. anchor systems, derelict vessels, illegal moorings, tackle, etc.) which does fall into the water shall be removed immediately and properly disposed of in accordance with all federal, state, and local regulations.
9. The contractor shall ensure equipment, including vessels operating during installation of the anchoring system, shall be secured in such a manner so as not to scrape or drag across the substrate and cause damage to significant resources. In addition, there shall be no storage or stockpiling of tools or materials within tidal waters.
10. There shall be no impacts to benthic resources within the project area as a result of this project. Failure to comply with this condition may require restoration and after-the-fact mitigation for any unauthorized adverse impacts to benthic communities caused by improper installation or maintenance of the anchoring system.
11. 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, jetskis and inflatable boats.
12. 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 State or County water quality standards, even on a temporary basis, or to benthic resources or the submerged bottom, including but not limited to bottom scouring or prop dredging.

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13. The permittee shall ensure that there is no anchoring within the mooring field.
14. The permittee shall ensure no overboard discharges of solid or liquid waste, human or animal waste, fuel or other pollutants occur in the mooring field.
15. There shall be no over-water fueling conducted in the managed mooring field authorized by this permit.
16. In order to prevent navigation issues there shall be no exceedance of mooring field boundaries due to the size of the vessel/ swing radius.
17. Because DERM has determined that benthic resources exist in the vicinity of the managed mooring field, the permittee shall within 30 days of placement of the buoys submit an initial post construction assessment of any and all resource impacts resulting from the initial placement of the buoys. This will be used to determine if mitigation will be required for any unavoidable impacts. If DERM determines that resource impacts have occurred, the permittee shall submit to the Coastal Resources Section of DERM a restoration, mitigation and monitoring plan prepared by a qualified biologist(s), indicating any resource impacts, including underwater photographs of documented impacts, GPS coordinates for the location of the buoy and/or impact, a measurement of the area impacted, and any corrective measures taken to prevent additional impacts. This plan shall include semiannual monitoring reports and a provision for a final assessment of project related impacts. The plan shall be submitted within 30 days following the initial post construction assessment. If no impacts are documented, additional semiannual reports will not be required. Following approval by the DERM, the permittee shall implement the plan within the specified time frame.
18. Since the Florida manatee occurs in the waters at and adjacent to the property, the permittee and contractor shall take measures to protect manatees during and after construction. Failure to comply with any of the below-listed measures may result in revocation of all or a portion of the performance bond. These measures shall include the following:
 - a. All construction personnel shall be notified in writing of the possible presence of manatees in the areas and the precautions that should be taken during the construction period. Copies of these written notifications shall be sent to DERM.
 - b. A no-wake policy shall be enforced in the waters adjacent to the property. The property owner(s) shall evict those vessels that repeatedly violate this speed restriction.
 - c. All construction personnel shall be advised that there are civil and criminal penalties for harming, harassing, or killing manatees which are protected under the Marine Mammal Protection Act of 1972, the Endangered Species Act of 1973, and the Florida Manatee Sanctuary Act of 1978. The permittee and contractor will be held jointly responsible for any manatee harmed, harassed, or killed as a result of the construction activities.
 - d. Prior to commencement of construction each vessel involved in the construction shall display in a prominent location, visible to the operator an 8 1/2" x 11' temporary placard reading, "Manatee Habitat/Idle Speed In Construction Area". In the absence of a vessel the placard will be located prominently adjacent to the issued construction permit. A second temporary 8 1/2" x 11' placard reading, "Warning Manatee Area" will be posted in a location prominently visible to water related construction crews. Temporary notices will be removed by the permittee upon completion of construction.
 - e. Turbidity curtains shall be made of material in which manatees cannot become entangled. Said curtains shall be properly secured, and shall be regularly monitored to avoid manatee entrapment. Curtains shall not block manatee entry to or exit from essential habitat.
 - f. All vessels associated with the project shall operate at "no wake/idle" speeds at all times while in water adjacent to the project where the draft of the vessel provides less than four feet of clearance from the bottom. All vessels shall follow routes of deep water whenever possible.
 - g. All in-water construction activities shall cease upon the sighting of a manatee(s) within fifty (50) feet of the project area. Construction activities will not resume until the manatee(s) has departed the project area.

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- h. Any collision with and/or injury to a manatee shall be reported immediately to the "Manatee Hotline" (1-888-404-FWCC) and to the U.S. Fish and Wildlife Service, Vero Beach Office (561-562-3903), and to DERM (305-372-6575).
 - i. The contractor shall maintain a log detailing sightings, collisions, or injuries to manatees should they occur during the contract period.
 - j. Following project completion, a report summarizing the above incidents and sightings shall be submitted to the Florida Department of Environmental Protection (FDEP), Marine Research Institute Office of Protected Species Research, 100 Eighth Avenue, Southeast, ST. Petersburg, Florida 33701-5095; to the U.S. Fish & Wildlife Service , 3100 University Blvd., Jacksonville, Florida 32216, and to DERM within sixty (60) days of project completion.
19. 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 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.

General Permit Conditions

1. This permit does not eliminate the necessity to obtain any required federal, state, and local authorizations prior to the start of any activity approved by this permit. This permit is a regulatory approval and does not convey to the permittee or create in the permittee any property right or privilege, 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. In the event that any structure authorized hereunder is determined by a final adjudication issued by a court of competent jurisdiction to encroach on or interfere with adjacent riparian rights, the permittee agrees to either obtain written consent for the offending structure from the affected riparian owner or to remove the interference.
2. This permit must be kept on-site during all phases of construction.
3. 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.
4. 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.
5. 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

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DERM that the structure is not in compliance with such.

6. 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.
7. 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.
8. 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 the Florida Department of Environmental Protection (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.
9. 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.
10. Trimming or alteration of mangroves or work in wetlands other than what is authorized by this permit is prohibited. Work not authorized by this permit or that is not explicitly exempt from permit requirements pursuant to the Mangrove Trimming and Preservation Act (403.9321-9334 F.S.) shall require additional Class I approval.
11. For any work involving mangrove trimming or alteration, if the subject Class I permit is revoked by DERM, or the state statute providing the exemption is modified or eliminated, the permittee shall be required to obtain a new permit from DERM prior to mangrove trimming or alteration.
12. 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 DERM.
13. The contractor shall not store or place, even on a temporary basis, construction or demolition debris in tidal waters and 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.
14. 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.
15. 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.

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16. Environmental controls and best management practices must be implemented to prevent any materials related to 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.
17. 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.
18. 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.
19. 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.
20. 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.
21. 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.
22. 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.
23. A DERM Class II permit is required for the construction, installation, and/or alteration of any outfall or overflow system in, on, under or upon any water body of Miami-Dade County. In addition, a DERM Class V permit is required for any dewatering of groundwater, surface waters or water, which has entered into an excavation. The contractor shall contact the Water Control Section of DERM at (305) 372-6681 in order to obtain a Class II or Class V permit prior to the construction of any outfall or overflow system and prior to any dewatering activity.
24. 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 an extension of time is granted pursuant to Section 24-48.9(2) of the Code of Miami-Dade County. Applications for extensions of time shall be submitted to DERM at least 30 days prior to the date of permit expiration; incomplete or untimely applications for extensions of time will be returned to the permittee.
25. 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

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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.

26. 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.
27. 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.
28. 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 at the property.
29. 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 State or County water quality standards, even on a temporary basis, or to benthic resources or the submerged bottom, including but not limited to bottom scouring or prop dredging.
30. 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.
31. 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.
32. Pursuant to Section 24-48.3.(9), the use or installation of unencapsulated polystyrene as defined in Section 24-5 shall be prohibited in connection with any work requiring a Class I permit. Pursuant to Section 24-48.26, for all facilities which are subject to a County marine facilities operating permit pursuant to this chapter, such permit shall require the removal, replacement or repair of any unencapsulated polystyrene where such polystyrene shows evidence of degradation, disintegration, shredding, or other damage, as determined in the discretion of the Director.

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DEPARTMENT OF REGULATORY AND ECONOMIC RESOURCES
COASTAL 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"

City of Miami

Watson Island Mooring Field Management Plan

Name: **Watson Island Managed Mooring Field Project**

Harbormaster: To be assigned

Address: 1099 MacArthur Causeway, Miami, FL 33132

Phone: () -

Fax: () -

E-mail: _____

Latitude: 25°47'6.07"N Longitude: 80°10'8.70"W

Waterbody: **Biscayne Bay**

Slow Speed All Year Manatee zone

FDEP Permit No. 13-0367937-001-EG

FDEP SSL Lease No. 130354686

Facilities: **100 - ## Mooring Balls**

- 1 Existing Dinghy Dock to access upland facility
- 2 Pumpout Dock; Pumpout Vessel to be Contracted
- 3 # Male Showers
- 4 # Female Showers
- 5 # Washers and Dryers

1.0 INTENT OF MANAGEMENT PLAN

This Management Plan (Plan) provides the framework for operation and use of the City of Miami's Watson Island Managed Mooring Field (Mooring Field) for 100 vessels preempting approximately 69 acres in Biscayne Bay. The Plan is binding for the life of the structures. The provisions of this Plan relate to the entire Mooring Field and the associated upland support facilities, which are located on City-owned property along the east side of Watson Island (including facilities at the Miami Yacht Club and/or the Watson Island Park boat ramp). This Plan applies to any vessels, owners, crew, guests, or any other persons entering the Mooring Field. Failure to comply with these rules and regulations shall constitute a violation of City of Miami regulations and shall be sufficient grounds for ejection from the Mooring Field and legal action. A permanent sign enumerating these rules will be located at the dinghy dock and/or the Harbormaster's office.

A nautical chart depicting the location of the Mooring Field in relation to adjacent ingress/egress corridors can be found in Appendix A attached to this Management Plan.

"Attachment A"

2.0 MOORING FIELD RULES AND REGULATIONS

2.1 Harbormaster Authority

The Harbormaster shall enforce the provisions of the General Permit, the Sovereign Submerged Lands Lease, and all permits granted for the Mooring Field. The Harbormaster shall assign each vessel to a mooring. No vessel shall occupy any mooring without the approval of the Harbormaster. The transfer of vessels from one mooring to another must be authorized by the Harbormaster. Approaching vessels shall raise the Harbormaster on VHF Channel 16 or by phone for assignment to a temporary mooring until all paperwork has been completed and the Harbormaster assigns that vessel to a mooring for the duration of the stay. Anchoring within the marked boundaries of the Mooring Field is prohibited. For safety, security, or other management considerations, the Harbormaster may move or relocate any vessel from one mooring to any other mooring (at the sole discretion of the Harbormaster).

Any violation of these Rules and Regulations may void the Mooring Rental Agreement and result in the ejection of the vessel from the Mooring Field, as well as the forfeiture of any part or all of the security deposit, at the sole discretion of the Harbormaster. The interpretation of these Rules and Regulations is the responsibility of the Harbormaster.

2.2 Operational Vessels Only

Only vessels in compliance with the United States Coast Guard (USCG) environmental and safety standards and Chapter 327, Florida Statutes, are authorized to moor at the Mooring Field. Only vessels in good operational condition, capable of maneuvering under their own power and with current registration or documentation are authorized to moor at the Mooring Field. The determination of whether a vessel is in good operational condition is the sole discretion of the Harbormaster. Vessels without integral or functional power for propulsion are prohibited from mooring in the Mooring Field.

2.3 Vessel Equipment Requirements

All vessels should have a dinghy or other small craft as an alternate means of conveyance to enable access to the Dinghy Dock and Harbormaster's Office. In the absence of a dinghy, the vessel owner shall inform the Harbormaster at the time of entry into the Mooring Field. The lack of a dinghy shall not be cause to refuse the rental of a mooring. The Harbormaster may provide or allow the use of a Mooring Field dinghy for the vessel occupants to access the upland property, if such a dinghy is available. It is the sole responsibility of vessel occupants to provide their own conveyance to the upland facilities.

2.4 Commercial Use of Moorings Prohibited

Commercial activities and vessels engaged in commercial activities are prohibited in the Mooring Field. However, this does not prohibit commercial vessels from using the Mooring Field or its amenities. No advertising or soliciting shall be authorized on any vessel within the Mooring Field, with the exception of "for sale by owner" signs not to exceed 2 square feet in size. Each vessel

"Attachment A"

shall be limited to a maximum of two (2) such signs. Use of moorings for brokerage purposes is strictly prohibited.

2.5 Mooring of Vessels

The Mooring Field will accommodate 100 vessels, excluding any dinghies that may be attached to parent vessels. All persons landing by vessel or dinghy must register at the Harbormaster's Office within twelve (12) hours of landing. Vessels shall be moored in designated mooring areas only, as assigned by the Harbormaster. The sole method for securing a vessel to a mooring shall be by securing the bow of the vessel to the mooring buoy pendant. Securing the mooring to the stern of any vessel is prohibited. Additionally, the use of additional anchors to supplement the mooring provided or anchoring within the marked boundaries of the Mooring Field is prohibited. Dinghies shall be kept on board the vessel when not in use and shall not impede or restrict access to fairways or channels. Subleasing of the vessel or assignment of the rental agreement is prohibited. Rafting or mooring of more than one vessel to any buoy, without prior approval of the Harbormaster, is prohibited.

2.5.1 Order of Mooring Assignment

Vessels will be assigned to areas of the Mooring Field based on size and length. Generally, water depths are deeper in the northern half of the Mooring Field. Larger vessels will utilize the deeper water. Please see the proposed mooring field layout in Appendix B.

2.5.2 Length of Stay

The Mooring Field will be open to the general public on a first come, first served basis, including transient vessels. The Mooring Field will potentially accommodate liveaboard vessels. A liveaboard vessel, as defined in the City of Miami Watson Island Mooring Field Sovereign Submerged Land Lease, is a vessel suitable for a person to live on for an extended period (more than 10 days in any 30-day month).

2.6 Illegal Activities Prohibited

Any illegal activity within the Mooring Field is grounds for immediate prosecution under the provisions of Florida law. It is the intent of the City of Miami Watson Island Mooring Field to prosecute each violation to the fullest extent of the law. If there is reasonable cause for suspicion of an illegal activity occurring in the Mooring Field, the appropriate authorities will be contacted immediately. Violation of this provision shall constitute grounds for immediate ejection from the Mooring Field. The Mooring Field has a zero tolerance policy for drug use or possession. Such use or possession shall be immediately prosecuted to the fullest extent of the law.

2.7 Waste Management/Marine Pollution

Discharge of any waste into tidal waters is prohibited.

"Attachment A"

Upon entering the Mooring Field, vessels shall secure their sewage holding tank to ensure no overboard discharge. All holding tanks shall be emptied at a sewage pump out station prior to mooring within the Mooring Field and prior to all extended departures from the Mooring Field greater than seven days, or a scheduled pump-out will be coordinated with the pumpout company.

All vessels will have to provide documentation to the Harbormaster of sewage tank pumpout within 24 hours of entering or re-entering the Mooring Field. Any vessel that cannot provide such documentation will be required to pumpout within 24 hours of mooring using a pumpout vessel or land-based pumpout.

There shall be absolutely no overboard discharge of any sewage into any area of the Mooring Field except into a pumpout vessel. Regularly scheduled visits (one every 7 days) will be made by a pumpout vessel, which will provide sewage pump out service to vessels within the Mooring Field. In addition, the pumpout vessel will be available by reservation.

The Harbormaster will provide the contact number for the pumpout vessel to mooring patrons in need of sewage tank pumpout services. All vessels with overnight or liveaboard occupants will be required to have their holding tanks pumped out no less than every seven (7) days minimum without fail and shall provide documentation to the Harbormaster. Violation of this provision shall constitute grounds for immediate ejection from the Mooring Field and forfeiture of security deposit.

Logs to record pump outs and inspections of seals on vessels without holding tanks shall be maintained by the Harbormaster and will be required to be provided upon request. All collected sewage waste shall be discharged at an approved upland facility.

2.8 Use of Dinghy Dock

The City of Miami provides a dinghy dock to accommodate dinghies of Mooring Field customers at no charge on a first come, first served basis. Dinghy dock capacity will be ten (10) percent of the total mooring spaces. No dinghy shall be left at the dinghy dock for more than twenty four (24) continuous hours without prior authorization from the Harbormaster.

Tying of dinghies by Mooring Field tenants or other non-Mooring Field vessel owners to docks, shorelines or seawalls outside of permitted slip areas contained on public or private properties is prohibited. Unattended dinghies found tied to the docks, piers and/or seawalls of the private adjacent yacht clubs will be considered abandoned and will be seized and impounded.

2.9 Fueling Prohibited

The fueling of vessels within the Mooring Field is prohibited. Vessel fueling is permitted at designated fueling stations, such as Sea Isle Marina (gasoline and diesel), located northwest of the Mooring Field, or Miami Beach Marina (gasoline and diesel), located east of the Mooring Field.

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3.0 RESPONSIBILITIES OF RENTERS/LICENSEES/TENANTS

3.1 Use of Vessel Pumpout Facilities

Vessels moored at the Mooring Field are required to utilize nearby pumpout facilities (see Section 2.7) or the pumpout vessel. Regularly scheduled visits, once every 7 days, will be made by the pumpout vessel, which will provide sewage removal from vessels within the Mooring Field. The pumpout vessel will empty at a permanently installed pumpout system connected directly to sanitary sewers. Those vessels utilizing a Type I or II Marine Sanitation Device are prohibited from discharging within the Mooring Field boundary and will be required to prove the functionality of its system or to seal its tank. Any use of its system must be in strict compliance with USCG and State regulations. All vessels are prohibited from discharging sewage within the Mooring Field boundary. All liveaboard vessels must provide the Harbormaster with documentation of pumpout once every seven days from one of the available facilities. Such documentation will be required on a monthly basis and will be kept on file at the Harbormaster's Office.

The Harbormaster, at their discretion, may require the placement of trace dye tablets into the holding tank of any vessel moored within the Mooring Field to verify that it meets zero discharge requirements.

3.2 Repairs Prohibited

Boat repairs and the refitting of vessels, including any activities that could result in the discharge of materials into the water or within the Mooring Field, are prohibited. Minor repairs and maintenance work are also prohibited. Minor emergency repairs may be conducted with the prior authorization of the Harbormaster. The Harbormaster shall be contacted in advance of any proposed work to verify compliance. Boat hull scraping and painting are prohibited in the Mooring Field and at the dinghy dock and sewage pumpout dock.

Additionally, only City of Miami Watson Island Mooring Field staff or their contractors shall undertake and accomplish any repairs to docks, piers, moorings, or any other common area structures or appurtenances. Any unauthorized activity in violation of the above may result in ejection from the Mooring Field and forfeiture of security deposit.

3.3 Waste Disposal/Trash Removal

Discharge of any waste into tidal waters is prohibited. Violators are subject to immediate ejection from the Mooring Field and the Harbormaster will notify the appropriate authorities for enforcement action.

Garbage and recyclable goods from vessels moored at the Mooring Field must be transported and deposited ashore in Mooring Field receptacles. Vessel owners shall contact the Mooring Field Harbor Master regarding proper disposal of waste oil, rags, bilge socks, absorbents, anti-freeze, used fuel, chemicals, and batteries. The Mooring Field does not accept any hazardous waste or materials for disposal.

Grey water generally includes wastewater from kitchen sinks or any water contaminated by oil, fuel or other regulated contaminants. To minimize discharges, Mooring Field users are urged to use the laundry and showers available at the upland support facility.

3.4 Prohibited Activities

- Major repairs and refitting of vessels or associated equipment
- Installation of any structures (both permanent or temporary) within the mooring field, including but not limited to floating docks and floating vessel platforms
- Charcoal, wood, or open flame burners (cooking stoves to be UL approved)
- Commercial activities, advertising, or soliciting, except as provided in section 2.4
- Disorderly, rowdy, or boisterous conduct; excessive noise that disrupts the quiet enjoyment of the Mooring Field by others
- Hanging laundry from the vessel in public view
- Anchoring within the mooring field; anchoring within the mooring field is not authorized under any circumstance

3.5 Manatees & Other Protected Species/Feeding of Wildlife

Vessel owners and their guests shall acquaint themselves with the publications and warnings available at the Harbormaster's Office regarding safe operation in waters frequented by manatees and must abide by all laws, ordinances, rules and regulations governing the operation of watercraft in the presence of manatees. Harassment of Federal or State listed protected species is illegal and will not be tolerated. Lists of these species, such as brown pelicans, manatees, sea turtles, smalltooth sawfish, and dolphins, are available at the Harbormaster's Office or on the Mooring Field information kiosk or display sign. All vessel owners and guests are prohibited from feeding or leaving food for wildlife, particularly birds or endangered species.

The City of Miami Watson Island Mooring Field is located in the Florida Fish and Wildlife Conservation Commission (FFWCC) Manatee Protection Area's "Slow Speed All Year" zone. Vessels traversing to and from the Mooring Field have access to Government Cut, located southeast of the Mooring Field, or a "30 MPH All Year" zone, located to the east of the Mooring Field, for access to open waters. See the FFWCC Slow Speed Zone Maps of Miami-Dade County.

3.6 Reporting of Fuel/Oil Spills

Vessel owners shall contact the Harbormaster's Office and USCG National Response Center Spill Hotline (1-800-424-8802) when an oil/fuel spill is discovered. Oil absorbent pads and containment booms are located at the Harbormaster's Office and are available for deployment in the event of a spill. The use of detergents to break up oil spills is strictly prohibited.

3.7 Vessel Cleaning

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Cleaning or washing vessels with detergents containing phosphates, chlorine, or petroleum distillates is prohibited within the Mooring Field.

3.8 Non-tenant Use of Moorings Prohibited

Non-tenants are prohibited from mooring within the Mooring Field without prior approval from the Harbormaster, except in cases of emergency or as otherwise provided in this Plan.

3.9 Use of Parking Lot

Parking facilities, except where otherwise indicated, are limited to use by Mooring Field vessel owners and guests. All vehicles must be operable and properly licensed and must display a valid parking permit issued by the Harbormaster. All bicycles must be kept at the bicycle rack provided in the common area when not in use. All vehicles must be removed within twenty-four (24) hours after the vessel vacates the Mooring Field.

3.10 Use of Upland Laundry, Restrooms and Showers

Laundry facilities, restrooms and showers designated for use by Mooring Field tenants are provided on the upland support facilities located on City-owned property on the east side of Watson Island, including the Miami Yacht Club and/or the Watson Island Park boat ramp.

3.11 Grandfathered Vessels

Any vessel within the boundaries of the Mooring Field at the time of adoption of this Management Plan by the City of Miami Watson Island Mooring Field will be considered "grandfathered in" from the requirement to pay fees for mooring at the Mooring Field for a period of six (6) months. At the end of the 6-month term, the vessel will be required to pay stipulated fees or vacate the Mooring Field. All grandfathered vessels will be required to adhere to the remainder of the rules and regulations within this Plan, regardless of their status.

3.12 Unauthorized Departure of Vessels

A vessel owner shall not remove his vessel from the Mooring Field when the vessel has a delinquent dockage balance without authorization from the Harbormaster.

3.13 Emergency Repairs

As part of the lease agreement, tenants must grant consent to the Harbormaster such that in the event of an emergency, the Harbormaster has the authority to have necessary repairs made to the tenant's vessel, as economically as possible. Emergencies include, but are not limited to: tropical storms and hurricanes; breakdown of a bilge, fuel, or sewage pump or any other leak; chafed or broken lines, or any other emergency that may imperil the vessel and possibly lead to sinking, damage to other vessels within the Mooring Field, or damage to the Mooring Field. The cost of

these repairs, parts, labor and any other appropriate charges, will be billed to the vessel owner and payable within 24 hours of the vessel owner's return or as provided by the Harbormaster.

4.0 HURRICANES AND TROPICAL STORMS

4.1 Evacuation of Vessels for Storm Event

The Mooring Field has being designed for tolerance up to, at a minimum, 70 MPH tropical storm force winds. Mooring facilities are generally not safe locations for vessels during strong named tropical storms or hurricanes and leaving vessels in mooring fields during such storms could result in significant damage to the vessels and the Mooring Field. The Mooring Field advises vessel owners to exercise prudent and appropriate judgment on whether to remove their vessels from the Mooring Field in the event that a named tropical storm threatens the area. The Mooring Field requires that all vessels evacuate the Mooring Field at or before the time there is a declared hurricane warning. Tenants are advised that mooring equipment provided in the Mooring Field may not withstand hurricane or tropical storm or associated wind or tidal surge. All Mooring Field tenants are solely and totally responsible for any and all damages to their vessels and personal property and other persons, vessels, or property caused by their failure to remove their vessels from the Mooring Field in a timely fashion.

5.0 SOVEREIGNTY SUBMERGED LANDS LEASE

The Mooring Field is authorized under Sovereignty Submerged Lands Lease No. 130354686 from the Board of Trustees of the Internal Improvement Trust Fund in accordance with Chapter 18-21, F.A.C.

The lease boundary includes 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. The lease boundary does not include the preempted area for the dinghy dock and the sewage pumpout access dock, which contain a temporary mooring area for the mooring of a sewage pumpout vessel. The lease boundary also does not include portions of the preempted area over submerged lands owned by the City of Miami.

This Management Plan is referenced in the lease.