



Carlos A. Gimenez, Mayor

Department of Regulatory and Economic Resources

Environmental Resources Management

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August 16, 2013

6000 Indian Creek Condominium Association, Inc.  
c/o Stefan Eriksson, President  
6000 Indian Creek Dr.  
Miami Beach, Florida 33140

Re: Class I Permit Application CLI-2013-0228: 6000 Indian Creek Condominium Assoc.– Dock located at 6000 Indian Creek Dr., Miami Beach, Miami-Dade County, Florida. (Folio No.02-3211-084-0001)

Dear Mr. Eriksson:

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

★ The minimum Code of Miami-Dade County (Code) required water depth of -4 feet NOAA MLW is not obtained within the slips that will be created by the proposed dock; therefore, the Department is unable to authorize the dock as proposed. Based on the draft of the vessels proposed to be moored on-site, adequate water depth is obtained between approximately 15 and 34 feet waterward of the seawall. The Department recommends coordinating with the Florida Department of Environmental Protection to determine whether the submerged land lease area can be modified to allow for the construction of a docking facility that is consistent with the water depth requirements of the Code. If the lease area cannot be modified, the Department can evaluate a proposal for dredging, provided that additional site information is obtained and the maximum draft of the vessels to be moored at the property will not exceed 3 feet when fully loaded. Alternatively, staff **may** be able to recommend approval for a variance from the -4 feet water depth requirement of the Code to the Environmental Quality Control Board (EQCB), provided that the maximum draft of the vessels to be moored at the property will not exceed 2.0 feet when fully loaded, and that the proposed mooring locations are limited to those areas where adequate water depth exists. A Restrictive Covenant Running with the Land in favor of Miami-Dade County, which restricts the draft of vessels that are authorized to be moored at the property may be requested. Revised sketches will be requested once the final scope of work has been finalized.

A moderate coverage of benthic resources was documented on-site. Mitigation is required for all unavoidable impacts to resources, and is calculated based on the square footage of the structures and permitted boat slip areas over resources. Mitigation is also required for the long term and short term environmental impacts associated with the operation of the facility, and is calculated based on the number of slips to be created or reconstructed. Riprap boulders are typically placed on-site to offset impacts to resources and to create new habitat. However, due to existing site conditions, the Department recommends that mitigation be satisfied off-site, or through a contribution to the Biscayne Bay Environmental Enhancement Trust Fund be provided in an amount to be determined.

The biological assessment revealed the presence of submerged piles on-site. The Class I permit shall include a condition that requires all of the submerged piles to be removed prior to the start of construction. Several discharge pipes were also documented on-site. Pursuant to the Code, it shall be unlawful for any person to dewater or to discharge sewage, industrial wastes, cooling water and solid wastes, or any other wastes into the waters of this County, including but not limited to surface water, tidal salt water estuaries, or ground water. The Class I permit will include a condition that requires the pipes be removed, permanently sealed, or reconfigured to drain on the uplands within 30 days of permit issuance.

Pursuant to the Miami-Dade County Manatee Protection Plan (MPP), the project is located in an area recommended for special use marinas and transitory docks. Based on a review of the available historical information, the 6 power boat slips being requested is consistent with the MPP provided that the project adheres to all requirements of the Code.

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