# SECTION 00900

# Addendum No. 1 (June 2, 2014) to Contract Documents

Town of Surfside

Surfside Seawall Replacement

TOWN RFP No. 2014-003

CGA PROJECT No. 12-5247

# To All Bidders:

Bidders for the above-referenced project shall take note of the following changes, additions, deletions, clarifications, etc. to the Plans and Specifications, which in accordance with the Contract Documents shall become a part of and have precedence over anything shown or described otherwise.

# IN THE CONTRACT DOCUMENTS:

- 1. Attached Mandatory Pre-bid Meeting Minutes is **to be added** to the Contract Documents.
- 2. Attached RFI Responses is **to be added** to the Contract Documents.
- 3. Attached Geotechnical Report is **to be added** to the Contract Documents.
- 4. Attached FPL As-Builts is to be added to the Contract Documents.
- 5. Attached copies of the Department of the Army Permit is **to be added** to the Contract Documents.
- 6. Attached copies of the Miami-Dade County Class I Construction Permit is **to be added** to the Contract Documents.
- 7. Attached copies of the Florida Department of Environmental Protection is **to be added** to the Contract Documents.

All other documents, specifications, drawings, terms and conditions remain the same.

Bidders must acknowledge receipt of Addendum on Page 00300-4 in Section 00300.

END OF SECTION



# Pre-Bid Meeting Minutes

☑ <b>Fort Lauderdale Office ·</b> 1800 Eller Drive · Suite 600 · Fort Lauderdale, FL 33316 · 954.921.7781(p) · 954.921.880	7(f)
☐ <b>Palm Beach Office</b> • 560 Village Bouleyard • West Palm Beach, FL 33409 • 561.684.6161(p) • 561.684.6360(f)	

CGA Project No:	12-5247	Project Name:	Surfside Seawall Design			
		Time	10:10 ⊠ AM □ PM			
Subject:	Pre-Bid Meeting Minute	S				
City Project No:	2014-003	2014-003 Date: 5/20/14				
Meeting Location:	Town of Surfside Town I	Hall				
Attendees:	Sabrina Baglieri, Chris Gi Attached Sign-in Sheet f		Sweeney, David Frodsham, Sand	Ira Novoa, See		
Distribution:	: Attendees, File, S. Baglieri					

A mandatory pre-bid meeting for the above-referenced project was held on May 20, 2014 at 10:10 AM at the Town of Surfside, Town Hall. The items discussed were as follows:

- 1. The meeting started 10 minutes late to allow the opportunity to secure parking and await any late arrivals due to parking availability.
- 2. All attendees were required to sign in for the mandatory pre-bid meeting.
- 3. Calvin, Giordano & Associates, Inc. (CGA) will be the Engineer of Record (EOR) and will also act as the Owner's Representative for the project.
- 4. Bidding contact for all correspondence is to be directed to Sabrina Baglieri with CGA via e-mail at <a href="mailto:sbaglieri@cgasolutions.com">sbaglieri@cgasolutions.com</a> or fax: 954-921-8807.
- 5. The Engineer of Record is David Frodsham, P.E. (CGA).
- 6. CGA provided a brief project description which included:
- a) The ten existing seawalls are to be replaced with panel, pile & cap seawall(s). The Carlyle Avenue existing wall is not a pile, panel & cap seawall.
- b) On sheets C-2 (Froude Ave) & Subset (Carlyle Ave.), no work is to be performed from the water (no barge allowed).
- c) All seawalls are grant funded (by FIND) except for the Carlyle Avenue Seawall (subset). The Town will request that the Carlyle Avenue seawall be added to the grant funding during the project duration.
- d) The note regarding vibration monitoring was pointed out and discussed. Contact must provide preconstruction video and vibration monitoring in accordance with the BidDocuments, Section 01030, Paragraph 1.02 PROVISIONS FOR SEISMIC SURVEY/MONITORING which must include adjacent structures.
- e) MMFX2 reinforcing steel will be used for the seawall panels and cap per the Contract Documents.
- f) Contractor must use FDOT Approved piles per the BidDocuments.
- g) There are existing drainage culverts, watermains and FPL utilities which protrude certain seawalls. Any existing, operational protrusions must be re-established by the Contractor per the BidDocuments.
- h) Where seawalls are to be placed in front of existing walls, they are limited to 1' waterward of wet-face of existing wall (permit requirement). Culverts are to be extended in their current configuration.
- i) On sheet C-3 (Bay Drive and Biscaya Drive), Contractor must replace wall in existing footprint.
- j) Two seawalls have electrical services / conduits penetrating the existing walls. The contractor is to coordinate the locations with FPL for any soft digs or SUE required by FPL and will be performed at the Contractors expense and must be completed within the project schedule. All coordination with FPL is the Contractor's



responsibility.

- k) The two outfalls that pass through the wall on sheet C-5 (92<sup>nd</sup> St) near the existing pump station, are to be abandoned (bricked closed) at the structure and removed. The outfalls that pass over the wall are to remain.
- I) There will be a site visit to Carlyle, and two locations on the Biscaya waterway, after the meeting is adjourned and any other locations requested by Contractors. All Contractors are encouraged to visit all sites and ask any questions that are not clear in the Bid Documents in writing prior to the questions cutoff date.
- m) The rip rap must be installed and meet the volume that the permit requires. Truck tickets are required to be submitted to the permitting agencies and are a requirement for payment of this line item.
- 7. Existing landscape damaged during construction is to be restored to current conditions or better.
- 8. The bid opening is June 17, at 2:00 p.m.
- 9. The contract time is 150 calendar days to Substantial Completion, and 180 calendar days to Final Completion. Liquidated Damages are \$2,000/per day.
- 10. Contractor must obtain Town engineering permit and building permit. The Contractor must also submit their name, license and other pertinent information for the environmental permits.
- 11. Any damage to existing structures during construction must be restored to as good or better condition at the Contractor's expense.
- 12. The Town is currently permitting a drainage project on Biscaya Island. The successful Contractor will have to coordinate the schedule for the seawall at the terminus of Biscaya Island due to a proposed outfall addition / replacement to this seawall as a portion of the Biscaya Island drainage improvement project.
- 13. The project documents were developed to allow for residents to piggy back on this contract, if they wish to repair their seawalls at the project bid rate. The bidder is to honor their prices to residents. Any work completed for the residents will be under separate contract and not affect the pricing/schedule or contract terms established with the Contractor and Town.
- 14. Question: Can an allowance item be added to the bid form for the landscape items?

There will be no allowance added to the bid form for landscape items. It is the Contractor's responsibility to determine their means and methods of construction and the selected means and methods will affect the adjacent improvements. Please ensure your costs for landscape restoration are included in the item14 line item.

15. Question: Is this a lump sum or unit bid price?

This project is a lump sum bid with unit prices for additions/deletions.

16. Question: Are alternates allowed?

For bidding purposes, no, alternatives / alternates are not allowed. After award, any requested alternates can be submitted by the Contractor for review, negotiation and approval by the Engineer of Record / Town.

17. Question: Is the water deep enough for a barge?

The Contractors equipment varies depending on equipment utilized. The Contractors are invited to visit the project sites to determine the required equipment and means and methods of construction including water depth, and accessibility.

18. Question: RFI submitted will it be answered via an addendum?

Yes, Addendum No.1 will be issued with responses to the previously submitted RFI's, and will also include the minutes to this pre-bid meeting.

19. Question: How do we access the seawall at the park site?

Contractor is to coordinate any requested park closures with the Town of Surfside in writing.

20. Question: Will we be utilizing a direct purchase option for this project:



No DPO (direct purchase order) at this time are contemplated, but the Town reserves the right to establish a DPO with the successful Contractor.

21. Question: Can you provide the environmental permits related to the work?

DERM, FDEP, & USACE permits for the project have been included with the response. After award, the contractor will be responsible for making sure permits are in the name of the awarded contractor. Meeting adjourned; all attendees were invited to participate in a field visit to two (2) specific project/site locations. After the meeting, CGA toured the Carlyle street end and the Biscaya Island street end sites with a partial attendance of the pre-bid meeting attendees. Certain constraints including existing utilities and existing landscaping were visibly identified. Attendees were asked to submit any questions in writing, and were encouraged to visit all the sites.

# PRE-BID CONFERENCE MAY 20, 2014 2014-003 SEAWALL REPLACEMENT

# SIGN-IN SHEET

DATE	NAME	COMPANY	EMAIL ADRESS	TELEPHONE NO.
5/20/4	David Frodsham	Colvin, Giordano + Assec.	dfrodsham@egasolutim	s.com 5616846161
5/20	John MCF211	FERRAIRA CONST. IVC.		772-286-5-123
5/20	RANZO TAYLOS	ZMMFX	ranzo taylor	1560-0048
5/20	Yosnel Milian		Vuilin . On heady Gun	(305) 967 3977
5/20	Bobby Brown	Ebsary foundation Co. PAC COMM	Bbrown @Paccommine	802 . 2672
5/20	Bret Grantham	PCL Tampa	bgranthame PCL. Gon	213-253-4135
2.5	CHRIS MORA	Lynx Construction	CMoran @ Lynx CS. 10M	305573365
15/	Kalac	Jorge Diaz	Joge & Kalex Constato	7865646052
151	George Skinger	Lynx Construction	CSKinger Olynxcs	205 573 3656
7/20	HENRY SCHMID	HA CONTRACTING GOD	henryschacentraction	305 591-9212
5/20	Mott Wasnyon	DeMarin		

# PRE-BID CONFERENCE MAY 20, 2014 2014-003 SEAWALL REPLACEMENT

# **SIGN-IN SHEET**

DATE	NAME	COMPANY	EMAIL ADRESS	TELEPHONE NO.
5/20	JEFFREY STOCKE	Geo Sonics, luc	ISTRUANDEGOSONICS, COM	954424-2101
5/23	David MORAN	Epic Consultants, Inc	dmoran@epic-consultant	302-612-1616
5/20	WAYNE WILSON	STEEL CON SUPPLY	WWILSOH@PAKEIGHKIPE	
5/20		RAY QUALMANN MARINE		
5/10	Steven Menamons	AMERIC CONTRACTORS , JUNE,	Sterice amarcamentous, co	305 669, M 1996
	•			

# **Responses to RFI for Addendum No.1**

TOWN OF SURFSIDE Seawall Replacement Project Town RFP No. 2014-003 CGA Project No. 12-5247 June 3, 2013

**1.) Reference:** Specifications Section 3.08 Test Piles, multiple testing methods included **Question:** What type of test pile is going to be used for the new PC concrete pile and where are the test piles located?

Response: Per Section 3.08, test piles must conform to the requirements for permanent piles. A test pile is to be driven at each wall.

**2.) Reference:** Front End Documents-Unit Price Bid Schedule Pay Items 20 & 21 **Questions:** The description of pay items 20 & 21 are "F&I 20in King Piles" and "F&I 20in King Piles" This description does not match notes and details on sheets C10 & C11?

Response: This question has been withdrawn by the contractor.

**3.) Reference:** Article 10

**Question:** If an Owner's Representative is assigned to the project, will this cost be the responsibility of the contractor?

Response: The Owner's Representative for the project will be Calvin, Giordano & Associates, Inc., the costs for the Owners Representative are not to be included in the Contractor's bid price.

**4.) Reference:** General

**Request:** Please provide existing seawall drawings. This is necessary to determine the PC pile configuration for cost of removal.

Response: Contractor is responsible for field verifying locations of existing seawall piles.

5.) Reference: Front End Documents-Unit Price Bid Schedule Pay Items 18 & 19

**Question:** These pay items refer to pricing in Linear Feet. Pricing the excavation of all unsuitable soils without prior investigation is not possible and assumptions would have to be made. These assumptions could make cost run much higher than actual cost or run under. Please consider unitizing Item 18, & 19 in Cubic Yards?

Response: The line item will remain Linear Feet. The Contractor's means and methods of construction will determine the total CY of material excavated. The Town will review the submitted bids and the apparent low bidder will be the responsive, responsible Contractor which poses the best value to the Town.

**6.)** Reference: Pages 36 through 40 on the Universal Engineering Sciences Soil Report

**Question:** Can you please repost these sheets? They are not legible.

Response: A copy of Universal's Soil Report is contained within this addendum.

**7.) Reference:** Universal Engineering Sciences Boring Logs

**Request:** Please provide referenced elevations of the soil layers.

Response: Soil layers are referenced as depths from upland grade at the locations where the borings were performed. Please refer to grade elevations on the plans in the upland vicinity of each wall.

**8.) Reference:** General

**Request:** Please provide PC concrete pile lengths on the plans for bidding purposes.

Response: Planned pile lengths are 20' for bidding purposes, with cut-offs depending upon the point at which bearing capacity or refusal is reached.

**9.) Reference:** Plan sheets C7 FPL line crossing

**Request:** Please provide a detail of penetration of the FPL line through the PC panel.

Response: Utility coordination response plans for both FPL crossings have been provided as part of this response. The depth of penetration of the FPL Transmission line beneath the seawall on Sheet C7 is unknown and will have to be jet excavated with coordination through FPL at the Contractors expense. Be advised that there is also an FPL crossing on Sheet C5, the depth of which was provided as approximately -4.5', although the datum is not listed. This line will also need to be jet excavated and coordinated with FPL at the Contractors expense.

10.) Reference: General Plans

**Request:** Please provide a detail at new wall to existing tie-in locations

Response: Detail of connection to neighboring seawalls can be seen on "Plan View of

Return Wall" detail, (Sheet C11 Main Set, Sheet C3 Carlyle Set)

11.) Reference: General Plans

**Request:** Please provide all dimensions for proposed seawall frontal and return locations. Notes do not match scaled lengths on plans.

Response: A tabulation of seawall and cap lengths, as well as number of king and batter piles can be found on Sheet C11, Contractor to verify quantities. Carlyle Wall is 50' long.

Return wall dimensions are shown on "Plan View of Return Wall" detail, (Sheet C11 Main Set, Sheet C3 Carlyle Set)

**12.) Reference:** General Plans

**Request:** What is the last day for questions? **Response:** Last day for questions is 6/6/14.

13.) Reference: General Plans

**Request:** What is the engineering estimate for the project?

Response: The engineering estimate for the project is \$1,061,600.00

**14.) Reference:** Permits

**Request:** Please include all listed permits.

Response: Permits have been included as part of this addendum.



November 7, 2012

Mr. David Frodsham Calvin, Giordano & Associates 560 Village Boulevard, Suite 340 West Palm Beach, Florida 33409

Reference: Geotechnical Exploration Services

> Surfside Bulkhead Improvements Surfside, Miami-Dade County, Florida UES Project No. 0630.1200076

UES Report No. 12165

Dear Mr. Frodsham:

Universal Engineering Sciences, Inc. (UES) has completed a subsurface exploration for the above referenced project in Miami-Dade County, Florida. The completed services were conducted in general accordance with authorized UES Opportunity No. 0630.1012.00007. These completed services were performed in accordance with generally accepted soil and foundation engineering practices. No other warranty, expressed or implied, is made.

# PROJECT DESCRIPTION

The project consists of planning and design of several bulkhead replacements in Surfside, Miami-Dade County, Florida. A general location map of the project area appears in Appendix A: Site Location Map. The bulkhead locations that are to be included in this geotechnical study are as follows:

Bulkhead #1: Carlyle Avenue & 88th Street Bulkhead #2: Froude Avenue & 88th Street

Bulkhead #5: End of 88th Street on Isle of Biscayne

Bulkhead #6: Irving Avenue & Bay Drive Bulkhead #7: 90th Street & Bay Drive 92nd Street & Bay Drive Bulkhead #8: Bulkhead #9: 93rd Street & Bay Drive Bulkhead #10: 94th Street & Bay Drive Bulkhead #11: 95th Street & Bay Drive

Bulkhead #12: Surfside Park Offices In:

- · Atlanta
- · Daytona Beach
- DeBary · Ft. Myers
- · Ft. Pierce
- · Gainesville
- Jacksonville
- Leesburg
- Miami · Ocala
- · Orlando
- · Palm Coast
- · Panama City
- · Pensacola
- · Rockledge
- Sarasota · St. Augustine
- Tampa
   West Palm Beach

## FIELD EXPLORATION

UES drilled a total of ten (10) Standard Penetration Test borings (B-1, B-2, B-5, B-6, B-7, B-9, B-10, B-11, B-12A, and B-12B) for Bulkhead Nos. 1, 2, 5, 6, 7, 9, 10, 11, and 12, respectively. Bulkhead Nos. 8 and 10 were not drilled due to conflict with utilities and obstructions. The approximate locations of the soil borings are presented in Appendix B. Boring Location Map.

The SPT borings were advanced to the depths of 15 to 25 feet below existing grade using the rotary wash method; samples were collected while performing the SPT at regular intervals. We completed the SPT in general accordance with ASTM D-1586 guidelines, with continuous sampling from 1 to 10 feet, and then at 5-foot sampling intervals. The SPT test consists of driving a standard split-barrel sampler (split-spoon) into the subsurface using a 140-pound hammer free-falling 30 inches. The number of hammer blows required to drive the sampler 12 inches, after first seating it 6 inches, is designated the penetration resistance, or SPT-N value. This value is used as an index to soil strength and consistency.

Samples collected during the SPT were placed in clean sample containers and transported to our laboratory where they were visually classified by a member of our geotechnical engineering staff in accordance with ASTM D-2488. These soil samples will be held in our laboratory for your inspection for 90 days, after which time they will be discarded unless we are otherwise notified.

# LABORATORY TESTING

The soil samples recovered from the soil test borings were returned to the laboratory where a member of our geotechnical staff visually classified them, reviewed the field descriptions, and selected a representative sample for laboratory test.

Tests were performed to aid in classifying the soils and to help evaluate the general engineering characteristics of the site soils. The tests performed included six (6) No. 200 wash analyses and moisture content determination. See Appendix B: Boring Logs, Key to Boring Logs, for further data and explanations.

# **FINDINGS**

# SURFACE CONDITIONS

We reviewed U.S.G.S. topographic quadrangle maps and the USDA Soil Conservation Service Soil Survey of Miami-Dade County for relevant information about the site. Based on the 1996 Soil Survey for Miami-Dade County, Florida, as prepared by the US Department of Agriculture, Natural Resources Conservation Service (NRCS), the predominant soil type at the site is Urban land.



Urban land is in areas where more than 85 percent of the surface is covered by shopping centers, parking lots, streets, sidewalks, airports, large buildings, houses, and other structures. The natural soil cannot be observed. The soils in open areas, mostly lawns, vacant lots, playgrounds, and parks, are mainly Udorthents.

# SUBSURFACE CONDITIONS

The results of our field exploration together with pertinent information obtained from the test borings, such as soil descriptions, and groundwater levels are shown on the boring logs included in Appendix B. The soil descriptions are based on visual classifications completed by a member of our geotechnical staff. The stratification lines shown on the boring logs represent the approximate boundaries between soil layers, and may not depict exact stratification. The actual soil strata boundaries are often more transitional than depicted. A generalized profile of the soils found at our boring locations is presented in Table 1: General Soil Profile.

	TABLE 1: GENERAL SOIL PROFILE
Typical Depth Below Grade (Feet)	Soil Description
0 – 9	Very loose to medium dense, brown to gray sand with rocks and shell fragments, sand with silt, silty sand, and peat [SP, SP-SM, SM, PT]
9 – 25*	Very loose to dense, gray silty sand, silty sandy limestone, and sandy limestone [SM, GM, GP]
* Boring Term	ination depth

A notable feature found in the general soil profile was the presence of peat layer at borings B-1 from 6 to 9 feet below existing grade, B-5 from 4.5 to 9 feet below existing grade, and B-9 from 6 to 7 feet below grade. Groundwater was measured at a depth of approximately 1 foot below land surface in the test borings.



# **SOIL PARAMETERS**

Table 2 presents the recommended soil parameters for the boring locations.

	TABLE	2: RE	СОММЕ	NDED S	SOIL D	ESIGN	PARAMETER	S					
Layer SPT "N" Phi c k <sub>a</sub> k <sub>p</sub> K <sub>o</sub> Unit Weight (PCF)													
Depth (Feet)	Range		(PSF)				Saturated	Submerged					
0 – 9	2 – 15	28	0	0.36	2.77	0.53	100 38						
9 – 25	6 – 47	30	0	0.33	3	0.5	115	53					

# **LIMITATIONS**

Our field exploration found unsuitable materials (i.e., peat) at the time of occurrence at borings B-1 from 6 to 9 feet below existing grade, B-5 from 4.5 to 9 feet below existing grade, and B-9 from 6 to 7 feet below grade. The test borings completed for this report were widely spaced and are not considered sufficient for reliably detecting the presence of isolated, anomalous surface or subsurface conditions, or reliably estimating unsuitable or suitable material quantities. Accordingly, UES does not recommend relying on our boring information to negate the presence of anomalous materials or for estimation of material quantities. Therefore, UES will not be responsible for any extrapolation or use of our data by others beyond the purpose(s) for which it is applicable or intended.

During the early stages of most construction projects, geotechnical issues not addressed in this report may arise. Because of the natural limitations inherent in working with the subsurface, it is not possible for a geotechnical engineer to predict and address all possible problems. An ASFE publication, "Important Information About Your Geotechnical Engineering Report" appears in Appendix C, and will help explain the nature of geotechnical issues.

Further, we present documents in Appendix C: Constraints and Restrictions, to bring to your attention the potential concerns and the basic limitations of a typical geotechnical report.



We appreciate the opportunity to have worked with you on this project and look forward to a continued association. Please contact us if you have any questions, or if we may further assist you as your plans proceed.

Respectfully submitted,

UNIVERSAL ENGINEERING SCIENCES, INC.

Certificate of Authorization No. 549

Allan G. Abubakar, P.E. Project Engineer

Florida Professional Engineer No. 69952

Peter G. Read, P.E. Regional Manager

Florida Professional Engineer No. 35604

11/7/2012

Enclosures: Appendix A: Site Location Map

Appendix B: Boring Location Map

**Boring Logs** 

Appendix C: Important Information About Your Geotechnical

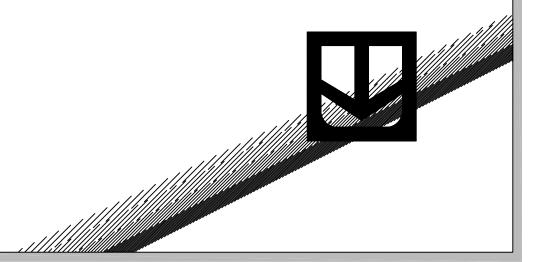
**Engineering Report** 

Constraints and Restrictions

Appendix D: General Conditions

Dist: Client (4)





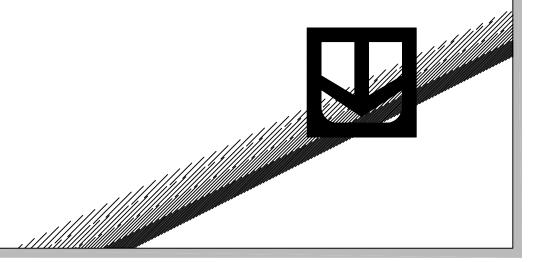


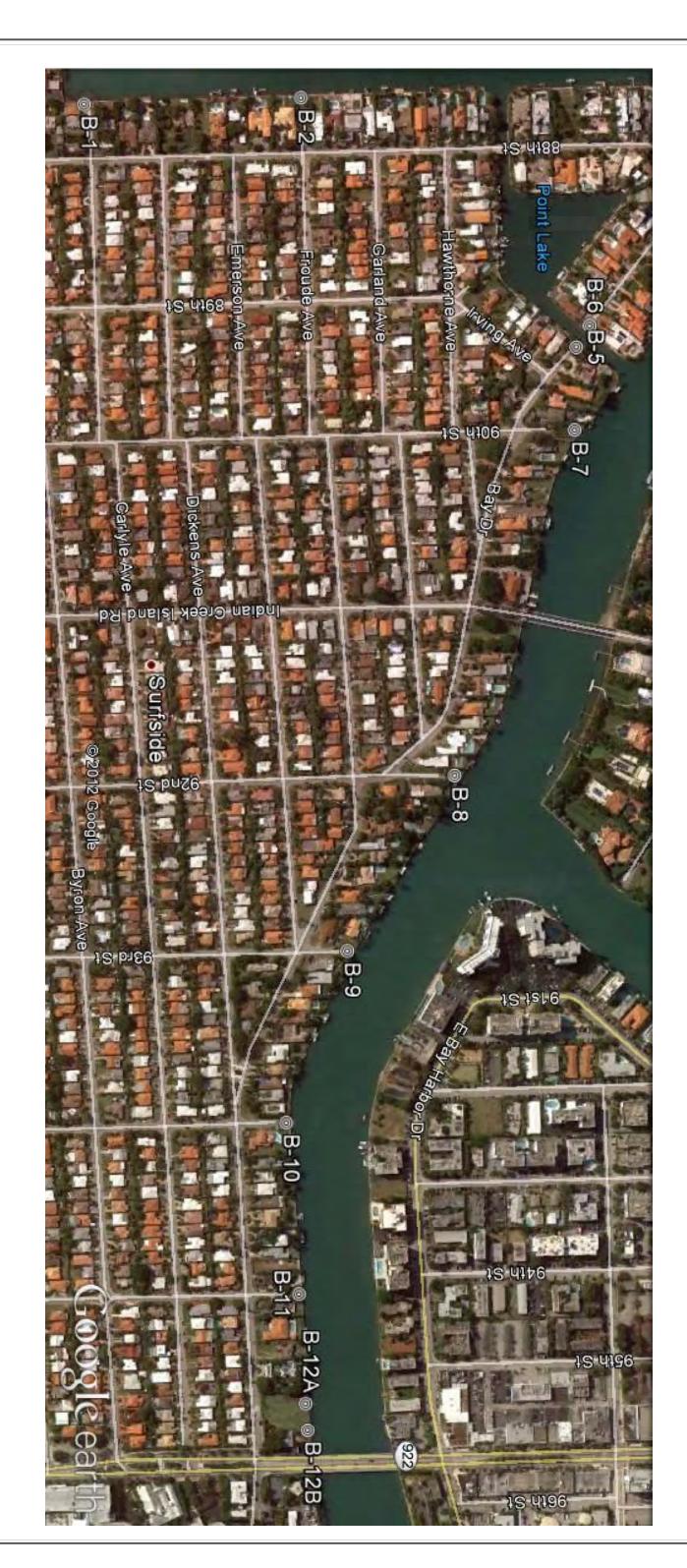


GEOTECHNICAL EXPLORATION SERVICES
BULKHEAD IMPROVEMENTS
SURFSIDE, MIAMI-DADE COUNTY, FLORIDA

# SITE LOCATION MAP

DRAWN BY:	A.G.A.	DATE: 1	1/02/12	CHECKI	ED BY:	P.G.R.	DATE:	11/02/12	
SCALE:	AS SHOWN	PROJECT NO:	0630.1200	060	REPORT	<b>NO:</b> 12165	PAGE NO:	A-1	







SURFSI

GEOTECHNICAL EXPLORATION SERVICES
BULKHEAD IMPROVEMENTS
SURFSIDE, MIAMI-DADE COUNTY, FLORIDA

**BORING LOCATION PLAN** 

DRAWN BY:

DATE:

11/06/12

CHECKED BY: P.G.R.

DATE: PAGE NO:

11/06/12 B-2

REPORT NO: 12165

SE A.G.A.

PROJECT NO: 0630.1200076



# UNIVERSAL ENGINEERING SCIENCES **BORING LOG**

PROJECT NO.: 0630.1200076 REPORT NO.: 12165 PAGE: B-2

RANGE:

SHEET: 1 of 1

PROJECT: Surfside Bulkhead Improvements

Miami

Miami, Florida

CLIENT: Calvin, Giordano & Associates, Inc.

LOCATION: See Location Plan

REMARKS:

BORING DESIGNATION: TOWNSHIP: SECTION:

G.S. ELEVATION (ft): DATE STARTED: 10/31/12

WATER TABLE (ft): DATE FINISHED: 10/31/12

**B-1** 

DATE OF READING: 10/31/12 DRILLED BY: UES (Lake Worth)

EST. W.S.W.T. (ft): TYPE OF SAMPLING: SPT

DEPTH	SAMPLE	BLOWS PER 6"	N (BLOWS/	W.T.	S Y M B O	EST. W.S.W.T. (	-200	MC	ATTEF LIM	RBERG IITS	K (FT./	ORG. CONT.
(FT.)	L	INCREMENT	FT.)		O D B	223.111.1131	(%)	(%)	LL	PI	DAY)	(%)
0 —				$\nabla$	7 <u>1 1<sup>N</sup> . 7</u> 1	Topsoil						************
_	ĮP,			_	/ <sub>/</sub> , \ / <sub>/</sub>							
-						Limerock (Fill)						
_	$\nearrow$	6-5-5	10			loose						
_	$\Lambda$	4-4-3	7									
_	$\mathbb{N}$					Very loose, gray sand with shell fragments [SP]						
5—	$\langle  \rangle$	1-2-1	3									
-		1-1-1	2			Very loose, brown peat [PT]						
-	$\bigvee$	1-1-1	_									
-		1-1-1	2									
-	X					Very loose, gray silty sand [SM]	0.7	00				
10 —	<del>/</del> \	2-2-2	4				37	33				
-												
-	1					Medium dense, gray limestone [GP]	-					
-	1											
-	$-\nabla$											
15 —	$\langle \rangle$	10-12-16	28		•••	SPT Soil Boring Terminated at 15 Feet.	<u> </u>					• • • • • • • • • • • • • • • • • • • •
						G. 1. 301. 201. Ig						



CLIENT:

# UNIVERSAL ENGINEERING SCIENCES **BORING LOG**

PROJECT NO.: 0630.1200076 REPORT NO.: 12165 PAGE: B-3

SHEET:

RANGE:

PROJECT: Surfside Bulkhead Improvements

Miami

Miami, Florida

Calvin, Giordano & Associates, Inc.

LOCATION: See Location Plan

REMARKS:

SECTION:

BORING DESIGNATION:

DATE STARTED:

G.S. ELEVATION (ft):

**B-2** 

TOWNSHIP:

10/31/12

1 of 1

WATER TABLE (ft):

DATE FINISHED: 10/31/12

DATE OF READING: 10/31/12

DRILLED BY:

UES (Lake Worth)

EST. W.S.W.T. (ft): TYPE OF SAMPLING: SPT

D	EPTH (FT.)	SAMPLE	BLOWS PER 6"	N (BLOWS/	W.T.	S Y M B	DESCRIPTION	-200 (%)	MC (%)	ATTER LIM	RBERG	K (FT./	ORG. CONT.
L	()	L E	INCREMENT	` FT.)		O L		(/-/	(7-7)	LL	PI	DAY)	(%)
	0 —				_∇_	12. <u>N. 12.</u>	Topsoil						*
l	-	M			≖	17.317	Brown sand [SP]						
l	-		3-2-1	3			very loose						
	-	M	1-2-2	4		0	Very loose, brown silty sand with rocks [SP]	20	33				
	5 —		2-1-2	3			Very loose, gray silty sand [SM]						
l	_	M	2-1-2	3									
	_	$\bigcirc$	1-1-2	3									
	_	A	1-1-1	2									
	10 —	X	1-1-1	22									
	-												
	_												
	_	V					Medium dense, light gray sandy limestone [GP]						
	15 —	<b>/</b> -}	18-16-16	32			SPT Soil Boring Terminated at 15 Feet.						



# UNIVERSAL ENGINEERING SCIENCES BORING LOG

PROJECT NO.: 0630.1200076

REPORT NO.: 12165

PAGE: B-4

1 of 1

UES (Lake Worth)

PROJECT: Surfside Bulkhead Improvements

Miami

Miami, Florida

CLIENT: Calvin, Giordano & Associates, Inc.

LOCATION: See Location Plan

REMARKS:

BORING DESIGNATION:

DATE OF READING: 10/31/12

SECTION:

**B-5** SHEET: TOWNSHIP: RANGE:

DRILLED BY:

STARTED: 10/31/12

G.S. ELEVATION (ft): DATE STARTED:

WATER TABLE (ft): 1.7 DATE F

DATE FINISHED: 10/31/12

EST. W.S.W.T. (ft): 0 TYPE OF SAMPLING: SPT

DEPTH M	BLOWS PER 6"	N (BLOWS/	W.T.	S Y M B	DESCRIPTION	-200	MC		RBERG IITS	K (FT./	ORG. CONT.
(FT.)   P L	. I INCREMENT			O L		(%)	(%)	LL	PI	DAY)	(%)
0		ļ	$\nabla$	7 <u>1 1<sup>N</sup> . 7</u> 1	T				ļ		*****
				1, , 11,	Topsoil						
$\setminus$	_		<b>▼</b>		Loose, brown sand with silt and shell fragments [SP-SM]						
7	4-4-3	7				9	24				
$\exists$	4-2-3	5									
$\uparrow$	4-2-3				V 1						
5 —	1-1-2	3			Very loose, brown peat [PT]				·····		
-1	1										
+	1-2-2	4									
$\downarrow \rangle$	1-2-1										
	1-2-1	3									
10	2-2-2	4	<u> </u>		Very loose, gray sand with shell fragments and trace organics [SP]			]	]		
10											
-											
-1					Dense, light gray sandy limestone [GP]						
15 —	20-21-28	49			SPT Soil Boring Terminated at 15 Feet.			<b></b>	ļ		



REMARKS:

# UNIVERSAL ENGINEERING SCIENCES **BORING LOG**

PROJECT NO.: 0630.1200076 REPORT NO.: 12165 PAGE: B-5

PROJECT: Surfside Bulkhead Improvements

Miami

Miami, Florida

CLIENT: Calvin, Giordano & Associates, Inc.

LOCATION: See Location Plan

BORING DESIGNATION:

**B-6** 

1 of 1 SHEET: RANGE:

SECTION: TOWNSHIP:

DATE STARTED:

10/30/12

G.S. ELEVATION (ft):

WATER TABLE (ft):

DATE FINISHED:

10/30/12

DATE OF READING:

10/30/12

DRILLED BY:

UES (Lake Worth)

EST. W.S.W.T. (ft): TYPE OF SAMPLING: SPT

DEPTH (FT.)	S A M P L E	BLOWS PER 6" INCREMENT	N (BLOWS/ FT.)	W.T.	S Y M B O I	DESCRIPTION	-200 (%)	MC (%)	ATTEF LIM	RBERG IITS	K (FT./ DAY)	ORG. CONT. (%)
0 —				$\nabla$	1/ 3/ 1/	Topsoil						
-	M	1-1-1	2	_	1, ,11,	Very loose, brown sand with shell fragments [SP]						
-	M	2-2-2	2									
5—	X	3-2-2				Very loose, gray sand with shell fragments [SP]						
-	M	1-1-1	2			Very loose, brown sand with shell fragments and trace organics [SP]						
-	M	1-1-1	2			uace organics (or )						
-	M	1-2-1	3									
10 —												
-						Dense, light gray silty sandy limestone [GM]						
-	M											
15 —	<u> </u>	15-20-19	39			SPT Soil Boring Terminated at 15 Feet.	15	29				
Š												



# UNIVERSAL ENGINEERING SCIENCES **BORING LOG**

PROJECT NO.: 0630.1200076 REPORT NO.: 12165 PAGE: B-6

PROJECT: Surfside Bulkhead Improvements

Miami

Miami, Florida

CLIENT: Calvin, Giordano & Associates, Inc.

LOCATION: See Location Plan

REMARKS:

BORING DESIGNATION: SECTION:

TOWNSHIP:

1 of 1 SHEET: RANGE:

DATE STARTED:

10/30/12

G.S. ELEVATION (ft): WATER TABLE (ft):

DATE FINISHED: 10/30/12

DATE OF READING: 10/30/12

DRILLED BY:

UES (Lake Worth)

EST. W.S.W.T. (ft):

TYPE OF SAMPLING: SPT

**B-7** 

DEPTH M (FT.) F L	BLOWS PER 6" INCREMENT	N (BLOWS/ FT.)	W.T.	S Y M B O L	DESCRIPTION	-200 (%)	MC (%)	RBERG IITS	K (FT./ DAY)	ORG. CONT. (%)
0			$\nabla$	1 2 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	Topsoil			 		
	2-1-2	3	▼		Very loose, brown sand with shell fragments [SP]					
	2-2-1	3			Very loose, gray sand with shell fragments [SP]					
5	1-1-3	4			Very loose, gray silty sand with shell fragments and root [SM]  Loose, gray sand with shell fragments [SP]			 		
	2-2-3	5								
	2-2-3	5								
10										
				X	Medium dense, light gray sandy limestone [GP]					
15	2-11-17	28			SPT Soil Boring Terminated at 15 Feet.			 		
					<b>5</b>					



# UNIVERSAL ENGINEERING SCIENCES BORING LOG

PROJECT NO.: 0630.1200076

REPORT NO.: 12165

PAGE: B-7

PROJECT: Surfside Bulkhead Improvements

Miami

Miami, Florida

CLIENT: Calvin, Giordano & Associates, Inc.

LOCATION: See Location Plan

REMARKS:

BORING DESIGNATION: SECTION: TO

TOWNSHIP:

**B-9** 

RANGE:

G.S. ELEVATION (ft):

DATE STARTED:

10/30/12

1 of 1

dano di Associates, mo.

WATER TABLE (ft):

13

DATE FINISHED: 10/30/12

SHEET:

......

DATE OF READING: 10/30/12

DRILLED BY: UES (Lake Worth)

EST. W.S.W.T. (ft): 0 TYPE OF SAMPLING: SPT

ļs				S	ES1. W.S.W.1. (T	1): 0	···	PE OF S			
DEPTH M (FT.)	PERO	N (BLOWS/	W.T.	ОВМ≺Ю	DESCRIPTION	-200 (%)	MC (%)	ATTERBERG LIMITS		K (FT./	ORG. CONT.
(FT.) P L E	INCREMENT	FT.)		O L		(70)	(70)	LL PI		DAY)	(%)
0			$\nabla$	1. N. 1.	Topsoil						*
	1		┻	0	Loose, brown sand with rocks [SP]						
1	4-3-2	5		0							
$\mathbf{I}$	1				Loose, brown sand with shell fragments [SP]						
1 +	1-3-4	7			Loose, gray sand with shell fragments [SP]						
5—	2-3-2	5									
$\mathbf{I}$				***	Very loose, peat [PT]						
1 +	1-2-2	4			Very loose, gray sand with shell fragments [SP]						
<b>I</b> - X	2-2-2	4				5	33				
	7										
10	3-3-4	7									
					Medium dense, light gray sandy limestone [GP]						
					,						
15	21-12-15	27		• • • •	SPT Soil Boring Terminated at 15 Feet.						
					or realizating reministed at 10 real						
ď.											



REMARKS:

# UNIVERSAL ENGINEERING SCIENCES **BORING LOG**

PROJECT NO.: 0630.1200076 REPORT NO.: 12165 PAGE: B-8

SHEET:

RANGE:

PROJECT: Surfside Bulkhead Improvements

Miami

Miami, Florida

CLIENT:

LOCATION:

Calvin, Giordano & Associates, Inc.

See Location Plan

DATE STARTED:

10/30/12

1 of 1

WATER TABLE (ft):

G.S. ELEVATION (ft):

BORING DESIGNATION:

SECTION:

DATE FINISHED: 10/30/12

DATE OF READING: 10/30/12

DRILLED BY:

UES (Lake Worth)

EST. W.S.W.T. (ft): TYPE OF SAMPLING: SPT

**B-11** 

TOWNSHIP:

	1.0					EST. W.S.W.T. (ff	): 0		PE OF S	AWPLIN	G: SPT	
DEPTH (FT.)	SAMPLE	BLOWS PER 6"	N (BLOWS/	W.T.	S Y M B O	DESCRIPTION	-200 (%)	MC (%)	ATTERBERG LIMITS		K (FT./	ORG. CONT.
(1 1.)	L E	INCREMENT	FT.)		O L		(70)	(70)			DAY)	(%)
0 —				$\nabla$	1. · × 1. 1.	Tapacil						
_				_	17.31/	Topsoil						
	M					Very loose, brown sand with shell fragments [SP]						
-		1-2-2	4									
-	$\mathbb{Y}$											
-	$\langle \cdot \rangle$	2-2-8	10									
5-	<u> </u>				0	Loose, gray sand with rock [SP]						
	$\left( \cdot \right)$	3-3-3	6		0							
		4-4-3	7			Loose to very loose, gray sand with shell fragments [SP]						
-	$\bigvee$											
-		3-3-3	6									
-	V											
10 —	$\langle \rangle$	3-3-3	6									
_												
-												
-												
-	V											
15 —	$\langle \cdot \rangle$	2-1-2	3			SPT Soil Boring Terminated at 15 Feet.						
						SFT 3011 BOTTING TETTIIITATED AT 13 FEET.						



# UNIVERSAL ENGINEERING SCIENCES **BORING LOG**

PROJECT NO.: 0630.1200076 REPORT NO.: 12165 PAGE: B-9

PROJECT: Surfside Bulkhead Improvements

Miami

Miami, Florida

LOCATION: See Location Plan

REMARKS:

CLIENT:

**B-12A** BORING DESIGNATION: SECTION:

TOWNSHIP:

1 of 1 SHEET: RANGE:

DATE STARTED:

10/29/12

Calvin, Giordano & Associates, Inc. G.S. ELEVATION (ft):

WATER TABLE (ft):

DATE FINISHED: 10/29/12

DATE OF READING:

10/29/12

DRILLED BY:

UES (Lake Worth)

EST. W.S.W.T. (ft): TYPE OF SAMPLING: SPT

DE (F	PTH NET.)	BLOWS PER 6"	N (BLOWS/	W.T.	S Y M B	DESCRIPTION		MC (%)	ATTER	RBERG IITS	K (FT./	ORG.
'	'.,   F	INCREMENT	FT.)		O L		(%)	(70)	LL PI		DAY)	(%)
	0			$\nabla$	(1) (1)	Tabadi						• • • • • • • • • • • • • • • • • • • •
				_	1/ 1//	Topsoil						
		1		┻		Loose, brown sand with shell fragments [SP]						
	7/	3-2-3	5									
	$\dashv \setminus$											
	+	2-2-3	5									
	5—	<u> </u>	12			Medium dense to very loose, gray sand with shell						
		4-4-8	12			fragments						
		5-4-5	9									
	$\uparrow$	7										
	1/	2-2-1	3									
	-\\	1										
	10	1-1-2	3									
	1											
	_											
	-\\	1										
	15	3-3-4	7									
	1											
	_											
	$\dashv \setminus$	1										
	20	6-7-6	13	<b></b>								
	7					Medium dense, light gray silty sandy limestone [GM]						
		_				wediani dense, ngiri gray siliy sandy ilinestone [Givi]						
	$\dashv \setminus$	(										
	25	5-6-5	11	<u> </u>		SPT Soil Boring Terminated at 25 Feet.	23	29		<b> </b>		
						C. 1 Con Bonny Terrinated at 20 Feet.						



REMARKS:

# UNIVERSAL ENGINEERING SCIENCES **BORING LOG**

PROJECT NO.: 0630.1200076 REPORT NO.: 12165 PAGE: B-10

PROJECT: Surfside Bulkhead Improvements

Miami

Miami, Florida

CLIENT: Calvin, Giordano & Associates, Inc.

LOCATION: See Location Plan

BORING DESIGNATION:

**B-12B** 

SHEET: 1 of 1 RANGE:

TOWNSHIP: SECTION:

G.S. ELEVATION (ft): DATE STARTED:

10/29/12

WATER TABLE (ft):

DATE FINISHED: 10/29/12

DATE OF READING: 10/29/12

DRILLED BY:

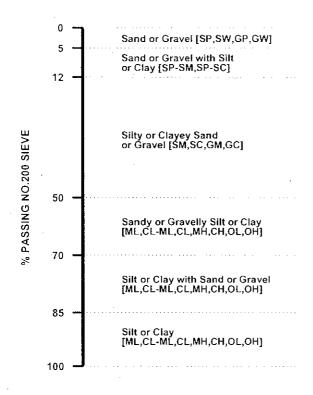
UES (Lake Worth)

EST. W.S.W.T. (ft): TYPE OF SAMPLING: SPT

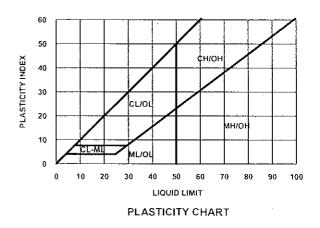
DE (F	EPTH M FT.) P L E	BLOWS PER 6" INCREMENT	N (BLOWS/ FT.)	W.T.	S M B O L	DESCRIPTION	-200 (%)	MC (%)	ATTEF LIM	RBERG ITS PI	K (FT./ DAY)	ORG. CONT. (%)
	0			$\nabla$	1 <u>7. N. 1</u> 2	Topsoil						* * * * * * * * * * * * * * * * * * * *
l				_	17.3117		]					
	$\rfloor \rangle$					Loose to medium dense, brown sand with shell frangments [SP]						
l		4-4-4	8									
	$\exists X$	3-3-4	7									
	$ \uparrow $											
	5 —	3-5-6	11									
	7	1				Medium dense to loose, gray sand with shell	1					
	+	8-7-8	15			fragments [SP]						
	$+\!$	5-5-6	11									
	+	1										
	10	4-3-2	5									
	4											
	_											
	15	2-3-4	7									
	1											
	1	7										
	7	10.00	40									
	20	10-9-9	18									
	-											
	+											
	4					Medium dense, light gray sandy limestone [GP]						
	-	1										
	25	7-8-8	16	<b></b>	• 6.	SPT Soil Boring Terminated at 25 Feet.	<u> </u>					
						2 23. 23						
2												
<u> </u>			L		I							

# **KEY TO BORING LOGS**

SOIL CLASSIFICATION CHART\*







# **GROUP NAME AND SYMBOL**

#### COARSE GRAINED SOILS

WELL-GRADED

GRAVELS [GW]

PQQRLY-GRADED

POORLY-GRADED

SILTY GRAVELS

CLAYEY GRAVELS

(GM)

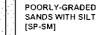
[GC]

[GP-GM]

GRAVELS [GP]

# WELL-GRADED SANDS [SW]





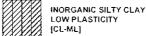
POORLY-GRADED SANDS WITH CLAY [SP-SC]

SILTY SANDS [SM]

**CLAYEY SANDS** [SC]

SILTY CLAYEY SANDS [SC-SM]

# FINE GRAINED SOILS



INORGANIC CLAYS **GRAVELS WITH SILT** LOW TO MEDIUM PLASTICITY [CL]

POORLY-GRADED INORGANIC SILTS HIGH GRAVELS WITH CLAY PLASTICITY [MH] [GP-GC]

> INORGANIC CLAYS HIGH PLASTICITY [CH]





ORGANIC SILTS/CLAYS MEDIUM TO HIGH PLASTICITY (OH)\*\*

ORGANIC SILTS/CLAYS

LOW PLASTICITY [OL]"

HIGHLY ORGANIC SOILS



PEAT, HUMUS, SWAMP SOILS WITH HIGH ORGANIC CONTENTS [PT]"

## RELATIVE DENSITY

(SAND AND GRAVEL)

VERY LOOSE - 0 to 4 Blows/ft. LOOSE - 5 to 10 Blows/ft. MEDIUM DENSE - 11 to 30 Blows/ft. DENSE - 31 to 50 Blows/ft. VERY DENSE - more than 50 Blows/ft.

#### CONSISTENCY

(SILT AND CLAY)

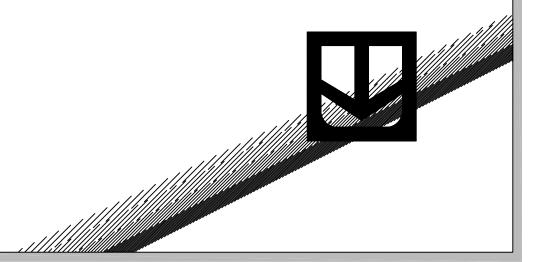
VERY SOFT - 0 to 2 Blows/ft. SOFT - 3 to 4 Blows/ft. FIRM - 5 to 8 Blows/ft. STIFF - 9 to 16 Blows/ft. VERY STIFF - 17 to 30 Blows/ft. HARD - more than 30 Blows/ft.

<sup>\*</sup> IN ACCORDANCE WITH ASTM D 2487 - UNIFIED SOIL CLASSIFICATION SYSTEM.

<sup>&</sup>quot; LOCALLY MAY BE KNOWN AS MUCK.

# SOIL CLASSIFICATION CHART

	4 IOD DIVIO	ONO	SYMI	BOLS	TYPICAL			
IVI.	AJOR DIVISI	ONS	GRAPH	LETTER	DESCRIPTIONS			
	GRAVEL	CLEAN GRAVELS		GW	WELL-GRADED GRAVELS, GRAVEL - SAND MIXTURES, LITTLE OR NO FINES			
	AND GRAVELLY SOILS	(LITTLE OR NO FINES)		GP	POORLY-GRADED GRAVELS, GRAVEL - SAND MIXTURES, LITTLE OR NO FINES			
COARSE GRAINED SOILS	MORE THAN 50% OF COARSE	GRAVELS WITH FINES		GM	SILTY GRAVELS, GRAVEL - SAND - SILT MIXTURES			
	FRACTION RETAINED ON NO. 4 SIEVE	(APPRECIABLE AMOUNT OF FINES)		GC	CLAYEY GRAVELS, GRAVEL - SAND - CLAY MIXTURES			
	SAND	CLEAN SANDS		SW	WELL-GRADED SANDS, GRAVELLY SANDS, LITTLE OR NO FINES			
MORE THAN 50% OF MATERIAL IS LARGER THAN NO. 200 SIEVE SIZE	AND SANDY SOILS	(LITTLE OR NO FINES)		SP	POORLY-GRADED SANDS, GRAVELLY SAND, LITTLE OR NO FINES			
	MORE THAN 50% OF COARSE FRACTION	SANDS WITH FINES		SM	SILTY SANDS, SAND - SILT MIXTURES			
	PASSING ON NO. 4 SIEVE	(APPRECIABLE AMOUNT OF FINES)		sc	CLAYEY SANDS, SAND - CLAY MIXTURES			
				ML	INORGANIC SILTS AND VERY FINE SANDS, ROCK FLOUR, SILTY OR CLAYEY FINE SANDS OR CLAYEY SILTS WITH SLIGHT PLASTICITY			
FINE GRAINED	SILTS AND CLAYS	. LIQUID LIMIT LESS THAN 50		CL	INORGANIC CLAYS OF LOW TO MEDIUM PLASTICITY, GRAVELLY CLAYS, SANDY CLAYS, SILTY CLAYS, LEAN CLAYS			
SOILS				OL	ORGANIC SILTS AND ORGANIC SILTY CLAYS OF LOW PLASTICITY			
MORE THAN 50% OF MATERIAL IS				мн	INORGANIC SILTS, MICACEOUS OR DIATOMACEOUS FINE SAND OR SILTY SOILS			
SMALLER THAN NO. 200 SIEVE SIZE	SILTS AND CLAYS	LIQUID LIMIT GREATER THAN 50		СН	INORGANIC CLAYS OF HIGH PLASTICITY			
0.700				ОН	ORGANIC CLAYS OF MEDIUM TO HIGH PLASTICITY, ORGANIC SILTS			
H H	GHLY ORGANIC S	SOILS		PT	PEAT. HUMUS. SWAMP SOILS WITH HIGH ORGANIC CONTENTS			



# **Important Information About Your**

# Geotechnical Engineering Report

Subsurface problems are a principal cause of construction delays, cost overruns, claims, and disputes.

The following information is provided to help you manage your risks.

# Geotechnical Services Are Performed for Specific Purposes, Persons, and Projects

Geotechnical engineers structure their services to meet the specific needs of their clients. A geotechnical engineering study conducted for a civil engineer may not fulfill the needs of a construction contractor or even another civil engineer. Because each geotechnical engineering study is unique, each geotechnical engineering report is unique, prepared solely for the client. No one except you should rely on your geotechnical engineering report without first conferring with the geotechnical engineer who prepared it. And no one — not even you — should apply the report for any purpose or project except the one originally contemplated.

# Read the Full Report

Serious problems have occurred because those relying on a geotechnical engineering report did not read it all. Do not rely on an executive summary. Do not read selected elements only.

# A Geotechnical Engineering Report Is Based on A Unique Set of Project-Specific Factors

Geotechnical engineers consider a number of unique, project-specific factors when establishing the scope of a study. Typical factors include: the client's goals, objectives, and risk management preferences; the general nature of the structure involved, its size, and configuration; the location of the structure on the site; and other planned or existing site improvements, such as access roads, parking lots, and underground utilities. Unless the geotechnical engineer who conducted the study specifically indicates otherwise, do not rely on a geotechnical engineering report that was:

- not prepared for you,
- · not prepared for your project,
- not prepared for the specific site explored, or
- completed before important project changes were made.

Typical changes that can erode the reliability of an existing geotechnical engineering report include those that affect:

 the function of the proposed structure, as when it's changed from a parking garage to an office building, or from a light industrial plant to a refrigerated warehouse,

- elevation, configuration, location, orientation, or weight of the proposed structure,
- composition of the design team, or
- project ownership.

As a general rule, always inform your geotechnical engineer of project changes—even minor ones—and request an assessment of their impact. Geotechnical engineers cannot accept responsibility or liability for problems that occur because their reports do not consider developments of which they were not informed.

# **Subsurface Conditions Can Change**

A geotechnical engineering report is based on conditions that existed at the time the study was performed. *Do not rely on a geotechnical engineering report* whose adequacy may have been affected by: the passage of time; by man-made events, such as construction on or adjacent to the site; or by natural events, such as floods, earthquakes, or groundwater fluctuations. *Always* contact the geotechnical engineer before applying the report to determine if it is still reliable. A minor amount of additional testing or analysis could prevent major problems.

# Most Geotechnical Findings Are Professional Opinions

Site exploration identifies subsurface conditions only at those points where subsurface tests are conducted or samples are taken. Geotechnical engineers review field and laboratory data and then apply their professional judgment to render an opinion about subsurface conditions throughout the site. Actual subsurface conditions may differ—sometimes significantly—trom those indicated in your report. Retaining the geotechnical engineer who developed your report to provide construction observation is the most effective method of managing the risks associated with unanticipated conditions.

# A Report's Recommendations Are Not Final

Do not overrely on the construction recommendations included in your report. *Those recommendations are not final*, because geotechnical engineers develop them principally from judgment and opinion. Geotechnical engineers can finalize their recommendations only by observing actual

subsurface conditions revealed during construction. The geotechnical engineer who developed your report cannot assume responsibility or liability for the report's recommendations if that engineer does not perform construction observation.

# A Geotechnical Engineering Report Is Subject to Misinterpretation

Other design team members' misinterpretation of geotechnical engineering reports has resulted in costly problems. Lower that risk by having your geotechnical engineer confer with appropriate members of the design team after submitting the report. Also retain your geotechnical engineer to review pertinent elements of the design team's plans and specifications. Contractors can also misinterpret a geotechnical engineering report. Reduce that risk by having your geotechnical engineer participate in prebid and preconstruction conferences, and by providing construction observation.

# Do Not Redraw the Engineer's Logs

Geotechnical engineers prepare final boring and testing logs based upon their interpretation of field logs and laboratory data. To prevent errors or omissions, the logs included in a geotechnical engineering report should never be redrawn for inclusion in architectural or other design drawings. Only photographic or electronic reproduction is acceptable, but recognize that separating logs from the report can elevate risk.

# Give Contractors a Complete Report and Guidance

Some owners and design professionals mistakenly believe they can make contractors liable for unanticipated subsurface conditions by limiting what they provide for bid preparation. To help prevent costly problems, give contractors the complete geotechnical engineering report, but preface it with a clearly written letter of transmittal. In that letter, advise contractors that the report was not prepared for purposes of bid development and that the report's accuracy is limited; encourage them to confer with the geotechnical engineer who prepared the report (a modest fee may be required) and/or to conduct additional study to obtain the specific types of information they need or prefer. A prebid conference can also be valuable. Be sure contractors have sufficient time to perform additional study. Only then might you be in a position to give contractors the best information available to you, while requiring them to at least share some of the financial responsibilities stemming from unanticipated conditions.

# **Read Responsibility Provisions Closely**

Some clients, design professionals, and contractors do not recognize that geotechnical engineering is far less exact than other engineering disciplines. This lack of understanding has created unrealistic expectations that

have led to disappointments, claims, and disputes. To help reduce the risk of such outcomes, geotechnical engineers commonly include a variety of explanatory provisions in their reports. Sometimes labeled "fimitations" many of these provisions indicate where geotechnical engineers' responsibilities begin and end, to help others recognize their own responsibilities and risks. *Read these provisions closely.* Ask questions. Your geotechnical engineer should respond fully and frankly.

# **Geoenvironmental Concerns Are Not Covered**

The equipment, techniques, and personnel used to perform a *geoenviron-mental* study differ significantly from those used to perform a *geotechnical* study. For that reason, a geotechnical engineering report does not usually relate any geoenvironmental findings, conclusions, or recommendations; e.g., about the likelihood of encountering underground storage tanks or regulated contaminants. *Unanticipated environmental problems have led to numerous project failures.* If you have not yet obtained your own geoenvironmental information, ask your geotechnical consultant for risk management guidance. *Do not rely on an environmental report prepared for someone else.* 

# **Obtain Professional Assistance To Deal with Mold**

Diverse strategies can be applied during building design, construction, operation, and maintenance to prevent significant amounts of mold from growing on indoor surfaces. To be effective, all such strategies should be devised for the express purpose of mold prevention, integrated into a comprehensive plan, and executed with diligent oversight by a professional mold prevention consultant. Because just a small amount of water or moisture can lead to the development of severe mold infestations, a number of mold prevention strategies focus on keeping building surfaces dry. While groundwater, water infiltration, and similar issues may have been addressed as part of the geotechnical engineering study whose findings are conveyed in this report, the geotechnical engineer in charge of this project is not a mold prevention consultant; none of the services performed in connection with the geotechnical engineer's study were designed or conducted for the purpose of mold prevention. Proper implementation of the recommendations conveyed in this report will not of itself be sufficient to prevent mold from growing in or on the structure involved.

# Rely, on Your ASFE-Member Geotechnical Engineer for Additional Assistance

Membership in ASFE/The Best People on Earth exposes geotechnical engineers to a wide array of risk management techniques that can be of genuine benefit for everyone involved with a construction project. Confer with you ASFE-member geotechnical engineer for more information.



8811 Colesville Road/Suite G106, Silver Spring, MD 20910 Telephone: 301/565-2733 Facsimile: 301/589-2017 e-mail: info@asfe.org www.asfe.org

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# **CONSTRAINTS AND RESTRICTIONS**

#### WARRANTY

UES has prepared this report for our client for his exclusive use, in accordance with generally accepted soil and foundation engineering practices, and makes no other warranty either expressed or implied as to the professional advice provided in the report.

#### **UNANTICIPATED SOIL CONDITIONS**

The analysis and recommendations submitted in this report are based upon the data obtained from soil borings performed at the locations indicated on the Boring Location Plan. This report does not reflect any variations which may occur between these borings.

The nature and extent of variations between borings may not become known until excavation begins. If variations appear, we may have to re-evaluate our recommendations after performing on-site observations and noting the characteristics of any variations.

#### CHANGED CONDITIONS

We recommend that the specifications for the project require that the contractor immediately notify Universal Engineering Sciences, as well as the owner, when subsurface conditions are encountered that are different from those present in this report.

No claim by the contractor for any conditions differing from those anticipated in the plans, specifications, and those found in this report, should be allowed unless the contractor notifies the owner and UES of such changed conditions. Further, we recommend that all foundation work and site improvements be observed by a representative of UES to monitor field conditions and changes, to verify design assumptions and to evaluate and recommend any appropriate modifications to this report.

#### MISINTERPRETATION OF SOIL ENGINEERING REPORT

UES is responsible for the conclusions and opinions contained within this report based upon the data relating only to the specific project and location discussed herein. If the conclusions or recommendations based upon the data presented are made by others, those conclusions or recommendations are not the responsibility of UES.

# **CHANGED STRUCTURE OR LOCATION**

This report was prepared in order to aid in the evaluation of this project and to assist the architect or engineer in the design of this project. If any changes in the design or location of the structure as outlined in this report are planned, or if any structures are included or added that are not discussed in the report, the conclusions and recommendations contained in this report shall not be considered valid unless the changes are reviewed and the conclusions modified or approved by UES.

# **USE OF REPORT BY BIDDERS**

Bidders who are examining the report prior to submission of a bid are cautioned that this report was prepared as an aid to the designers of the project and it may affect actual construction operations. Bidders are urged to make their own soil borings, test pits, test caissons or other investigations to determine those conditions that may affect construction operations. UES cannot be responsible for any interpretations made from this report or the attached boring logs with regard to their adequacy in reflecting subsurface conditions which will affect construction operations.

# STRATA CHANGES

Strata changes are indicated by a definite line on the boring logs which accompany this report. However, the actual change in the ground may be more gradual. Where changes occur between soil samples, the location of the change must necessarily be estimated using all available information and may not be shown at the exact depth.

#### **OBSERVATIONS DURING DRILLING**

Attempts are made to detect and/or identify occurrences during drilling and sampling, such as: water level, boulders, zones of lost circulation, relative ease or resistance to drilling progress, unusual sample recovery, variation of driving resistance, obstructions, etc.; however, lack of mention does not preclude their presence.

#### WATER LEVELS

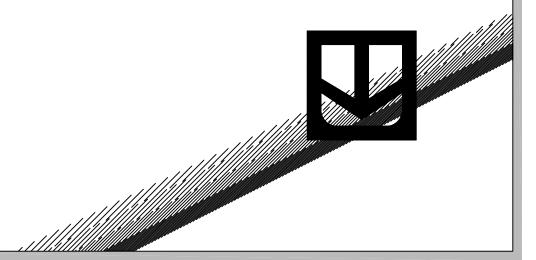
Water level readings have been made in the drill holes during drilling and they indicate normally occurring conditions. Water levels may not have been stabilized at the last reading. This data has been reviewed and interpretations made in this report. However, it must be noted that fluctuations in the level of the groundwater may occur due to variations in rainfall, temperature, tides, and other factors not evident at the time measurements were made and reported. Since the probability of such variations is anticipated, design drawings and specifications should accommodate such possibilities and construction planning should be based upon such assumptions of variations.

### **LOCATION OF BURIED OBJECTS**

All users of this report are cautioned that there was no requirement for UES to attempt to locate any man-made buried objects during the course of this exploration and that no attempt was made by UES to locate any such buried objects. UES cannot be responsible for any buried man-made objects which are subsequently encountered during construction that are not discussed within the text of this report.

# TIME

This report reflects the soil conditions at the time of investigation. If the report is not used in a reasonable amount of time, significant changes to the site may occur and additional reviews may be required.



# Universal Engineering Sciences, Inc. GENERAL CONDITIONS

#### **SECTION 1: RESPONSIBILITIES**

- 1.1 Universal Engineering Sciences, Inc., heretofore referred to as the Consultant, has the responsibility for providing the services described under the Scope of Services section. The work is to be performed according to accepted standards of care and is to be completed in a timely manner. The term "Consultant" as used herein includes all of Universal Engineering Sciences, Inc's agents, employees, professional staff, and subcontractors.
- 1.2 The Client or a duly authorized representative is responsible for providing the Consultant with a clear understanding of the project nature and scope. The Client shall supply the Consultant with sufficient and adequate information, including, but not limited to, maps, site plans, reports, surveys and designs, to allow the Consultant to properly complete the specified services. The Client shall also communicate changes in the nature and scope of the project as soon as possible during performance of the work so that the changes can be incorporated into the work product.

#### **SECTION 2: STANDARD OF CARE**

- 2.1 Services performed by the Consultant under this Agreement are expected by the Client to be conducted in a manner consistent with the level of care and skill ordinarily exercised by members of the Consultant's profession practicing contemporaneously under similar conditions in the locality of the project. No other warranty, express or implied, is made.
- 2.2 The Client recognizes that subsurface conditions may vary from those observed at locations where borings, surveys, or other explorations are made, and that site conditions may change with time. Data, interpretations, and recommendations by the Consultant will be based solely on information available to the Consultant at the time of service. The Consultant is responsible for those data, interpretations, and recommendations, but will not be responsible for other parties' interpretations or use of the information developed.

### SECTION 3: SITE ACCESS AND SITE CONDITIONS

- 3.1 Client will grant or obtain free access to the site for all equipment and personnel necessary for the Consultant to perform the work set forth in this Agreement. The Client will notify any and all possessors of the project site that Client has granted Consultant free access to the site. The Consultant will take reasonable precautions to minimize damage to the site, but it is understood by Client that, in the normal course of work, some damage may occur, and the correction of such damage is not part of this Agreement unless so specified in the Proposal.
- The Client is responsible for the accuracy of locations for all subterranean structures and utilities. The Consultant will take reasonable precautions to avoid known subterranean structures, and the Client waives any claim against Consultant, and agrees to defend, indemnify, and hold Consultant harmless from any claim or liability for injury or loss, including costs of defense, arising from damage done to subterranean structures and utilities not identified or accurately located. In addition, Client agrees to compensate Consultant for any time spent or expenses incurred by Consultant in defense of any such claim with compensation to be based upon Consultant's prevailing fee schedule and expense reimbursement policy.

### **SECTION 4: SAMPLE OWNERSHIP AND DISPOSAL**

- 4.1 Soil or water samples obtained from the project during performance of the work shall remain the property of the Client.
- 4.2 The Consultant will dispose of or return to Client all remaining soils and rock samples 60 days after submission of report covering those samples. Further storage or transfer of samples can be made at Client's expense upon Client's prior written request.
- 4.3 Samples which are contaminated by petroleum products or other chemical waste will be returned to Client for treatment or disposal, consistent with all appropriate federal, state, or local regulations.

## **SECTION 5: BILLING AND PAYMENT**

- 5.1 Consultant will submit invoices to Client monthly or upon completion of services. Invoices will show charges for different personnel and expense classifications.
- Payment is due 30 days after presentation of invoice and is past due 31 days from invoice date. Client agrees to pay a finance charge of one and one-half percent (1 ½ %) per month, or the maximum rate allowed by law, on past due accounts.
- 5.3 If the Consultant incurs any expenses to collect overdue billings on invoices, the sums paid by the Consultant for reasonable attorneys' fees, court costs, Consultant's time, Consultant's expenses, and interest will be due and owing by the Client.

#### **SECTION 6: OWNERSHIP OF DOCUMENTS**

- All reports, boring logs, field data, field notes, laboratory test data, calculations, estimates, and other documents prepared by the Consultant, as instruments of service, shall remain the property of the Consultant.
- 6.2 Client agrees that all reports and other work furnished to the Client or his agents, which are not paid for, will be returned upon demand and will not be used by the Client for any purpose.
- 6.3 The Consultant will retain all pertinent records relating to the services performed for a period of five years following submission of the report, during which period the records will be made available to the Client at all reasonable times.

#### SECTION 7: DISCOVERY OF UNANTICIPATED HAZARDOUS MATERIALS

- 7.1 Client warrants that a reasonable effort has been made to inform Consultant of known or suspected hazardous materials on or near the project site.
- 7.2 Under this agreement, the term hazardous materials include hazardous materials (40 CFR 172.01), hazardous wastes (40 CFR 261.2), hazardous substances (40 CFR 300.6), petroleum products, polychlorinated biphenyls, and asbestos.
- 7.3 Hazardous materials may exist at a site where there is no reason to believe they could or should be present. Consultant and Client agree that the

discovery of unanticipated hazardous materials constitutes a changed condition mandating a renegotiation of the scope of work. Consultant and Client also agree that the discovery of unanticipated hazardous materials may make it necessary for Consultant to take immediate measures to protect health and safety. Client agrees to compensate Consultant for any equipment decontamination or other costs incident to the discovery of unanticipated hazardous waste.

- 7.4 Consultant agrees to notify Client when unanticipated hazardous materials or suspected hazardous materials are encountered. Client agrees to make any disclosures required by law to the appropriate governing agencies. Client also agrees to hold Consultant harmless for any and all consequences of disclosures made by Consultant which are required by governing law. In the event the project site is not owned by Client, Client recognizes that it is the Client's responsibility to inform the property owner of the discovery of unanticipated hazardous materials or suspected hazardous materials.
- 7.5 Notwithstanding any other provision of the Agreement, Client waives any claim against Consultant, and to the maximum extent permitted by law, agrees to defend, indemnify, and save Consultant harmless from any claim, liability, and/or defense costs for injury or loss arising from Consultant's discovery of unanticipated hazardous materials or suspected hazardous materials including any costs created by delay of the project and any cost associated with possible reduction of the property's value. Client will be responsible for ultimate disposal of any samples secured by the Consultant which are found to be contaminated.

#### SECTION 8: RISK ALLOCATION

Client agrees that Consultant's liability for any damage on account of any error, omission or other professional negligence will be limited to a sum not to exceed \$50,000 or Consultant's fee, whichever is greater. Client agrees that the foregoing limits of liability extend to all of consultant's employees and professionals who perform any services for Client. If Client prefers to have higher limits on professional liability, Consultant agrees to increase the limits up to a maximum of \$1,000,000.00 upon Clients' written request at the time of accepting our proposal provided that Client agrees to pay an additional consideration of four percent of the total fee, or \$400.00, whichever is greater. The additional charge for the higher liability limits is because of the greater risk assumed and is not strictly a charge for additional professional liability insurance.

#### **SECTION 9: INSURANCE**

9.1 The Consultant represents and warrants that it and its agents, staff and Consultants employed by it, is and are protected by worker's compensation insurance and that Consultant has such coverage under public liability and property damage insurance policies which the Consultant deems to be adequate. Certificates for all such policies of insurance shall be provided to Client upon request in writing. Within the limits and conditions of such insurance, Consultant agrees to indemnify and save Client harmless from and against loss, damage, or liability arising from negligent acts by Consultant, its agents, staff, and consultants employed by it. The Consultant shall not be responsible for any loss, damage or liability beyond the amounts, limits, and conditions of such insurance or the limits described in Section 8, whichever is less. The Client agrees to defend, indemnify and save Consultant harmless for loss, damage or liability arising from acts by Client, Client's agent, staff, and other consultants employed by Client.

### **SECTION 10: DISPUTE RESOLUTION**

- All claims, disputes, and other matters in controversy between Consultant and Client arising out of or in any way related to this Agreement will be submitted to alternative dispute resolution (ADR) such as mediation and/or arbitration, before and as a condition precedent to other remedies provided by law.
- 10.2 If a dispute at law arises related to the services provided under this Agreement and that dispute requires litigation instead of ADR as provided above, then:
  - (a) the claim will be brought and tried in judicial jurisdiction of the court of the county where Consultant's principal place of business is located and Client waives the right to remove the action to any other county or judicial jurisdiction, and
  - (b) The prevailing party will be entitled to recovery of all reasonable costs incurred, including staff time, court costs, attorneys' fees, and other claim related expenses.

#### **SECTION 11: TERMINATION**

- 11.1 This agreement may be terminated by either party upon seven (7) days written notice in the event of substantial failure by the other party to perform in accordance with the terms hereof. Such termination shall not be effective if that substantial failure has been remedied before expiration of the period specified in the written notice. In the event of termination, Consultant shall be paid for services performed to the termination notice date plus reasonable termination expenses.
- In the event of termination, or suspension for more than three (3) months, prior to completion of all reports contemplated by the Agreement, Consultant may complete such analyses and records as are necessary to complete his files and may also complete a report on the services performed to the date of notice of termination or suspension. The expense of termination or suspension shall include all direct costs of Consultant in completing such analyses, records and reports.

#### **SECTION 12: ASSIGNS**

12.1 Neither the Client nor the Consultant may delegate, assign, sublet or transfer his duties or interest in this Agreement without the written consent of the other party.

#### SECTION 13. GOVERNING LAW AND SURVIVAL

- 13.1 The laws of the State of Florida will govern the validity of these Terms, their interpretation and performance.
- 13.2 If any of the provisions contained in this Agreement are held illegal, invalid, or unenforceable, the enforceability of the remaining provisions will not be impaired. Limitations of liability and indemnities will survive termination of this Agreement for any cause.

Rev. 03/10/11



February 26, 2013

Calvin, Giordano & Associates, Inc. Mr. David Frodsham, P.E. 560 Village Blvd. Suite 340 West Palm Beach, FL 33409

RE: Proposed Project at Surfside Seawall- CGA 12-5247

Ticket No. 024301289

Dear Mr. Frodsham,

In response to your letter dated February 22, 2013, FPL has existing Transmission Underground Facilities in this area.

We have enclosed for your review, FPL As-Built: E-39144 Sheet #4, showing the existing location of our underground transmission facilities.

Please take into consideration the existing underground transmission line in relation to the proposed project and try to design to avoid conflicts.

We will work closely with your designer/construction in the early design stages to ensure and avoid any conflicts with our underground transmission facilities.

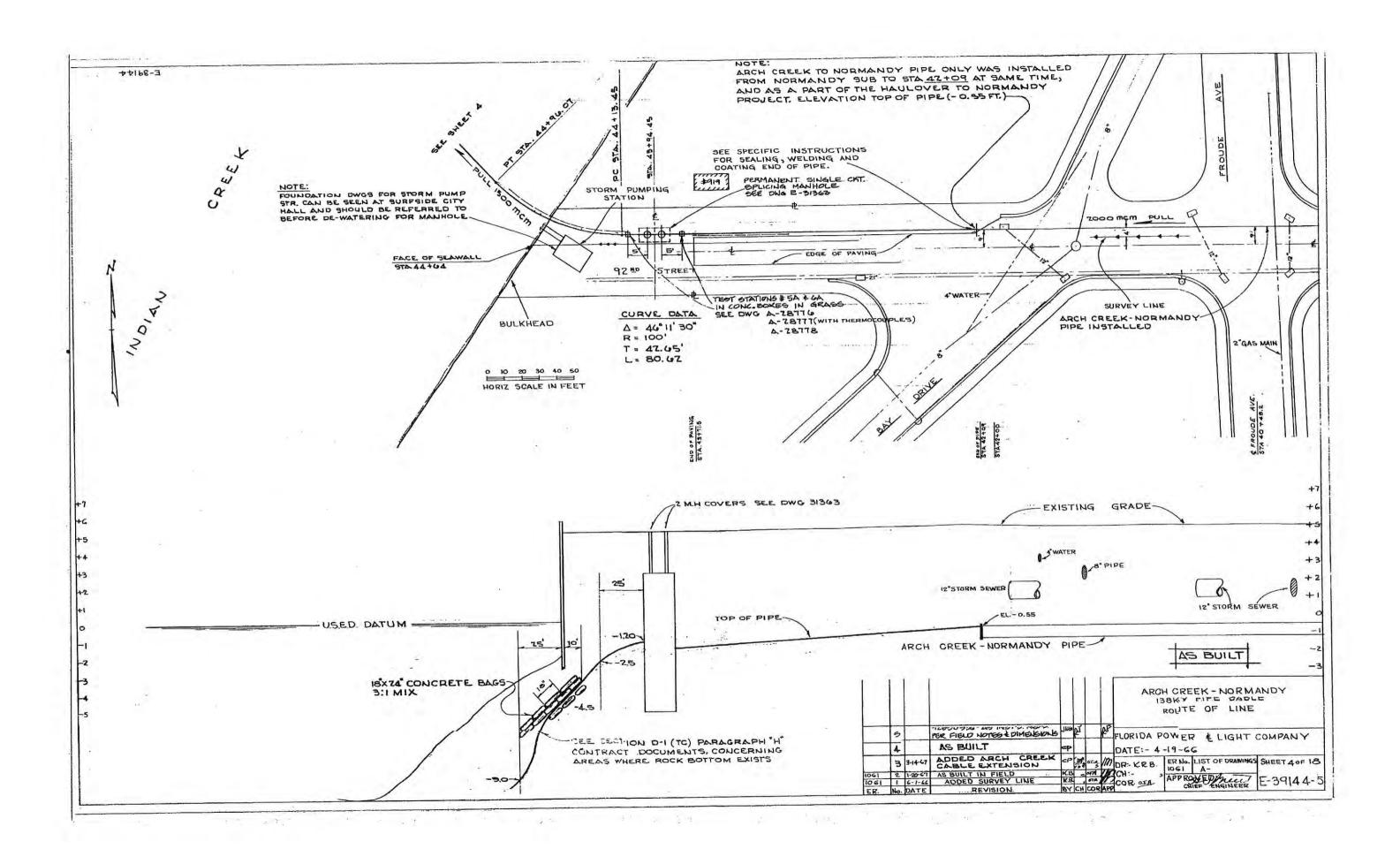
Please keep us informed on the status of this project and provide us with updated plans when available.

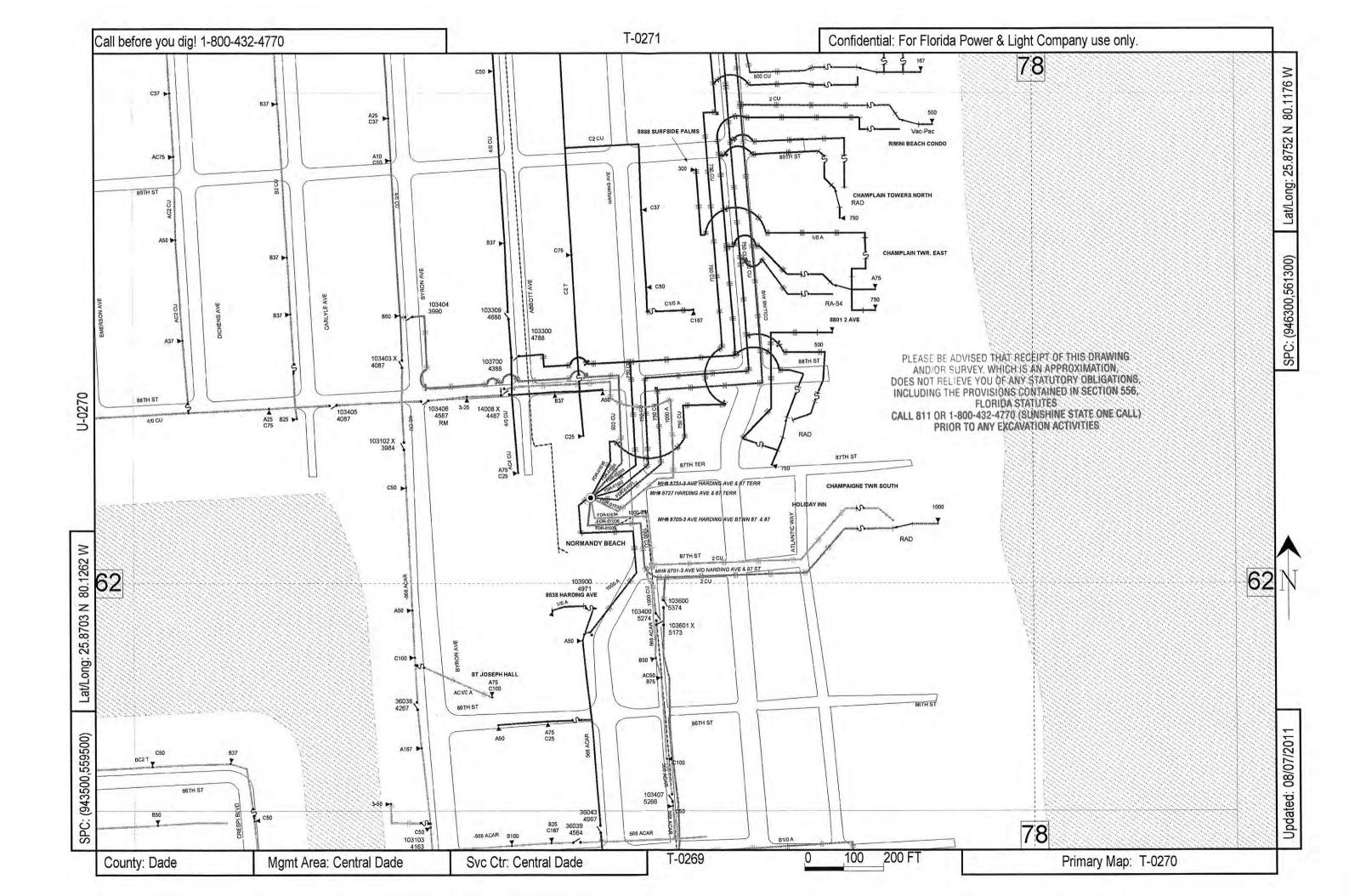
Should you have any questions or if I may be of assistance to yau, please contact me.

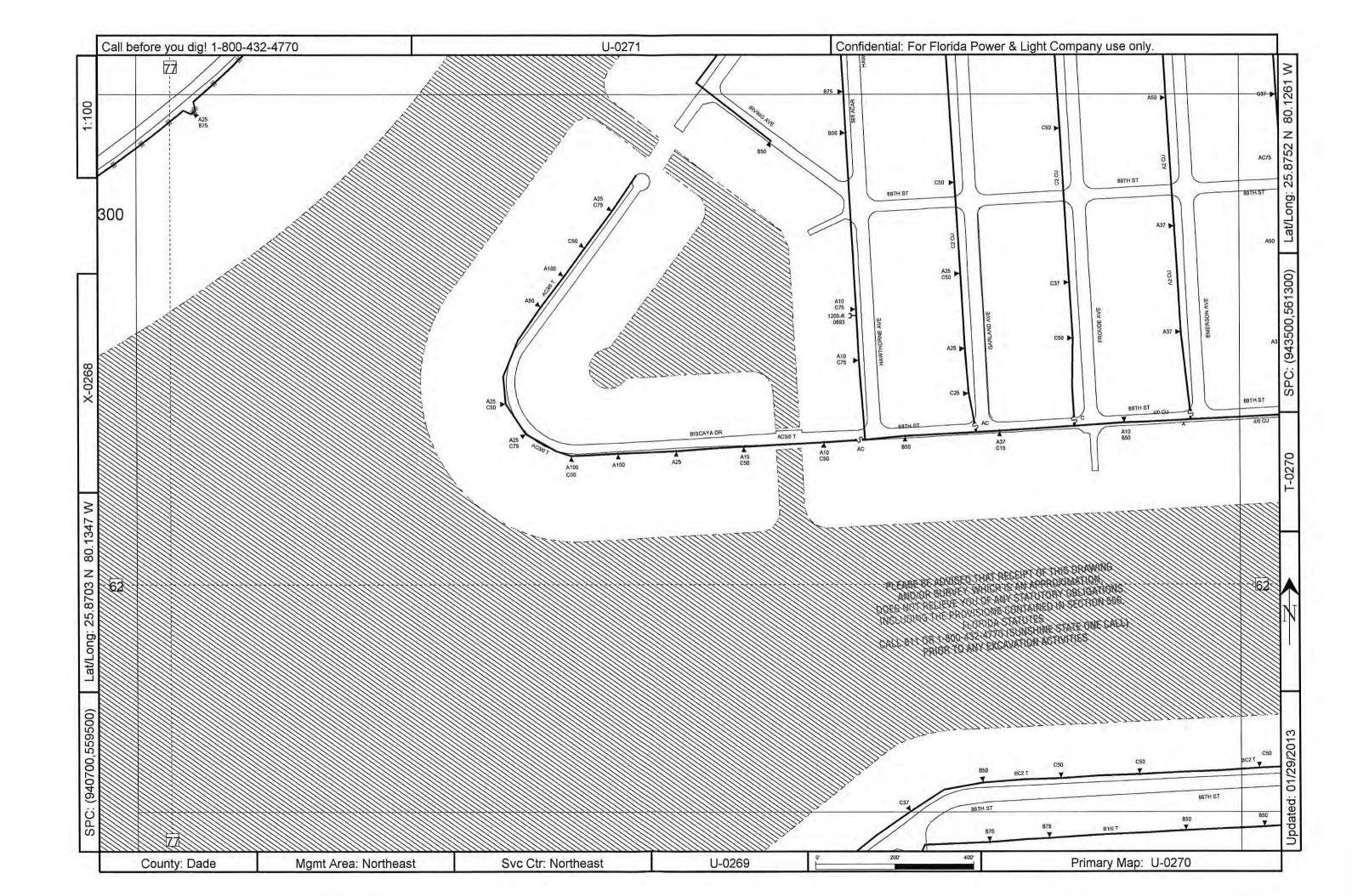
Sincerely,

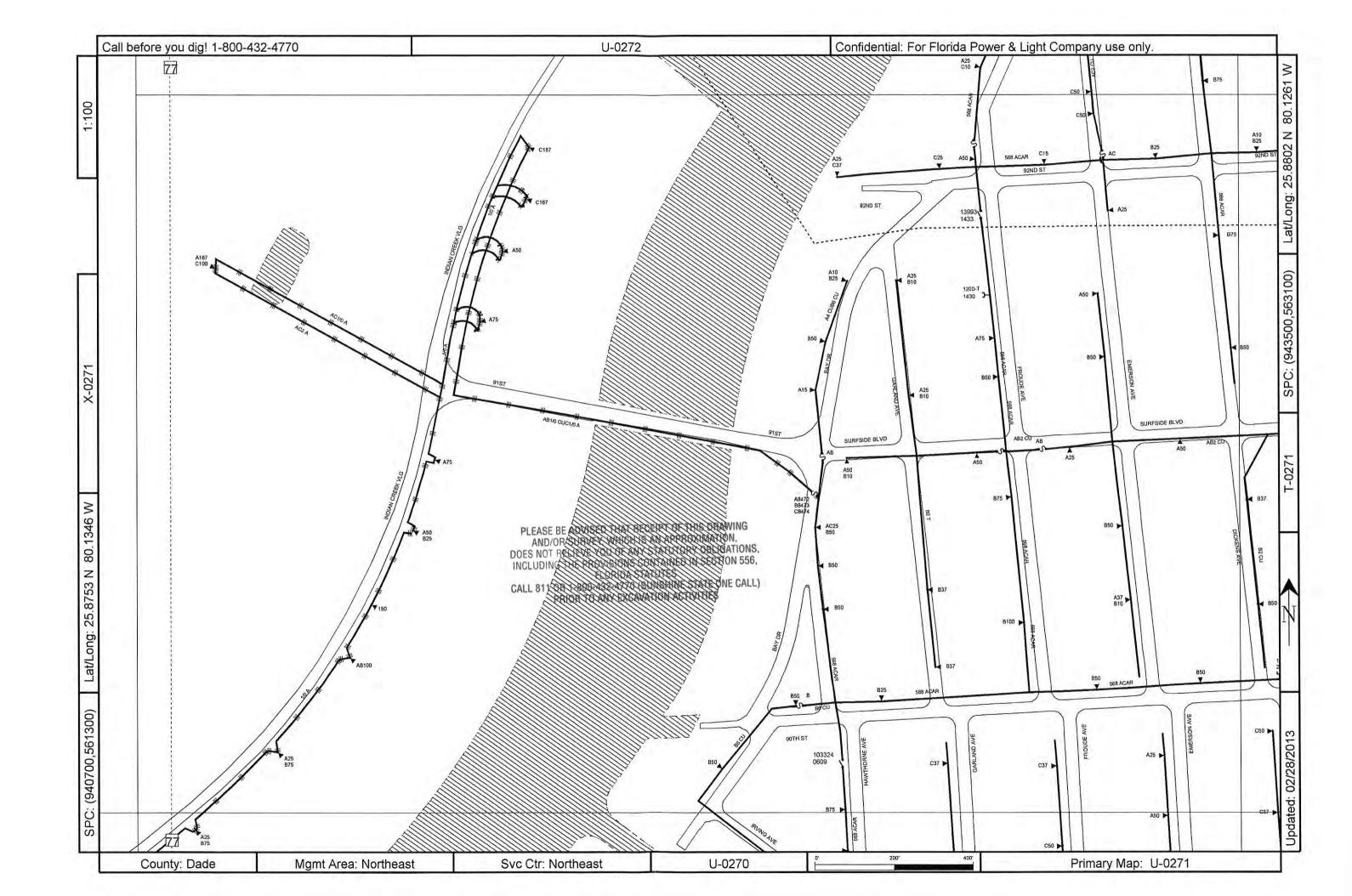
Seye Hajassadollah,PE Lead Operations Supervisor Transmission Underground Tel (305) 228-5290

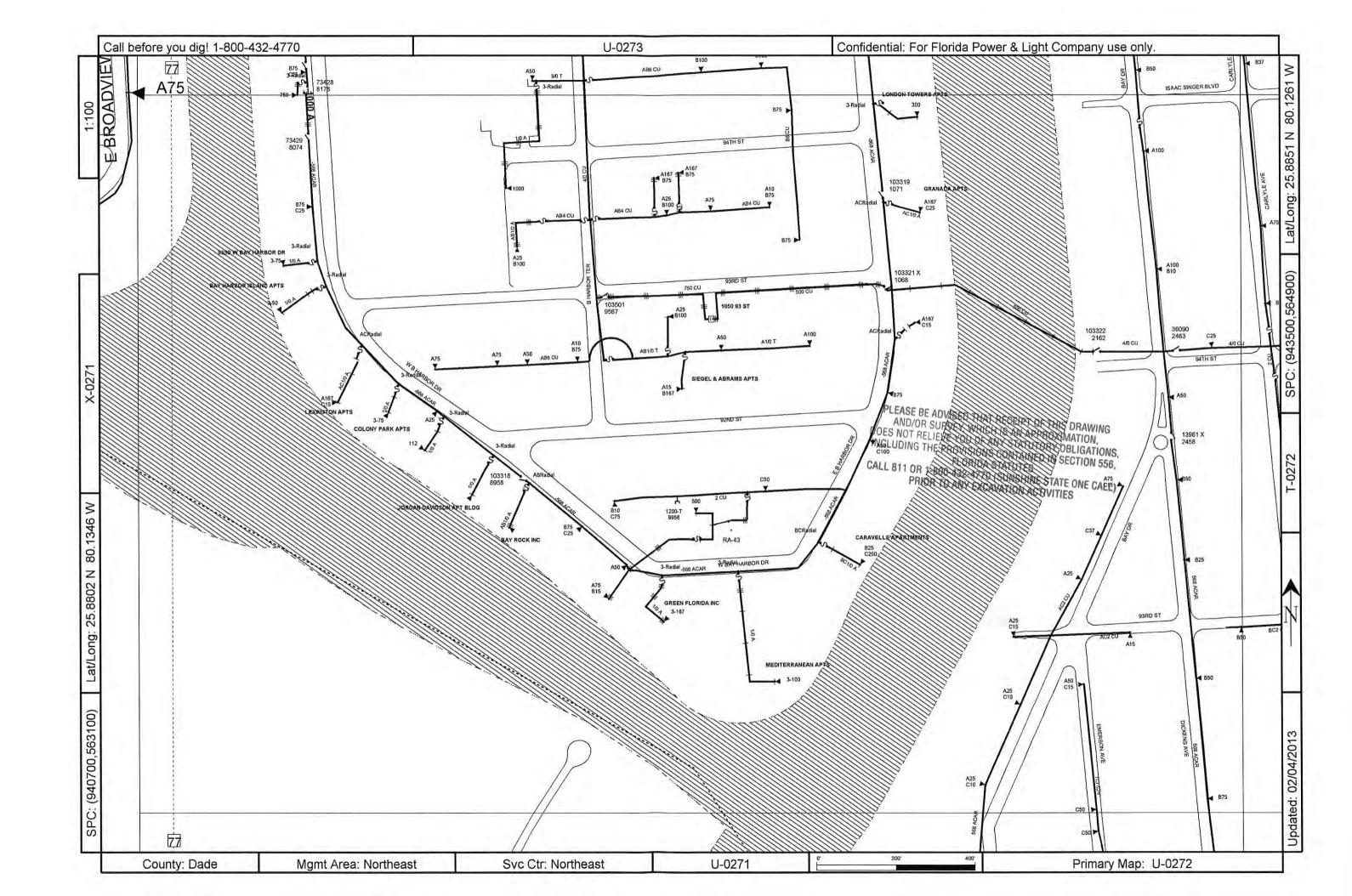
Fax (305) 228-5295

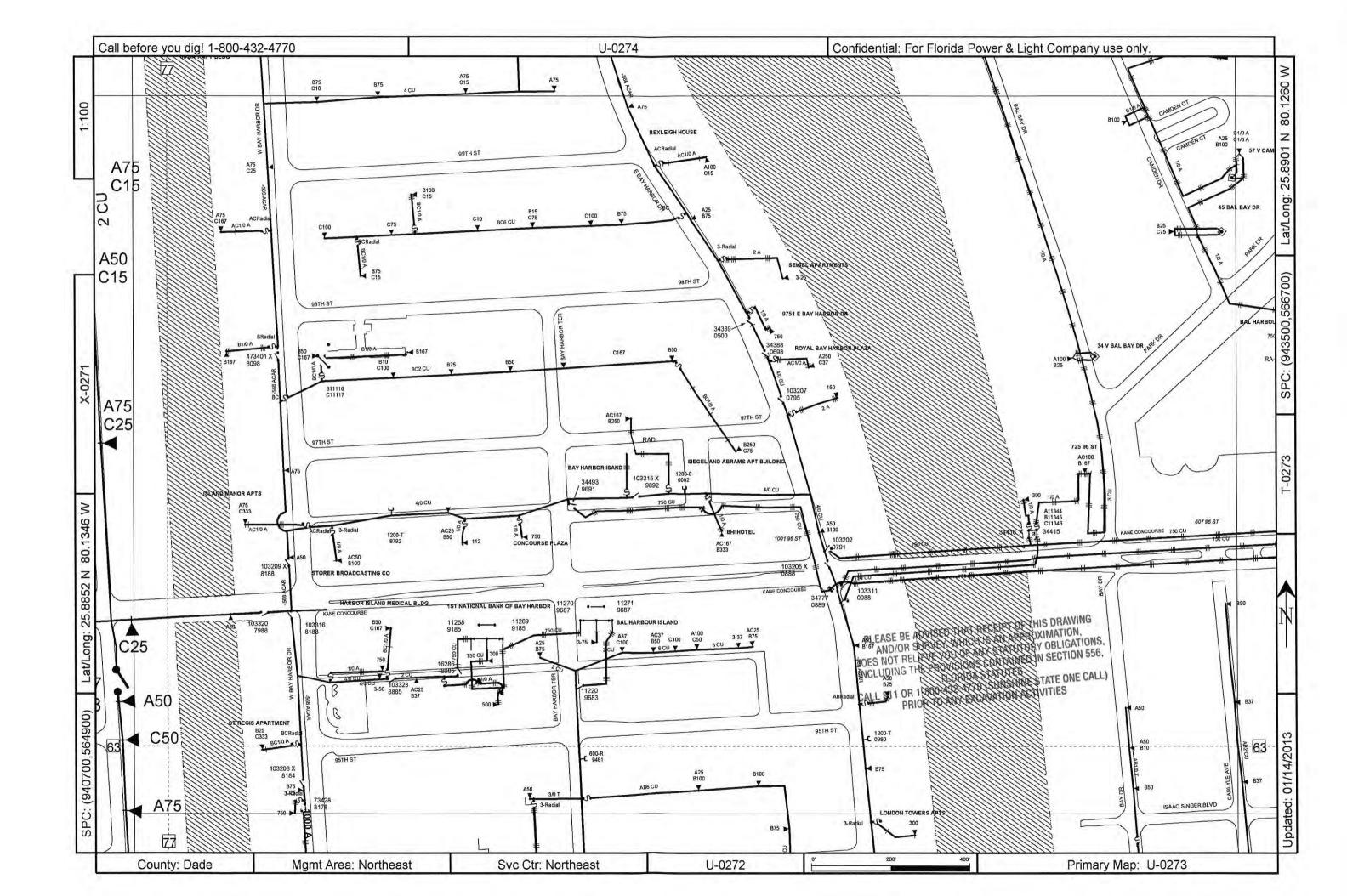


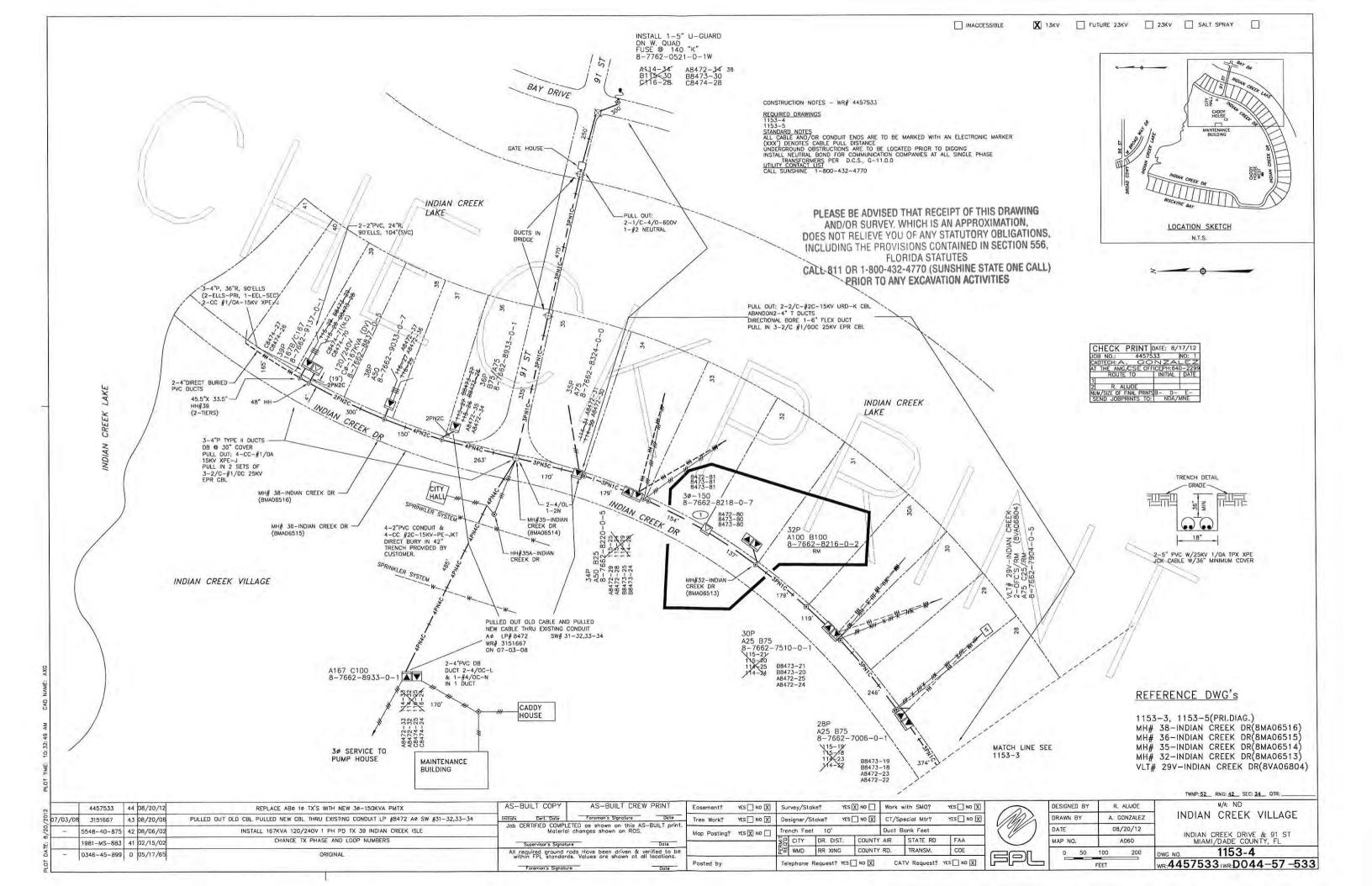


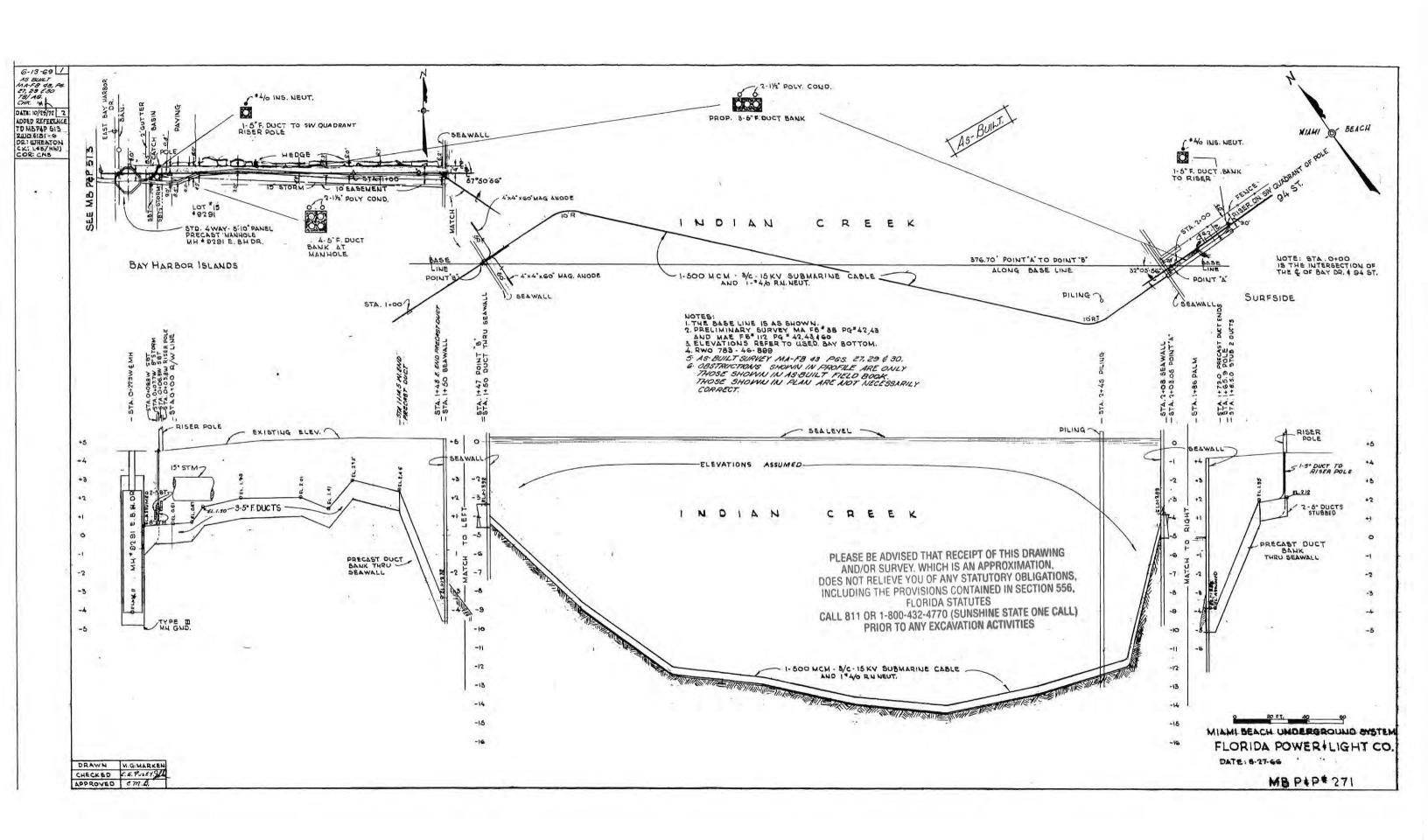


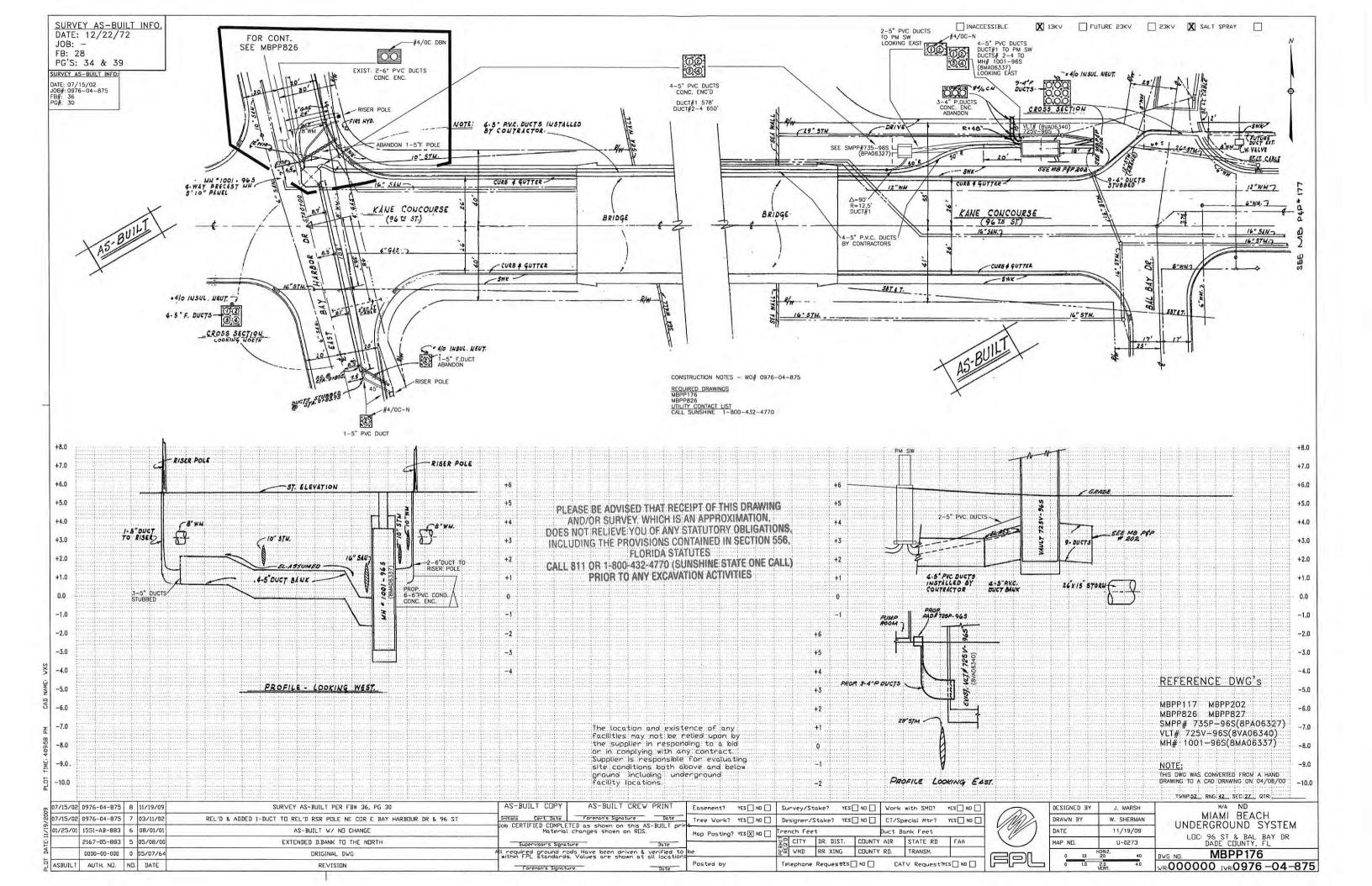














## DEPARTMENT OF THE ARMY

JACKSONVILLE DISTRICT CORPS OF ENGINEERS 9900 SOUTHWEST 107 AVENUE, SUITE 203 MIAMI, FLORIDA 33176

September 12, 2013

REPLY TO ATTENTION OF

Regulatory Division South Permits Branch Miami Regulatory Office SAJ-2002-01859(NW-RR)

Town of Surfside 9239 Harding Avenue Surfside, FL 33154

## Dear Applicant:

Your application for a Department of the Army permit has been assigned number SAJ-2002-01859. A review of the information and drawings provided shows the proposed work is to repair 12 existing seawalls within footprint. Temporary floating turbidity barriers will be placed around all work areas that are in/over waters of the United States. All work will be conducted in the same footprint, as depicted on the approved plans, date stamped August 30, 2013 by the U.S. Army Corps of Engineers.

# The project locations are in the Town of Surfside:

Bulkhead 1 Carlyle Ave & 88th Street

Bulkhead 2 Froude Ave & 88th Street

Bulkhead 3 East Side of 88th Street Bridge

Bulkhead 4 West Side of 88th Street Bridge

Bulkhead 5 End of 88th St. Bridge

Bulkhead 6 Irving Ave & Bay Drive

Bulkhead 7 90th St. & Bay Drive

Bulkhead 8 92<sup>nd</sup> St & Bay Drive

Bulkhead 9 93<sup>rd</sup> St & Bay Drive

Bulkhead 10 94st & Bay Drive

Bulkhead 11 95th Street & Bay Drive

Bulkhead 12 Surfside Park

Your project, as depicted on the enclosed drawings, is authorized by Nationwide Permit (NWP) Number 3. In addition, project specific conditions have been enclosed. This verification is valid until the NWP is modified, reissued, or revoked prior to March 18, 2017. It is incumbent upon you to remain informed of changes to the NWPs. We will issue a public notice when the NWPs are issued. Furthermore, if you commence or are under contract to commence this activity before the date that the relevant nationwide permit is modified or revoked, you will have 12 months from the date of the modification or revocation of the NWP to complete the activity under the present terms and conditions of this nationwide permit. Please access the U.S. Army

Corps of Engineers' (Corps) Jacksonville District's Regulatory webpage to access web links to view the Final Nationwide Permits, Federal Register Vol. 77, dated February 21, 2012, specifically pages 10270 – 10290, the Corrections to the Final Nationwide Permits, Federal Register 77, March 19, 2012, and the List of Regional Conditions. The website address is as follows:

http://www.saj.usace.army.mil/Divisions/Regulatory/sourcebook.htm.

Please be aware this web address is case sensitive and should be entered as it appears above. Once there you will need to click on "Nationwide Permits." These files contain the description of the Nationwide Permit authorization, the Nationwide Permit general conditions, and the regional conditions, which apply specifically to this verification for NWP 3. Enclosed is a list of the six General Conditions, which apply to all Department of the Army authorizations. You must comply with all of the special and general conditions and any project specific condition of this authorization or you may be subject to enforcement action. In the event you have not completed construction of your project within the specified time limit, a separate application or re-verification may be required.

The following special conditions are included with this verification:

- All reports, documentation and correspondence required by the conditions of this permit shall be submitted to the following address: U.S. Army Corps of Engineers, Regulatory Division, Enforcement Section, 9900 Southwest 107<sup>th</sup> Ave, Suite 203, Miami, FL 33176. The Permittee shall reference this permit number, SAJ-2002-01859(NW-RR), on all submittals.
- Within 60 days of completion of the work authorized, the attached "Self-Certification Statement of Compliance" must be completed and submitted to the U.S Army Corps of Engineers. Mail the completed form to the Regulatory Division, Special Projects and Enforcement Branch. In the event that the completed work deviates, in any manner, from the authorized work, the Permittee shall describe, on the Self-Certification Form, the deviations between the work authorized by the permit and the work as constructed. Please note that the description of any deviations on the Self-certification Form does not constitute approval of any deviations by the Corps.
- 3. The Permittee understands and agrees that, if future operations by the United States require the removal, relocation, or other alteration, of the structures or work herein authorized, or if, in the opinion of the Secretary of the Army or his authorized representative, said structure or work shall cause unreasonable obstruction to the free navigation of the navigable waters, the Permittee will be required, upon due notice from the U.S. Army Corps of Engineers, to remove, relocate, or alter the structural work or

obstructions caused thereby, without expense to the United States. No claim shall be made against the United States on account of any such removal or alteration.

4. No structure or work shall adversely affect or disturb properties listed in the National Register of Historic Places or those eligible for inclusion in the National Register. Prior to the start of work, the Permittee or other party on the Permittee's behalf, shall conduct a search in the National Register Information System (NRIS). Information can be found at: <a href="http://www.cr.nps.gov/nr/research/">http://www.cr.nps.gov/nr/research/</a>. Information on properties eligible for inclusion in the National Register can be identified by contacting the Florida Master File Office by email at fmsfile@dos.state.fl.us or by telephone at 850-245-6440.

If unexpected cultural resources are encountered at any time within the project area that was not the subject of a previous cultural resource assessment survey, work should cease in the immediate vicinity of such discoveries. The Permittee, or other party, should notify the SHPO immediately, as well as the appropriate Corps office. After such notifications, project activities should not resume without verbal and/or written authorization from the SHPO.

If unmarked human remains are encountered, all work shall stop immediately, and the proper authorities notified in accordance with Section 872.05, Florida Statutes, unless on Federal lands. After such notifications, project activities on non-Federal lands shall not resume without verbal and/or written authorization from the Florida State Archaeologist for finds under his or her jurisdiction.

- The Permittee shall comply with National Marine Fisheries Service's "Sea Turtle and Smalltooth Sawfish Construction Conditions" dated March 23, 2006, attached to this permit.
- The Permittee shall abide to the enclosed standard construction conditions designed to protect the endangered West Indian manatee.
  - 7. Prior to the initiation of any of the work authorized by this permit the Permittee shall install floating turbidity barriers with weighted skirts that extend to within 1 foot of the bottom around all work areas that are in, or adjacent to, surface waters. The turbidity barriers shall remain in place and be maintained until the authorized work has been completed and all erodible materials have been stabilized.
  - Within 10 days from the date of initiating the authorized work, the Permittee shall
    provide to the Corps a written notification of the date of commencement of work
    authorized by this permit.

- 9. Should any other regulatory agency require changes to the work authorized or obligated by this permit, the Permittee is advised that a re-verification of the revised work is required prior to initiation of those changes. It is the Permittee's responsibility to request a re-verification of this proposed work from the Miami Regulatory Office.
- 11. The Permittee shall ensure that all contractors, sub-contractors, and entities associated with the implementation of the project review, understand, and comply with the approved plans and special conditions made part of this permit. The Permittee shall inform all parties associated with the activity of the construction area boundaries, and the location of adjacent wetlands and submerged aquatic resources (SAR) to be avoided. Complete copies of the permit and approved plans shall be available at the construction site at all times. Failure to comply with the approved plans and permit special conditions may subject the Permittee to enforcement action.

This letter of authorization does not give absolute Federal authority to perform the work as specified on your application. The proposed work may be subject to local building restrictions mandated by the National Flood Insurance Program. You should contact your local office that issues building permits to determine if your site is located in a flood-prone area, and if you must comply with the local building requirements mandated by the National Flood Insurance Program.

If you are unable to access the internet or require a hardcopy of any of the conditions, limitations, or expiration date for the above referenced NWP, please please contact Rosalinda Rodriguez at the letterhead address, by electronic mail at Rosalinda.Rodriguez@usace.army.mil, by telephone at 305-526-7181, or by fax at 305-526-7184.

Thank you for your cooperation with our permit program. The Corps Jacksonville District Regulatory Division is committed to improving service to our customers. We strive to perform our duty in a friendly and timely manner while working to preserve our environment. We invite you to take a few minutes to visit http://per2.nwp.usace.army.mil/survey.html and complete our automated Customer Service Survey. Your input is appreciated – favorable or otherwise.

Again, please be aware this web address is case sensitive and should be entered as it appears above.

Sincerely,

osalinda Rodriguez

Project Manager

## Enclosures

General Conditions
Sea turtle and smalltooth sawfish construction conditions
Standard manatee conditions for in-water work
Self-Certification Statement of Compliance
Permit transfer form

Copy Furnished to agent via email: Calvin, Giordano & Associates.

bcc:

CESAJ-RD-PE

# GENERAL CONDITIONS 33 CFR PART 320-330 PUBLISHED FEDERAL REGISTER DATED 13 NOVEMBER 1986

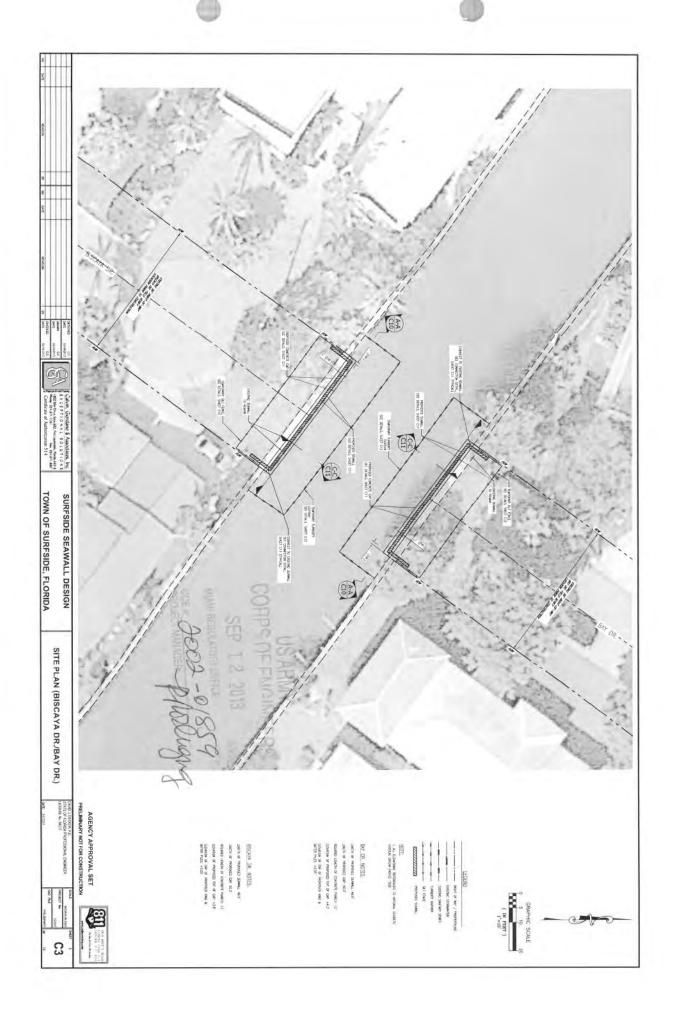
- 1. The time limit for completing the work authorized ends on date identified in the letter. If you find that you need more time to complete the authorized activity, submit your request for a time extension to this office for consideration at least one month before the above date is reached.
- 2. You must maintain the activity authorized by this permit in good condition and in conformance with the terms and conditions of this permit. You are not relieved of this requirement if you abandon the permitted activity, although you may make a good faith transfer to a third party in compliance with General Condition 4 below. Should you wish to cease to maintain the authorized activity or should you desire to abandon it without a good faith transfer, you must obtain a modification of this permit from this office, which may require restoration of the area.
- 3. If you discover any previously unknown historic or archeological remains while accomplishing the activity authorized by this permit, you must immediately notify this office of what you have found. We will initiate the Federal and state coordination required to determine if the remains warrant a recovery effort of if the site is eligible for listing in the National Register of Historic Places.
- 4. If you sell the property associated with this permit you must obtain the signature of the new owner in the space provided and forward a copy of the permit to this office to validate the transfer of this authorization.
- 5. If a conditioned water quality certification has been issued for your project, you must comply with the conditions specified in the certification as special conditions to this permit. For your convenience, a copy of the certification is attached if it contains such conditions.
- 6. You must allow a representative from this office to inspect the authorized activity at any time deemed necessary to ensure that it is being or has been accomplished in accordance with the terms and conditions of your permit.

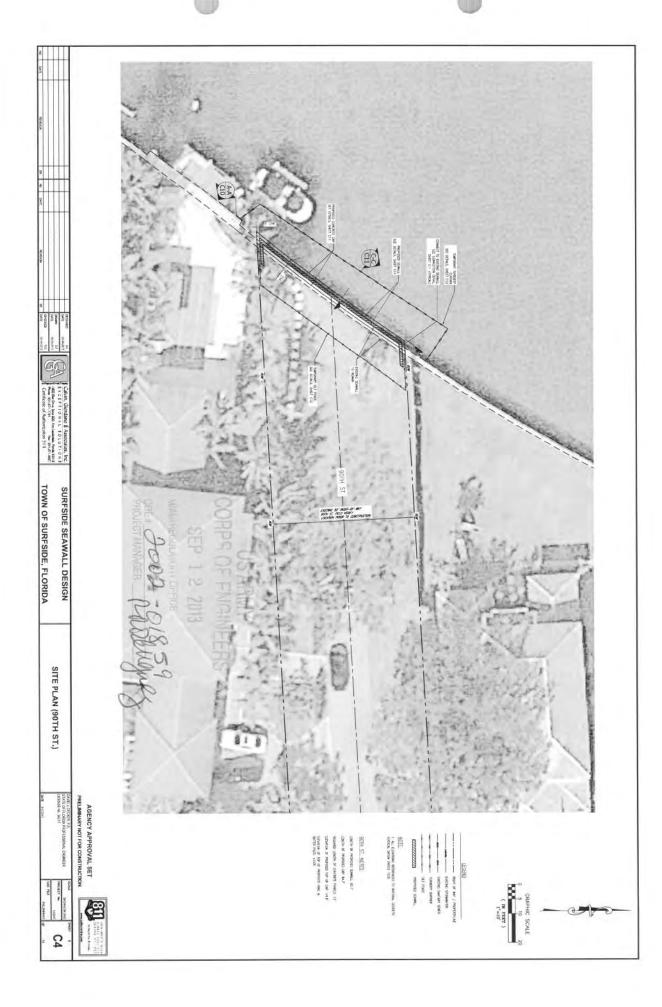
# SELF-CERTIFICATION STATEMENT OF COMPLIANCE

Permit Number: NW-3
Application Number: SAJ-2002-01859

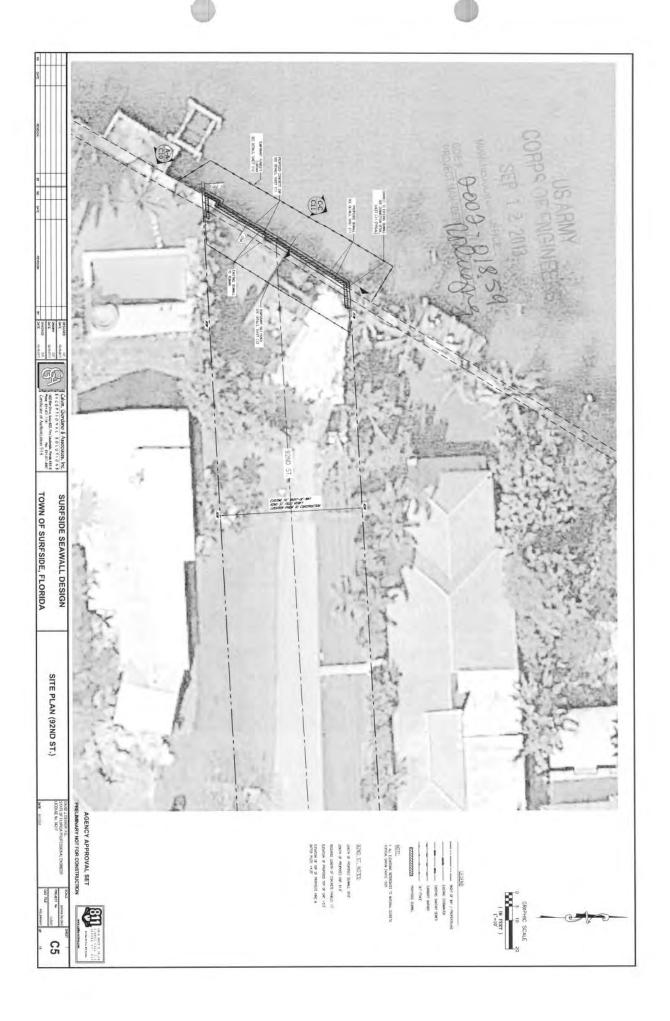
Permittee's Name & Address (please print or type):			
Telephone Number:			
Location of the Work:			
Date Work Started:	Date Work Completed:		
	, bank stabilization, residential or edging, etc.):		
Acreage or Square Feet of Imp	acts to Waters of the United States:		
Describe Mitigation completed	(if applicable):		
Describe any Deviations from deviations):	Permit (attach drawing(s) depicting the		
I certify that all work, and accordance with the limitatio	******************* mitigation (if applicable) was done in ns and conditions as described in the scribed above are depicted on the		
	Signature of Permittee		
	Date		

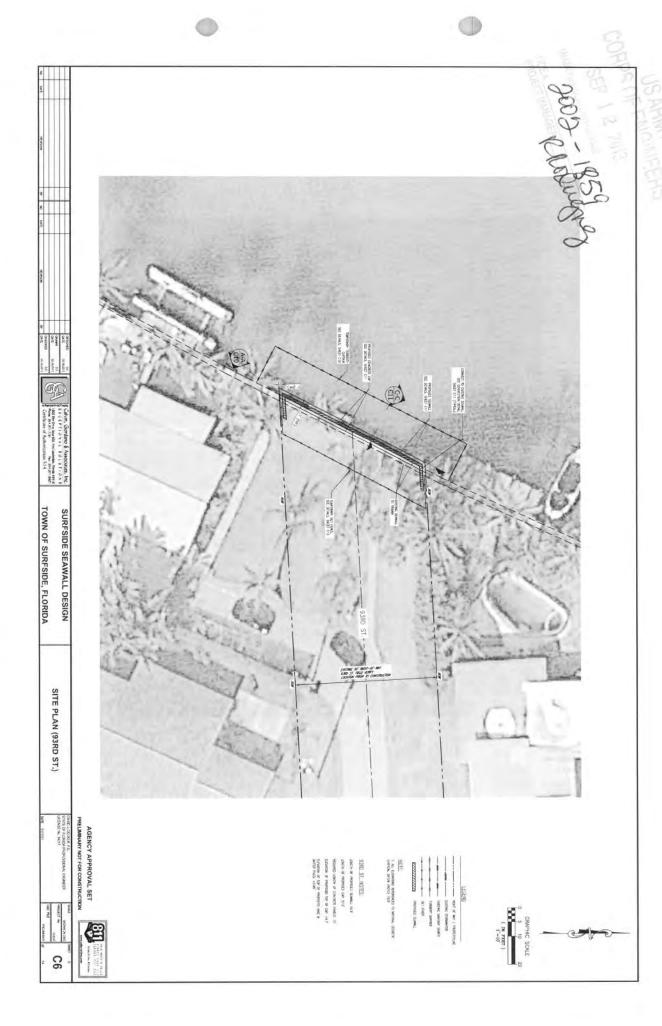


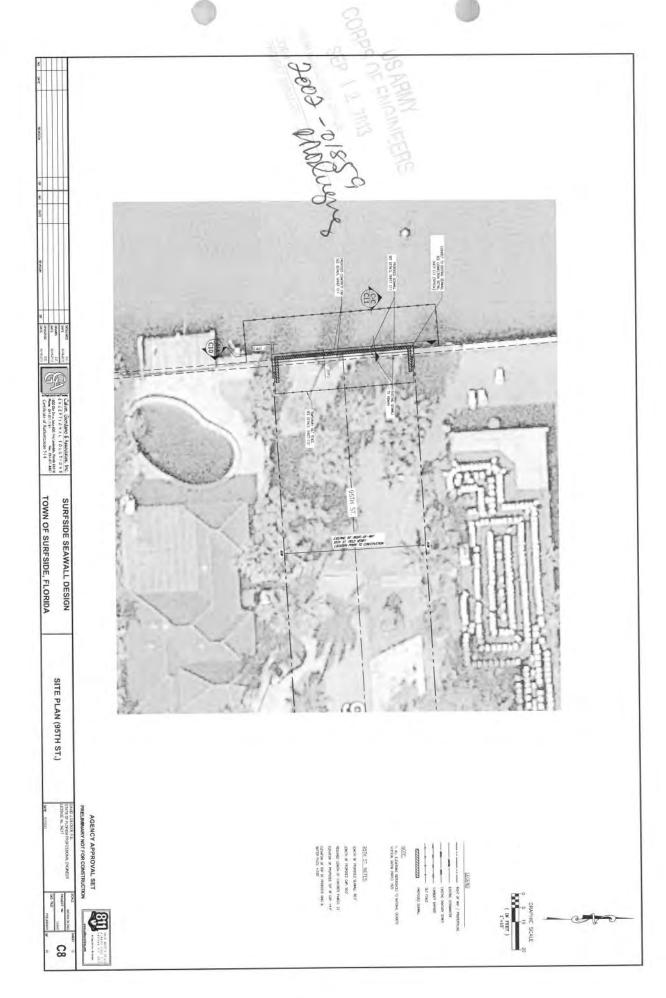




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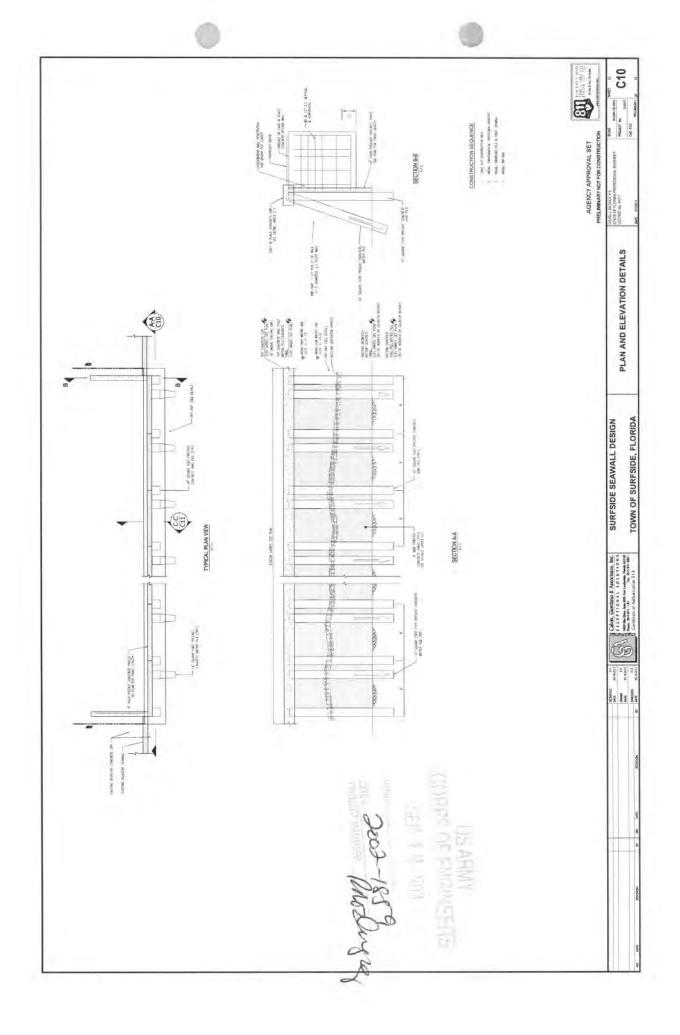


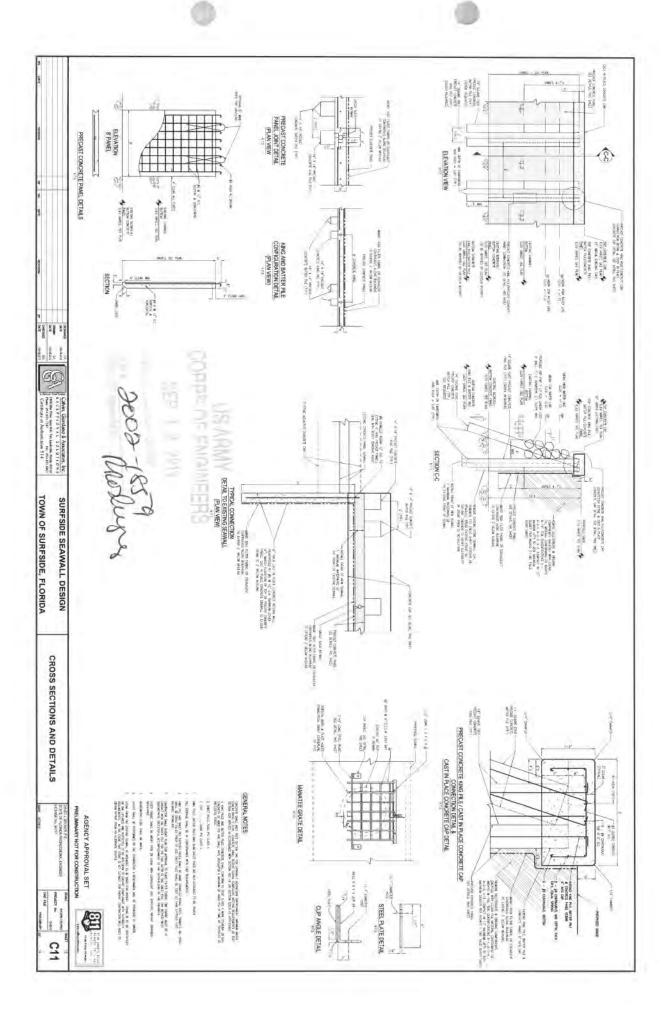


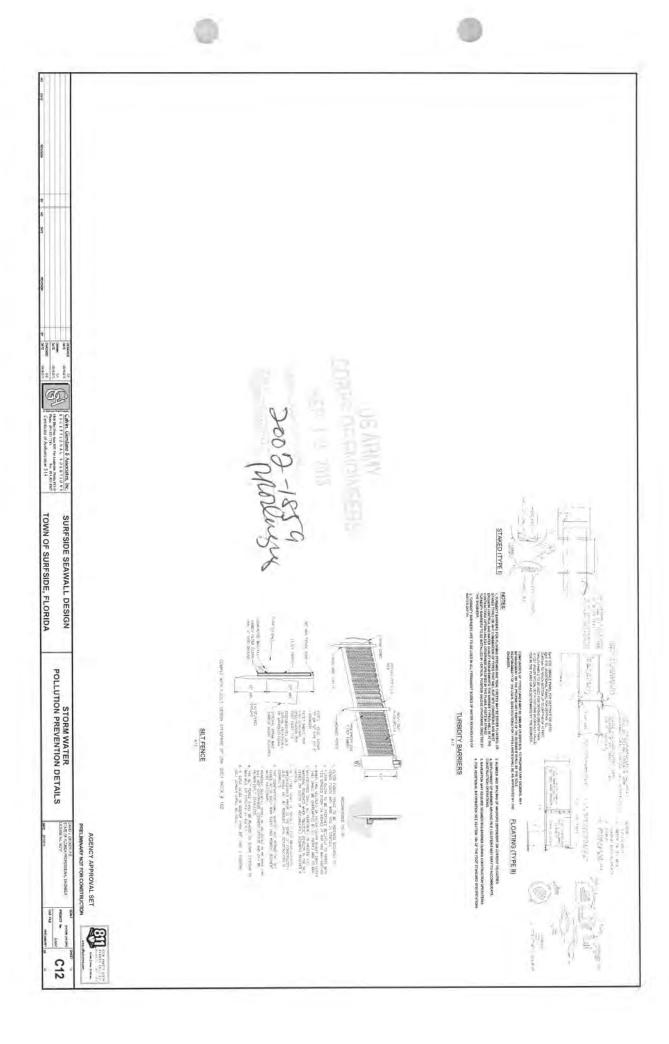


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#### DEPARTMENT OF THE ARMY

JACKSONVILLE DISTRICT CORPS OF ENGINEERS 9900 SOUTHWEST 107 AVENUE, SUITE 203 MIAMI, FLORIDA 33176

February 28, 2013

Regulatory Division South Permits Branch Miami Regulatory Office SAJ-2012-03416(NW-RR)

Town of Surfside 9239 Harding Avenue Surfside, FL 33154

## Dear Applicant:

Your application for a Department of the Army permit has been assigned number SAJ-2012-03416. A review of the information and drawings provided shows the proposed work is for the replacement of 50 linear feet of existing seawall within footprint. Temporary floating turbidity barriers will be placed around all work areas that are in/over waters of the United States. All work will be conducted in the same footprint, as depicted on the approved plans, date stamped February 28, 2013 by the U.S. Army Corps of Engineers.

The project is located at the intersection south of 88<sup>th</sup> Street and Carlyle Avenue in Section 26, Township 52 south, Range 42 east, Surfside, FL 33154.

Latitude: 25.872450 Longitude: -80.124767

Your project, as depicted on the enclosed drawings, is authorized by Nationwide Permit (NWP) Number 3. In addition, project specific conditions have been enclosed. This verification is valid until the NWP is modified, reissued, or revoked prior to March 18, 2017. It is incumbent upon you to remain informed of changes to the NWPs. We will issue a public notice when the NWPs are issued. Furthermore, if you commence or are under contract to commence this activity before the date that the relevant nationwide permit is modified or revoked, you will have 12 months from the date of the modification or revocation of the NWP to complete the activity under the present terms and conditions of this nationwide permit. Please access the U.S. Army Corps of Engineers' (Corps) Jacksonville District's Regulatory webpage to access web links to view the Final Nationwide Permits, Federal Register Vol. 77, dated February 21, 2012, specifically pages 10270 – 10290, the Corrections to the Final Nationwide Permits, Federal Register 77, March 19, 2012, and the List of Regional Conditions. The website address is as follows:

http://www.saj.usace.army.mil/Divisions/Regulatory/sourcebook.htm.

Please be aware this web address is case sensitive and should be entered as it appears above. Once there you will need to click on "Nationwide Permits." These files contain the description of the Nationwide Permit authorization, the Nationwide Permit general conditions, and the regional conditions, which apply specifically to this verification for NWP 3. Enclosed is a list of the six General Conditions, which apply to all Department of the Army authorizations. You must comply with all of the special and general conditions and any project specific condition of this authorization or you may be subject to enforcement action. In the event you have not completed construction of your project within the specified time limit, a separate application or re-verification may be required.

The following special conditions are included with this verification:

- All reports, documentation and correspondence required by the conditions of this permit shall be submitted to the following address: U.S. Army Corps of Engineers, Regulatory Division, Enforcement Section, 9900 Southwest 107<sup>th</sup> Ave, Suite 203, Miami, FL 33176. The Permittee shall reference this permit number, SAJ-2012-03416(NW-RR), on all submittals.
- 2. Within 60 days of completion of the work authorized, the attached "Self-Certification Statement of Compliance" must be completed and submitted to the U.S Army Corps of Engineers. Mail the completed form to the Regulatory Division, Special Projects and Enforcement Branch. In the event that the completed work deviates, in any manner, from the authorized work, the Permittee shall describe, on the Self-Certification Form, the deviations between the work authorized by the permit and the work as constructed. Please note that the description of any deviations on the Self-certification Form does not constitute approval of any deviations by the Corps.
- 3. The Permittee understands and agrees that, if future operations by the United States require the removal, relocation, or other alteration, of the structures or work herein authorized, or if, in the opinion of the Secretary of the Army or his authorized representative, said structure or work shall cause unreasonable obstruction to the free navigation of the navigable waters, the Permittee will be required, upon due notice from the U.S. Army Corps of Engineers, to remove, relocate, or alter the structural work or obstructions caused thereby, without expense to the United States. No claim shall be made against the United States on account of any such removal or alteration.
- 4. No structure or work shall adversely affect or disturb properties listed in the National Register of Historic Places or those eligible for inclusion in the National Register. Prior to the start of work, the Permittee or other party on the Permittee's behalf, shall conduct a search in the National Register Information System (NRIS). Information can be found at:

<u>http://www.cr.nps.gov/nr/research/</u>. Information on properties eligible for inclusion in the National Register can be identified by contacting the Florida Master File Office by email at fmsfile@dos.state.fl.us or by telephone at 850-245-6440.

If unexpected cultural resources are encountered at any time within the project area that was not the subject of a previous cultural resource assessment survey, work should cease in the immediate vicinity of such discoveries. The Permittee, or other party, should notify the SHPO immediately, as well as the appropriate Corps office. After such notifications, project activities should not resume without verbal and/or written authorization from the SHPO.

If unmarked human remains are encountered, all work shall stop immediately, and the proper authorities notified in accordance with Section 872.05, Florida Statutes, unless on Federal lands. After such notifications, project activities on non-Federal lands shall not resume without verbal and/or written authorization from the Florida State Archaeologist for finds under his or her jurisdiction.

- The Permittee shall comply with National Marine Fisheries Service's "Sea Turtle and Smalltooth Sawfish Construction Conditions" dated March 23, 2006, attached to this permit.
- The Permittee shall abide to the enclosed standard construction conditions designed to protect the endangered West Indian manatee.
- 7. This Corps permit does not authorize you to damage, diminish, degrade, impair, destroy, or otherwise harm any Florida Keys National Marine Sanctuary (FKNMS) trust resource. In order to legally conduct your work, you are provided with a copy of correspondence from the FKNMS (attached). You must understand and agree to comply with the provisions of this document. The FKNMS correspondence contains mandatory terms and conditions. Your authorization under this Corps permit is conditional upon your compliance with all of the mandatory terms and conditions associated with the FKNMS requirements, which terms and conditions are incorporated by reference in this permit. Failure to comply with the terms and conditions would constitute non-compliance with your Corps permit. The Florida Keys Marine Sanctuary is the appropriate authority to determine compliance with the terms and conditions of its requirements and with the Marine Protection, Research, and Sanctuaries Act of 1972 (16 U.S.C. 1432).
- 8. Prior to the initiation of any of the work authorized by this permit the Permittee shall install floating turbidity barriers with weighted skirts that extend to within 1 foot of the bottom around all work areas that are in, or adjacent to, surface waters. The turbidity

- barriers shall remain in place and be maintained until the authorized work has been completed and all erodible materials have been stabilized.
- Within 10 days from the date of initiating the authorized work, the Permittee shall provide to the Corps a written notification of the date of commencement of work authorized by this permit.
- 10. Should any other regulatory agency require changes to the work authorized or obligated by this permit, the Permittee is advised that a re-verification of the revised work is required prior to initiation of those changes. It is the Permittee's responsibility to request a re-verification of this proposed work from the Miami Regulatory Office.
- 11. The Permittee shall ensure that all contractors, sub-contractors, and entities associated with the implementation of the project review, understand, and comply with the approved plans and special conditions made part of this permit. The Permittee shall inform all parties associated with the activity of the construction area boundaries, and the location of adjacent wetlands and submerged aquatic resources (SAR) to be avoided. Complete copies of the permit and approved plans shall be available at the construction site at all times. Failure to comply with the approved plans and permit special conditions may subject the Permittee to enforcement action.

This letter of authorization does not give absolute Federal authority to perform the work as specified on your application. The proposed work may be subject to local building restrictions mandated by the National Flood Insurance Program. You should contact your local office that issues building permits to determine if your site is located in a flood-prone area, and if you must comply with the local building requirements mandated by the National Flood Insurance Program.

If you are unable to access the internet or require a hardcopy of any of the conditions, limitations, or expiration date for the above referenced NWP, please please contact Rosalinda Rodriguez at the letterhead address, by electronic mail at Rosalinda.Rodriguez@usace.army.mil, by telephone at 305-526-7181, or by fax at 305-526-7184.

Thank you for your cooperation with our permit program. The Corps Jacksonville District Regulatory Division is committed to improving service to our customers. We strive to perform our duty in a friendly and timely manner while working to preserve our environment. We invite you to take a few minutes to visit http://per2.nwp.usace.army.mil/survey.html and complete our automated Customer Service Survey. Your input is appreciated – favorable or otherwise. Again, please be aware this web address is case sensitive and should be entered as it appears above.

Sincerely,

Rosalinda Rodrigu Project Manager

### Enclosures

General Conditions
Sea turtle and smalltooth sawfish construction conditions
Standard manatee conditions for in-water work
Self-Certification Statement of Compliance
Permit transfer form

Copy Furnished:

bcc:

CESAJ-RD-PE

# GENERAL CONDITIONS 33 CFR PART 320-330 PUBLISHED FEDERAL REGISTER DATED 13 NOVEMBER 1986

- 1. The time limit for completing the work authorized ends on date identified in the letter. If you find that you need more time to complete the authorized activity, submit your request for a time extension to this office for consideration at least one month before the above date is reached.
- 2. You must maintain the activity authorized by this permit in good condition and in conformance with the terms and conditions of this permit. You are not relieved of this requirement if you abandon the permitted activity, although you may make a good faith transfer to a third party in compliance with General Condition 4 below. Should you wish to cease to maintain the authorized activity or should you desire to abandon it without a good faith transfer, you must obtain a modification of this permit from this office, which may require restoration of the area.
- 3. If you discover any previously unknown historic or archeological remains while accomplishing the activity authorized by this permit, you must immediately notify this office of what you have found. We will initiate the Federal and state coordination required to determine if the remains warrant a recovery effort of if the site is eligible for listing in the National Register of Historic Places.
- 4. If you sell the property associated with this permit you must obtain the signature of the new owner in the space provided and forward a copy of the permit to this office to validate the transfer of this authorization.
- 5. If a conditioned water quality certification has been issued for your project, you must comply with the conditions specified in the certification as special conditions to this permit. For your convenience, a copy of the certification is attached if it contains such conditions.
- 6. You must allow a representative from this office to inspect the authorized activity at any time deemed necessary to ensure that it is being or has been accomplished in accordance with the terms and conditions of your permit.

# SELF-CERTIFICATION STATEMENT OF COMPLIANCE

Permit Number: NW-3
Application Number: SAJ-2012-03416

Permittee's Name & Address (p	olease print or type):
Telephone Number:	
Location of the Work:	
Date Work Started:	Date Work Completed:
Description of the Work (e.g. commercial filling, docks, dr	, bank stabilization, residential or edging, etc.):
Acreage or Square Feet of Imp	acts to Waters of the United States:
Describe Mitigation completed	(if applicable):
Describe any Deviations from deviations):	Permit (attach drawing(s) depicting the
I certify that all work, and a accordance with the limitation	mitigation (if applicable) was done in ns and conditions as described in the scribed above are depicted on the
attached drawing(s).	
	Signature of Permittee
	Date

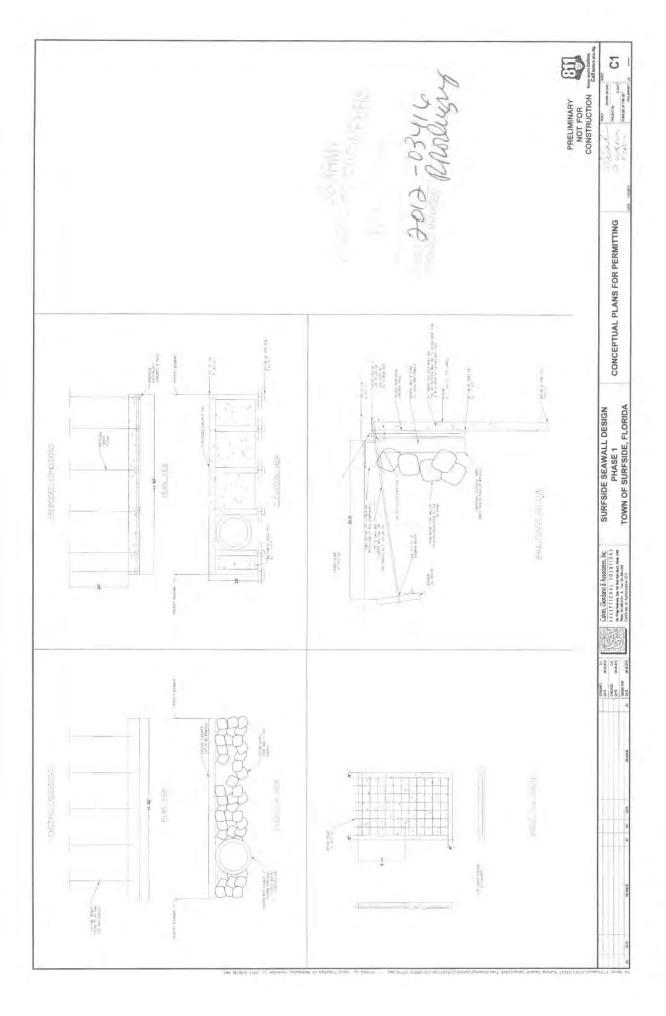
## DEPARTMENT OF THE ARMY PERMIT TRANSFER REQUEST

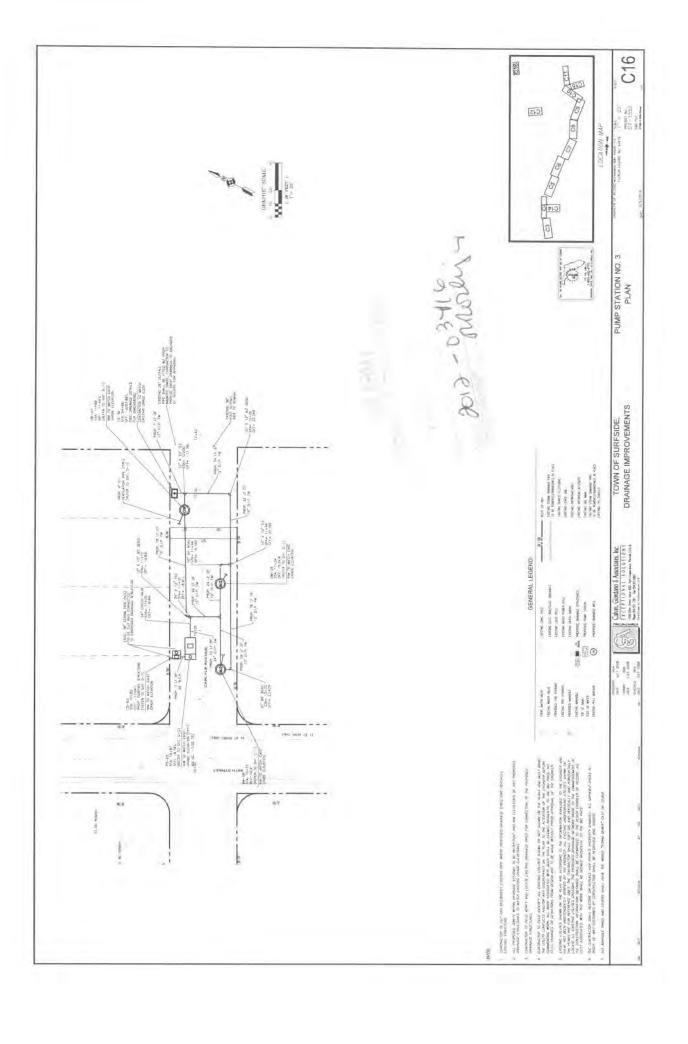
PERMIT NUMBER: SAJ-2012-03416 (NW-RR)

When the structures or work authorized by this permit are still in existence at the time the property is transferred, the terms and conditions of this permit will continue to be binding on the new owner(s) of the property. Although the construction period for works authorized by Department of the Army permits is finite, the permit itself, with its limitations, does not expire.

To validate the transfer of this permit and the associated responsibilities associated with compliance with its terms and conditions, have the transferee sign and date below and mail to the U.S. Army Corps of Engineers, Enforcement Section, Post Office Box 4970, Jacksonville, FL 32232-0019.

(TRANSFEREE-SIGNATURE)	(SUBDIVISION)		
(DATE)	(LOT)	(BLOCK)	
(NAME-PRINTED)	(STREET ADDRESS)		
(MAILING ADDRESS)			
(CITY, STATE, ZIP CODE)			







#### Department of Regulatory and Economic Resources

Coastal and Wetlands Resources Section 701 NW 1st Court, Suite 400 Miami, FL 33136-3912 305-372-6575

#### Class I Construction Permit

Permit Number:

CLI-2013-0240

**DERM Project Manager:** 

Alain Alonso

Issue Date:

10/28/2013

**Expiration Date:** 

10/28/2015

<u>Permittee</u>

Town of Surfside

c/o Roger M. Carlton, Town Manager

9239 Harding Avenue

Surfside, Florida 33154

Contractor

Shoreline Foundation, Inc.

2781 SW 56 Avenue

Pembroke Park, Florida 33023

License # E-1922

Phone: 954-985-0460

**Bond** 

Performance Bond: N/A

Mitigation Bond: \$59,670.00

BBEETF Contribution: N/A

**Engineer** 

David W. Frodsham, P.E. License #75507

Calvin, Giordano & Associates, Inc.

Phone: 561-684-6161

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:

SURFSIDE SEAWALL DESIGN

TOWN OF SURFSIDE, FLORIDA

Date Signed and Sealed:

09/05/2013

**Project Location:** 

Terminus of Froude Avenue, Bay Drive, Biscaya Drive, 90, 92, 93, 94, 95 Streets and Surfside

Park,

Surfside, Florida

**Project Description:** 

South terminus of Froude Avenue:

 Installation of 48 linear feet of new concrete seawall located waterward of the existing seawall between 1 and 49 linear feet from the east property line. The wetface of the new seawall shall extend no greater than 12 inches further waterward of the wetface of the existing seawall.

 Installation of 7 king piles, 7 batter piles and 50 linear feet of concrete seawall cap between 0 and 50 linear feet from the east property line. The seawall cap will measure 3 feet wide by 1.5 feet high and extend 1.8 feet over water.

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

CLI-2013-0240

Page: 1 of 8

#### South terminus of Bay Drive:

- Removal of the existing seawall cap and batter piles.
- Installation of 48 linear feet of new concrete seawall located waterward of the existing seawall between 1 and 49 linear feet from the east property line. The wetface of the new seawall shall extend no greater than 12 inches further waterward of the wetface of the existing seawall.
- Installation of 7 king piles, 7 batter piles and 50 linear feet of concrete seawall cap between 0 and 50 linear feet from the east property line. The seawall cap will measure 3 feet wide by 1.5 feet high and extend 1.8 feet over water.

#### North terminus of Biscava Drive:

Removal of the existing seawall cap.

Installation of 48 linear feet of new concrete seawall located waterward of the existing seawall between 1 and 49 linear feet from the east property line. The wetface of the new seawall shall extend no greater than 12 inches further waterward of the wetface of the existing seawall.

Installation of 7 king piles, 7 batter piles and 50 linear feet of concrete seawall cap between 0 and 50 linear feet from the east property line. The seawall cap will measure 3

feet wide by 1.5 feet high and extend 1.8 feet over water.

#### West terminus of 90 Street:

Removal of the existing seawall cap.

Installation of 62.7 linear feet of new concrete seawall located waterward of the existing seawall between 1 and 63.7 linear feet from the east property line. The wetface of the new seawall shall extend no greater than 12 inches further waterward of the wetface of the existing seawall.

Installation of 9 king piles, 9 batter piles and 64.7 linear feet of concrete seawall cap between 0 and 64.7 linear feet from the east property line. The seawall cap will measure

3 feet wide by 1.5 feet high and extend 1.8 feet over water.

#### West terminus of 92 Street:

Removal of the existing seawall cap.

Installation of 59.6 linear feet of new concrete seawall located waterward of the existing seawall between 1 and 60.6 linear feet from the east property line. The wetface of the new seawall shall extend no greater than 12 inches further waterward of the wetface of the existing seawall.

Installation of 9 king piles, 9 batter piles and 61.6 linear feet of concrete seawall cap between 0 and 61.6 linear feet from the east property line. The seawall cap will measure

3 feet wide by 1.5 feet high and extend 1.8 feet over water.

Installation of 4 seawall mounted manatee grates over the existing outfalls.

#### West terminus of 93 Street:

Removal of the existing seawall cap.

Installation of 55.9 linear feet of new concrete seawall located waterward of the existing seawall between 1 and 56.9 linear feet from the east property line. The wetface of the new seawall shall extend no greater than 12 inches further waterward of the wetface of the existing seawall.

Installation of 8 king piles, 8 batter piles and 57.9 linear feet of concrete seawall cap between 0 and 57.9 linear feet from the east property line. The seawall cap will measure

3 feet wide by 1.5 feet high and extend 1.8 feet over water.

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

CLI-2013-0240

#### West terminus of 94 Street:

- Removal of the existing seawall cap.
- Installation of 48 linear feet of new concrete seawall located waterward of the existing seawall between 1 and 49 linear feet from the east property line. The wetface of the new seawall shall extend no greater than 12 inches further waterward of the wetface of the existing seawall.
- Installation of 7 king piles, 7 batter piles and 50 linear feet of concrete seawall cap between 0 and 50 linear feet from the east property line. The seawall cap will measure 3 feet wide by 1.5 feet high and extend 1.8 feet over water.
- Installation of 2 seawall mounted manatee grates over the existing outfalls.

#### West terminus of 95 Street:

- Removal of the existing seawall cap.
- Installation of 48 linear feet of new concrete seawall located waterward of the existing seawall between 1 and 49 linear feet from the east property line. The wetface of the new seawall shall extend no greater than 12 inches further waterward of the wetface of the existing seawall.
- Installation of 7 king piles, 7 batter piles and 50 linear feet of concrete seawall cap between 0 and 50 linear feet from the east property line. The seawall cap will measure 3 feet wide by 1.5 feet high and extend 1.8 feet over water.
- Installation of 1 seawall mounted manatee grate over the existing outfall.

#### Surfside Park:

- Removal of the existing seawall cap and batter piles.
- Installation of 244.8 linear feet of new concrete seawall located waterward of the existing seawall between 1 and 245.8 linear feet from the east property line. The wetface of the new seawall shall extend no greater than 12 inches further waterward of the wetface of the existing seawall.
- Installation of 32 king piles, 32 batter piles and 246.8 linear feet of concrete seawall cap between 0 and 246.8 linear feet from the north property line. The seawall cap will measure 3 feet wide by 1.5 feet high and extend 1.8 feet over water.

CLI-2013-0240

Page: 3 of 8

#### Specific Conditions

- 1. Due to shallow water depths all work shall be performed from the uplands at the South terminus of Froude Avenue.
- 2. A turbidity curtain shall completely enclose the work area and shall not be removed until turbidity levels within the enclosed area return to background levels outside the curtain.
- 3. Turbidity controls shall be employed and maintained in the most effective manner possible to prevent turbidity from extending beyond the turbidity control mechanism in place. Failure to deploy and maintain the turbidity curtain or other turbidity control mechanism in the most effective manner possible may result in the issuance of a Uniform Civil Violation Notice (UCVN). Turbidity may not exceed 0 Nephelometric Turbidity Units (NTU) above background beyond the turbidity control mechanism in place. If turbidity levels exceed 0 NTU above background beyond the turbidity control mechanism, all construction shall be halted and additional turbidity controls implemented. This project shall not be resumed until the contractor has received authorization from DERM to commence work.
- The wetface of the new seawall shall extend no greater than 12 inches further waterward of the wetface of the existing seawall.
- 5. Whenever feasible, the contractor shall ensure that the wetface of the new seawall is no greater than 12 inches from the wetface of the adjacent seawalls.
- The contractor shall provide a minimum of 48 hours (2 business days) and a maximum of 120 hours (5 business days) notice to the Coastal and Wetlands Resources Section at (305) 372-6575 prior to commencement of backfilling activities.
- 7. Mechanical means to install the new seawall is authorized; however, all work using mechanical equipment shall be performed in such a manner as to prevent any dredging of the bay and canal bottom.
- 8. All backfilling shall be done after completion of the seawall. This permit does not authorize any filling except for backfill landward of the bulkhead. This permit does not authorize the filling of tidal waters or wetlands for additional development.
- 9. The contractor shall provide trucking receipts for all fill from upland sites that is utilized for backfilling behind the new seawall. This condition shall be satisfied within 30 days of the completion of the seawall.
- 10. Pursuant to Section 24-48.3(4) of the Code of Miami-Dade County, Florida, the contractor shall ensure that the backfill is from upland sources and it consists of suitable material and must meet the definition of clean fill as defined in Section 24-5 of the Code of Miami-Dade County.
- 11. In order to minimize danger of entrapment to manatees, culverts which are greater than 7 and less than 60 inches in diameter, shall be covered with grates or screens with spaces less than 7 inches wide; these shall be maintained to prevent upland flooding.
- 12. In order to mitigate for the water quality impacts associated with the seawall installation, and in order to extend the life of the seawall and provide habitat for a variety of invertebrates and protective cover for small fish, 663 cubic yards of riprap (approximately 895 tons) shall be placed on-site at the base of each seawall at a two to one (2H:1V) slope. The riprap shall consist of natural limerock riprap boulders ranging in size from 1 to 3 feet in diameter and may not extend greater than 10 feet waterward (7 feet waterward at the South terminus of Froude Avenue) of the base of the new seawall. Riprap shall be installed in a manner which prevents it from shifting or relocating. This condition shall be satisfied within 30 days of the completion of the seawall.
- 13. The contractor shall submit receipts or weight tickets for the riprap that is placed on-site. This condition shall be satisfied within 30 days of the completion of the seawall.

See General Permit Conditions.

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

<u>CLI-2013-0240</u> Page: 4 of 8

#### **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 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.
- 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

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

<u>CLI-2013-0240</u> Page: 5 of 8

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.

- 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

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

CLI-2013-0240

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.

- 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. 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.
- 26. 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.

<u>CLI-2013-0240</u> Page: 7 of 8



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

#### NOTICE OF COMMENCEMENT OF CONSTRUCTION

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

CLI-2013-0240



#### Department of Regulatory and Economic Resources

Coastal and Wetlands Resources Section 701 NW 1st Court, Suite 400 Miami, FL 33136-3912 305-372-6575

#### **Class I Construction Permit**

Permit Number:

CLI-2012-0370

RER Project Manager: Michael Greenemeier

**Issue Date:** 

08/08/2013

**Expiration Date:** 08/08/2015

(A.A)

**Permittee** 

Town of Surfside c/o Roger M. Carlton, Town Manager

9239 Harding Ave. Surfside, Florida 33154

Contractor

Shoreline Foundation, Inc. 2781 S.W. 56th Avenue

Pembroke Park, Florida 33023

License #CGC1517337

(305) 985-0460

**Bond** 

Performance Bond: N/A

Mitigation Bond: \$4,320.00

BBEETF Contribution: N/A

Engineer

David William Frodsham, P.E. #75507

Calvin, Giordano & Associates, Inc.

(954) 921-7781

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:

SURFSIDE SEAWALL DESIGN

CARLYLE AVENUE

TOWN OF SURFSIDE, FLORIDA

Date Signed and Sealed:

7/15/2013

Project Location:

Southern terminus of Carlyle Avenue

Surfside, Florida 33154

Project Description:

- Removal of the existing limerock seawall, cap, and tiebacks.
- Installation of 48 linear feet of new concrete panel seawall between 1 and 49 linear feet from
  the east property line. The wetface of the new wall shall be located a maximum of 1 foot
  waterward of the wetface of the existing wall.
- Installation of 50 linear feet of concrete seawall cap with 7 new king piles and 6 new batter piles along the existing seawall. The seawall cap shall be 3 feet wide by 1.5 feet high and extend 1.7 feet over water.
- Installation of 1 bead of riprap boulders at the base of the new seawall.

Attachment A: Mooring Prohibited Area

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

CLI-2012-0370

Page: 1 of 8

#### Specific Conditions

- A pre-construction conference shall be held between the Contractor, the permittee (or the permittee's representative) and RER prior to the commencement of work under this permit. The contractor shall provide a minimum of 48 hours (2 business days) and a maximum of 120 hours (5 business days) notice to the Coastal and Wetlands Resources Section at (305) 372-6575 prior to the commencement of work.
- 2. Due to shallow water depths and the presence of benthic resources, all work shall be performed from the uplands.
- 3. In order to minimize water quality impacts associated with the proposed work, the new seawall shall be installed prior to removal of the existing seawall.
- 4. The existing seawall intended to be removed must be properly stored or disposed of in accordance with all Federal, State, and local regulations.
- 5. Mechanical means to remove the existing wall is authorized; however, all work using mechanical equipment shall be performed in such a manner as to prevent any dredging of the bay bottom.
- 6. A turbidity curtain shall completely enclose the work area and shall not be removed until turbidity levels within the enclosed area return to background levels outside the curtain.
- 7. Turbidity controls shall be employed and maintained in the most effective manner possible to prevent turbidity from extending beyond the turbidity control mechanism in place. Failure to deploy and maintain the turbidity curtain or other turbidity control mechanism in the most effective manner possible may result in the issuance of a Uniform Civil Violation Notice (UCVN). Turbidity may not exceed 0 Nephelometric Turbidity Units (NTU's) above background beyond the turbidity control mechanism in place. If turbidity levels exceed 0 NTU's above background beyond the turbidity control mechanism, all construction shall be halted and additional turbidity controls implemented. This project shall not be resumed until the contractor has received authorization from RER to commence work.
- 8. The wetface of the new seawall shall extend no greater than 12 inches further waterward of the wetface of the existing seawall.
- 9. Whenever feasible, the contractor shall ensure that the wetface of the new seawall is no greater than 12 inches from the wetface of the adjacent seawalls.
- 10. The contractor shall provide a minimum of 48 hours (2 business days) and a maximum of 120 hours (5 business days) notice to the Coastal and Wetlands Resources Section at (305) 372-6575 prior to commencement of backfilling activities.
- 11. The contractor shall provide trucking receipts for all fill from upland sites that is utilized for backfilling behind the new seawall. This condition shall be satisfied within 30 days of the completion of the seawall.
- 12. Pursuant to Section 24-48.3(4) of the Code of Miami-Dade County, Florida, the contractor shall ensure that the backfill is from upland sources and it consists of suitable material and must meet the definition of clean fill as defined in Section 24-5 of the Code of Miami-Dade County.
- 13. In order to minimize danger of entrapment to manatees, culverts which are greater than 7 and less than 60 inches in diameter, shall be covered with grates or screens with spaces less than 7 inches wide; these shall be maintained to prevent upland flooding.
- 14. A RER 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 RER Class V permit is required for any dewatering of groundwater, surface waters or water, which has entered into an excavation. The

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

CLI-2012-0370 Page: 2 of 8

- contractor shall contact the Water Control Section of RER 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.
- 15. 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 the Department.
- 16. In order to mitigate for the water quality impacts associated with the seawall replacement, and in order to extend the life of the seawall and provide habitat for a variety of invertebrates and protective cover for small fish, 48 cubic yards of riprap (approximately 64.8 tons) are required. Due to site conditions, only one row of riprap shall be installed on-site. The riprap shall consist of natural limerock boulders ranging in size from 1 to 3 feet in diameter. Riprap shall be installed at the base of the seawall in a manner which prevents it from shifting or relocating. This condition shall be satisfied within 30 days of completion of the seawall. The Department is willing to accept the balance of the mitigation as a contribution to the Biscayne Bay Environmental Enhancement Trust Fund for the creation or enhancement of seagrass habitat located within Biscayne Bay.
- 17. The Department has agreed to accept reuse of the rock from the existing seawall to satisfy a portion of the mitigation requirement provided that:
  - a) All rock proposed to be reused must be stockpiled on the uplands and inspected by RER staff prior to replacement.
  - b) The rock must consist of clean suitable material (e.g. natural limerock riprap boulders) between 1 foot and 3 feet in diameter.
  - c) All rock proposed to be reused must be quantified by a Professional Engineer prior to replacement.
- 18. The contractor shall submit receipts or weight tickets for any additional riprap that is placed on-site. This condition shall be satisfied within 30 days of the completion of the seawall.

See General Permit Conditions.

CLI-2012-0370

#### **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 RER 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 RER that the structure is not in compliance with such.
- 5. RER 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 permitee and/or contractor may notify RER 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 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.
- 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 RER 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.

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

CLI-2012-0370

- 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.
- 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 RER to recommence work. At RER'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 RER (305) 372-6854.
- 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, RER 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 RER, 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 Section 24-48.24 of the Code of Miami-Dade County, the installation or construction of non-water-dependent 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.

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

CLI-2012-0370 Page: 5 of 8

- 21. An application for Transfer of a Class I permit may be filed with RER 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 RER 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.
- 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. 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.
- 26. 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.

CLI-2012-0370 Page: 6 of 8



#### DEPARTMENT OF REGULATORY AND ECONOMIC RESOURCES

Coastal and Wetlands Resources Section

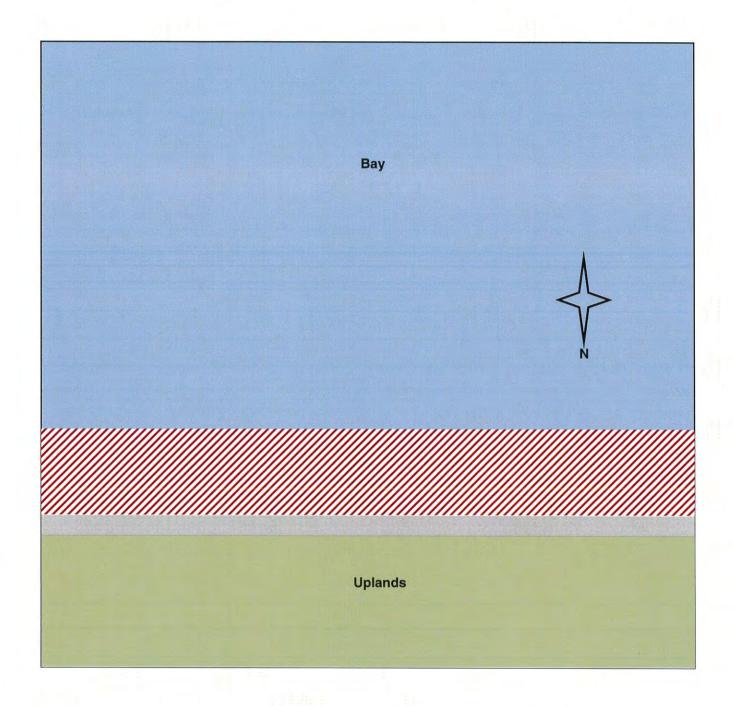
701 NW 1<sup>st</sup> Court, Ste 600, Miami, FL 33136 Phone 305-372-6575 Fax 305-372-6479

#### 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:

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

CLI-2012-0370



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

CLI-2012-0370

Page: 8 of 8



### FLORIDA DEPARTMENT OF

#### Environmental Protection

SOUTHEAST DISTRICT OFFICE 400 NORTH CONGRESS AVE., THIRD FLOOR WEST PALM BEACH, FL 33401 561-681-6600 RICK SCOTT GOVERNOR

HERSCHEL T. VINYARD JR. SECRETARY

June 28, 2013

Town of Surfside c/o Roger Carlton, Manager 9239 Harding Avenue Surfside, FL 33154

Via-email: rcarlton@townofsurfsidefl.gov

Re: File No.: 13-0317860-001

File Name: Town of Surfside

Dear Mr. Carlton:

On April 1, 2013, we received your application, and on May 31, 2013, the application was complete for an exemption to perform the following activities: (1) repair a 681-linear foot seawall by installing 93 king piles at nine locations within 1-foot waterward of the existing seawall; (2) install 93 batter piles; and (3) install 663-linear feet of riprap (approximately 663 yd³), extending a maximum of 8-feet waterward from the new seawall. The project is located in the Indian Creek, within the Biscayne Bay Aquatic Preserve, Outstanding Florida Waters, Class III Waters, (Sections 2, 34 and 35, Townships 52 and 53 South, Range 42 East), in Miami-Dade County. The following table shows the locations of the proposed seawall repair:

Location	Lat/Long
Froude Avenue	25 52' 21.94" / 80 7' 38.17"
Bay Drive	25 52' 46.34" / 80 7' 44.32"
Biscaya Drive	25 52' 53.13" / 80 7' 40.25"
90 <sup>th</sup> Street	25 52' 59.73" / 80 7' 38.16"
92 <sup>nd</sup> Street	25 53' 10.92" / 80 7' 39.06"
93 <sup>rd</sup> Street	25 52' 59.74" / 80 7' 37.98"
94 <sup>th</sup> Street	25 52' 53.13" / 80 7' 40.25"
95 <sup>th</sup> Street	25 53' 6.23" / 80 7' 38.98"
Surfside Park	25 53' 10.64" / 80 7' 39.30"

Your application has been reviewed to determine whether it qualifies for any of three kinds of authorization that may be necessary for work in wetlands or waters of the United States. The kinds of authorization are (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 projects **may not** have qualified for all three forms of authorization. If your projects did not qualify for one or more of the authorizations, refer to the specific section dealing with that authorization for advice on how to obtain it.

Page 2 of 5

#### 1. Regulatory Review. – VERIFIED

The Department has reviewed the submitted information and has determined that the project is not expected to cause the release of pollutants in sufficient quantity, quality, content, or character with respect to the circumstances surrounding the location, use, and operation of the project, as to contribute to pollution in contravention of the provisions of Chapters 373 and 403, Florida Statutes (F.S.), or Title 62, Florida Administrative Code (F.A.C.).

Therefore, based solely upon the documents submitted to the Department, the project to install 93 batter piles and install 663-linear feet of riprap (approximately 663 yd³), extending a maximum of 8-feet waterward from the new seawall has been determined to qualify as activity that is exempt from the need for an environmental resource permit pursuant to Chapter 373.406(6), F.S.

Based on the information you submitted, we have determined that your project to repair a 681-linear foot seawall by installing 93 king piles at nine locations within 1-foot waterward of the existing seawall is exempt from the need to obtain a DEP Environmental Resource Permit under Rule 40E-4.051(4)(b), F.A.C.

This determination is applicable only pursuant to the statutes and rules in effect at the time the information was submitted. This determination may not be valid in the event subsequent changes occur in the applicable statutes and rules of the Department. Pursuant to Rule 62-302, F.A.C., activities that qualify for this exemption must be constructed and operated using appropriate best management practices and in a manner that does not cause water quality violations.

#### 2. Proprietary Review (related to state-owned lands). - GRANTED

The Department acts as staff to the Board of Trustees of the Internal Improvement Trust Fund (Board of Trustees) and issues certain authorizations for the use of sovereign submerged lands. The Department has the authority to review your project under Chapters 253 and 258, F.S., Chapters 18-20 and 18-21, F.A.C., and Section 62-343.075, F.A.C.

Your project will occur on sovereign submerged land and will require authorization from the Board of Trustees to use public property. As staff to the Board of Trustees, we have reviewed the proposed project and have determined that, as long as it is located within the described boundaries and is consistent with the attached general consent conditions, the project qualifies for a letter of consent to use sovereign submerged lands. Therefore, pursuant to Chapter 253.77, Florida Statutes, you may consider this letter as authorization from the Board of Trustees to perform the project.

#### 3. Federal Review (State Programmatic General Permit). – NOT GRANTED

Federal authorization for the proposed project is reviewed by DEP pursuant to an agreement between the Department and the U.S. Army Corps of Engineers (Corps). The agreement is outlined in a document titled Coordination Agreement Between the U.S. Army Corps of Engineers and the Florida Department of Environmental Protection State Programmatic General Permit, Section 10 of the Rivers and Harbor Act of 1899 and Section 404 of the Clean Water Act.

Your project had been reviewed for compliance with a State Programmatic General Permit (SPGP). As shown on the attached drawings, the proposed project is <u>not</u> consistent with the SPGP program. A copy of your application has been sent to the Corps who may require a separate permit. Failure to obtain their

Page 3 of 5

authorization prior to construction could subject you to enforcement action. For further information, contact the Corps directly at 305-526-7181.

This exemption verification is based on the information you provided the Department and the statutes and rules in effect when the information was submitted. This verification will expire after one year, and will not be valid at any other time if site conditions materially change, the project design is modified, or the statutes or rules governing the exempt activity are amended. However, the activity may still be conducted without further notification to or verification from the Department after the one-year expiration of this verification, provided: 1) the project design does not change; 2) site conditions do not materially change; and 3) there are no changes to the statutes or rules governing the exempt activity. In the event you need to re-verify the exempt status for the activity after the one-year expiration of this verification, a new application and verification fee will be required. Any substantial modifications to the project design should be submitted to the Department for review, as changes may result in a permit being required. Conditions of compliance with the regulatory exemption are contained in Attachment A.

This letter does not relieve you from the responsibility of obtaining other permits (federal, state, or local) that may be required for the project.

#### NOTICE OF RIGHTS OF SUBSTANTIALLY AFFECTED PERSONS

This letter acknowledges that the proposed activity is exempt from ERP permitting requirements under Chapter 373.406(6), F.S. and Rule 40E-4.051(4)(b), F.A.C. This determination is final and effective on the date filed with the Clerk of the Department unless a sufficient petition for an administrative hearing is timely filed under sections 120.569 and 120.57 of the Florida Statutes as provided below. If a sufficient petition for an administrative hearing is timely filed, this determination automatically becomes only proposed agency action subject to the result of the administrative review process. Therefore, on the filing of a timely and sufficient petition, this action will not be final and effective until further order of the Department. The procedures for petitioning for a hearing are set forth in the attached notice.

This determination is based on the information you provided the Department and the statutes and rules in effect when the application was submitted and is effective only for the specific activities proposed. This determination shall automatically expire if site conditions materially change or the governing statutes or rules are amended. In addition, any substantial modifications in your plans should be submitted to the Department for review, as changes may result in a permit being required. In any event, this determination shall expire after one year.

Be advised that your neighbors and other parties who may be substantially affected by the proposed activities allowed under this determination of exemption have a right to request an administrative hearing on the Department's decision that the proposed activities qualify for this exemption. Because the administrative hearing process is designed to redetermine final agency action on the application, the filing of a petition for an administrative hearing may result in a final determination that the proposed activities are not authorized under the exemption established under Chapter 373.406(6), F.S. and Rule 40E-4.051(4)(b), F.A.C.

Page 4 of 5

The Department will not publish notice of this determination. Publication of this notice by you is optional and is not required for you to proceed. However, in the event that an administrative hearing is held and the Department's determination is reversed, proceeding with the proposed activities before the time period for requesting an administrative hearing has expired would mean that the activities were conducted without the required permit.

If you wish to limit the time within which all substantially affected persons may request an administrative hearing, you may elect to publish, at your own expense, the enclosed notice (Attachment

A) in the legal advertisement section of a newspaper of general circulation in the county where the activities are to take place. A single publication will suffice.

If you wish to limit the time within which any specific person(s) may request an administrative hearing, you may provide such person(s), by certified mail, a copy of this determination, including Attachment A.

For the purposes of publication, a newspaper of general circulation means a newspaper meeting the requirements of sections 50.011 and 50.031 of the Florida Statutes. In the event you do publish this notice, within seven days of publication, you must provide to the following address proof of publication issued by the newspaper as provided in section 50.051 of the Florida Statutes. If you provide direct written notice to any person as noted above, you must provide to the following address a copy of the direct written notice.

Florida Department of Environmental Protection Southeast District Submerged Lands & Environmental Resources Program 400 N. Congress Ave., 3<sup>rd</sup> Floor West Palm Beach, FL 33401

If you have any questions, please contact Sophie Dimitrova at 561-681-6634 or at Sophie.Dimitrova@dep.state.fl.us. When referring to your project, please use the FDEP file name and number listed above.

Sincerely,

Jason Andreotta

Environmental Administrator

Submerged Lands & Environmental Resources Program

**Enclosures** 

cc: Rosalinda Rodriguez, USACOE- Miami Office, <u>Rosalinda.Rodriguez@usace.army.milmil</u>
Sandra Lee, Calvin, Giordano & Associates, Inc., <u>SLee@calvin-giordano.com</u>
Lisa Spadafina, Miami-Dade County RER, Coastal Resources Section, <u>spadaL2@miamidade.gov</u>

Page 5 of 5

#### FILING AND ACKNOWLEDGMENT

FILED, on this date, pursuant to 120.52(9), Florida Statutes, with the designated Department Clerk, receipt of which is hereby acknowledged.

6/28/13

Clerk Date

#### **GENERAL CONSENT CONDITIONS:**

- (1) Authorizations are valid only for the specified activity or use. Any unauthorized deviation from the specified activity or use and the conditions for undertaking that activity or use shall constitute a violation. Violation of the authorization shall result in suspension or revocation of the grantee's use of the sovereignty submerged land unless cured to the satisfaction of the Board.
- (2) Authorizations convey no title to sovereignty submerged land or water column, nor do they constitute recognition or acknowledgment of any other person's title to such land or water.
- (3) Authorizations may be modified, suspended or revoked in accordance with their terms or the remedies provided in Sections 253.04 and 258.46, F.S., or Chapter 18-14, F.A.C.
- (4) Structures or activities shall be constructed and used to avoid or minimize adverse impacts to sovereignty submerged lands and resources.
- (5) Construction, use, or operation of the structure or activity shall not adversely affect any species which is endangered, threatened or of special concern, as listed in Rules 68A-27.003, 68A-27.004, and 68A-27.005, F.A.C.
- (6) Structures or activities shall not unreasonably interfere with riparian rights. When a court of competent jurisdiction determines that riparian rights have been unlawfully affected, the structure or activity shall be modified in accordance with the court's decision.
- (7) Structures or activities shall not create a navigational hazard.
- (8) Structures shall be maintained in a functional condition and shall be repaired or removed if they become dilapidated to such an extent that they are no longer functional. This shall not be construed to prohibit the repair or replacement subject to the provisions of Rule 18-21.005, F.A.C., within one year, of a structure damaged in a discrete event such as a storm, flood, accident, or fire.
- (9) Structures or activities shall be constructed, operated, and maintained solely for water dependent purposes, or for non-water dependent activities authorized under paragraph 18-21.004(1)(f), F.A.C., or any other applicable law.

#### **Attachment A** File **No.:** 13-0317860-001

## STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION NOTICE OF DETERMINATION OF EXEMPTION

The Department of Environmental Protection gives notice that the project to repair a 681-linear foot seawall by installing 93 king piles at nine locations within 1-foot waterward of the existing seawall; install 93 batter piles; and install 663-linear feet of riprap (approximately 663 yd³), extending a maximum of 8-feet waterward from the new seawall, located in the Indian Creek, within the Biscayne Bay Aquatic Preserve, Outstanding Florida Waters, Class III Waters, (Sections 2, 34 and 35, Townships 52 and 53 South, Range 42 East), in Miami-Dade County, has been determined to be exempt from requirements to obtain an environmental resource permit. The following table shows the locations of the proposed seawall repair:

Location	Lat/Long
Froude Avenue	25 52' 21.94" / 80 7' 38.17"
Bay Drive	25 52' 46.34" / 80 7' 44.32"
Biscaya Drive	25 52' 53.13" / 80 7' 40.25"
90th Street	25 52' 59.73" / 80 7' 38.16"
92nd Street	25 53' 10.92" / 80 7' 39.06"
93rd Street	25 52' 59.74" / 80 7' 37.98"
94th Street	25 52' 53.13" / 80 7' 40.25"
95th Street	25 53' 6.23" / 80 7' 38.98"
Surfside Park	25 53' 10.64" / 80 7' 39.30"

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 of the Florida Statutes. The petition must contain the information set forth below and 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.

Mediation is not available.

If a timely and sufficient petition for an administrative hearing is filed, other persons whose substantial interests will be affected by the outcome of the administrative process have the right to petition to intervene in the proceeding. Intervention will be permitted only at the discretion of the presiding officer upon the filing of a motion in compliance with rule 28-106.205 of the Florida Administrative Code.

In accordance with rule 62-110.106(3), F.A.C., petitions for an administrative hearing must be filed within 21 days of publication of the notice or receipt of written notice, whichever occurs first. Under rule 62-110.106(4) of the Florida Administrative Code, a person whose substantial interests are affected by the Department's action may also request an extension of time to file a petition for an administrative hearing. The Department may, for good cause shown, grant the request for an extension of time. Requests for extension of time must be filed with the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000 prior to the applicable deadline. A timely request for extension of time shall toll the running of the time period for filing a petition until the request is acted upon. Upon motion by the requesting party showing that the failure to file a request for an extension of time before the deadline was the result of excusable neglect, the Department may also grant the requested extension of time.

The petitioner shall mail a copy of the petition to the applicant at the address indicated above at the time of filing. The failure of any person to file a petition for an administrative hearing within the appropriate time period shall constitute a waiver of that right.

A petition that disputes the material facts on which the Department's action is based 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, 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 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;
- (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.

A petition that does not dispute the material facts on which the Department's action is based shall state that no such facts are in dispute and otherwise shall contain the same information as set forth above, as required by rule 28-106.301.

Under sections 120.569(2)(c) and (d) of the Florida Statutes, a petition for administrative hearing shall be dismissed by the agency if the petition does not substantially comply with the above requirements or is untimely filed.

Complete copies of all documents relating to this determination of exemption are available for public inspection during normal business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, at the Southeast District office, 400 North Congress Avenue, West Palm Beach, Florida.





Carlos Lopez-Cantera Property Appraiser

Property Information:		
Follo	14-2235-005-4150	
Property Address		
Owner Name(s)	TOWN OF SURFSIDE TOWN HALL	
Mailing Address	9293 HARDING AVE SURFSIDE FL 33154-3009	
Primary Zone	1100 SGL FAMILY - 2301-2500 SQ	
Use Code	0080 VACANT LAND GOVERNMENT	
Beds/Baths/Half	0/0/0	
Floors	0	
Living Units	0	
Adj. Sq. Footage	0	
Lot Size	10,460 SQ FT	
Year Built	0	
Legal Description	NORMANDY BEACH 2ND AMD PL PB 16-44 7 ST S OF BAY DRIVE LOT SIZE 10460 SQ FT OR 16306-0287 0394 3	

	Current	Previous
Year	2012	2011
Land Value	\$1,620	\$1,620
Building Value	\$0	\$0
Market Value	\$1,620	\$1,620
Assessed Value	\$1,620	\$1,620

#### **Exemption Information:**

	Current	Previous /
Year	2012	2011
Homestead	\$0	30
2nd Homestead	\$0	\$0
Senior	\$0	\$0
Veteran Disability	\$0	191
Civilian Disability	\$0	\$0
Widow(er)	\$0	\$0



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Aerial Photography 2012

Taxable Value Information:		
	Current	Previous
Year	2012	2011
	Exemption/Taxable	Exemption/Taxable
County	\$1,620 / \$0	\$1,620 / \$0
School Board	\$1,620 / \$0	\$1,620 / \$0
City	\$1,620 / \$0	\$1,620 / \$0
Regional	\$1,620 / \$0	\$1,620 / \$0
Sale Information:		

Date: JUN 27 2013

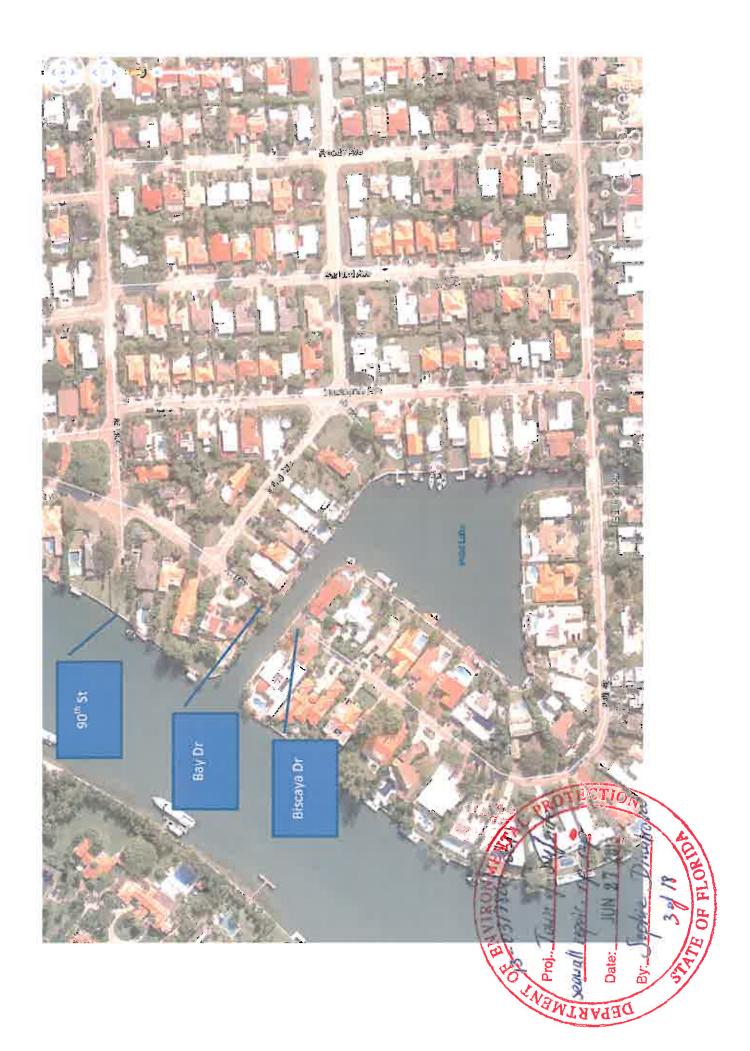
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#### Disclalmer:

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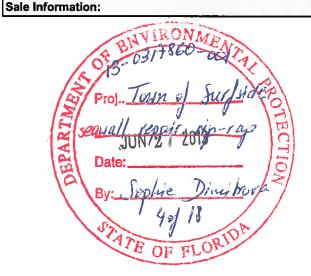
Carlos Lopez-Cantera Property Appraiser

Property Information:		
Folio	14-2235-006-2970	
Property Address		
Owner Name(s)	TOWN OF SURFSIDE TOWN HALL	
Mailing Address	9293 HARDING AVE SURFSIDE FL 33154-3009	
Primary Zone	1100 SGL FAMILY - 2301-2500 SQ	
Use Code	0080 VACANT LAND GOVERNMENT	
Beds/Baths/Half	0/0/0	
Floors	0	
Living Units	0	
Adj. Sq. Footage	0	
Lot Size	1 SQ FT	
Year Built	0	
Legal Description	ALTOS DEL MAR NO 5 PB 8-92 LOT A AT FOOT OF QUAMASH STREET FACING ON BISCAYNE BAY OR 16306-0287 0394 3	

Assessment Information:			
	Current	Previous	
Year	2012	2011	
Land Value	\$26,534	\$25,270	
Building Value	\$0	\$0	
Market Value	\$26,534	\$25,270	
Assessed Value	\$26,534	<b>\$2</b> 5,270	
Exemption Information:			
	Current	Previous	
Year	2012	2011	
Homestead	\$0	\$0	
2nd Homestead	\$0	\$0	
Senior	\$0	\$0	
Veteran Disability	\$0		
Civilian Disability	\$0	\$0	
Widow(er)	\$0	\$0	



	Current	Previous
Year	2012	2011
	Exemption/Taxable	Exemption/Taxable
County	\$26,534 / \$0	\$25,270 / \$0
School Board	\$26,534 / \$0	\$25,270 / \$0
City	\$26,534 / \$0	\$25,270 / \$0
Regional	\$26,534 / \$0	\$25,270 / \$0



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Carlos Lopez-Cantera Property Appraiser

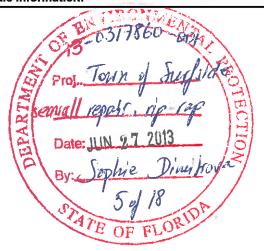
Property Information:		
Folio	14-2235-006-2950	
Property Address		
Owner Name(s)	TOWN OF SURFSIDE TOWN HALL	
Mailing Address	9293 HARDING AVE SURFSIDE FL 33154-3009	
Primary Zone	1100 SGL FAMILY - 2301-2500 SQ	
Use Code	0080 VACANT LAND GOVERNMENT	
Beds/Baths/Half	0/0/0	
Floors	0	
Living Units	0	
Adj. Sq. Footage	0	
Lot Size	1 SQ FT	
Year Built	0	
Legal Description	ALTOS DEL MAR NO 5 PB 8-92 LOT A AT FOOT OF ROSE STREET FACING ON BISCAYNE BAY OR 16306-0287 0394 3	

Assessment Information:		
	Current	Previous
Year	2012	2011
Land Value	\$26,534	\$25,270
Building Value	\$0	\$0
Market Value	\$26,534	\$25,270
Assessed Value	\$26,534	\$25,270
Exemption Information:		

Exemption Information:		
	Current	Previous
Year	2012	2011
Homestead	\$0	\$0
2nd Homestead	\$0	\$0
Senior	\$0	\$0
Veteran Disability	\$0	
Civilian Disability	\$0	\$0
Widow(er)	\$0	\$0



Taxable Value Information:		
	Current	Previous
Year	2012	2011
	Exemption/Taxable	Exemption/Taxable
County	\$26,534 / \$0	\$25,270 <b>/ \$</b> 0
School Board	\$26,534 / \$0	\$25,270 <b>/ \$</b> 0
City	\$26,534 / \$0	\$25,270 <b>/\$</b> 0
Regional	\$26,534 / \$0	\$25,270 / \$0
Sale Information:		



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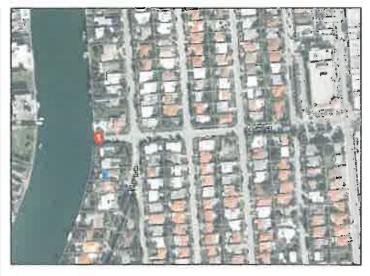


Carlos Lopez-Cantera Property Appraiser

Property Information:		
Folio	14-2235-006-3000	
Property Address	·	
Owner Name(s)	MIAMI-DADE COUNTY PUBLIC WORKS	
Malling Address	111 NW 1 ST STE 1610 MIAMI FL 33128-1924	
Primary Zone	1100 SGL FAMILY - 2301-2500 SQ	
Use Code	0080 VACANT LAND GOVERNMENT	
Beds/Baths/Half	0/0/0	
Floors	0	
Living Units	0	
Adj. Sq. Footage	0	
Lot Size	2,654 SQ FT	
Year Built	0	
Legal Description	ALTOS DEL MAR NO 5 PB 8-92 LOT A AT FOOT OF SMILAX STREET FACING ON ATLANTIC OCEAN LOT SIZE 2654 SQ FT	

Assessment Information:		
	Current	Previous
Year	2012	2011
Land Value	\$51,780	\$49,330
Building Value	\$0	\$0
Market Value	\$51,780	\$49,330
Assessed Value	\$51,780	\$49,330
Exemption Information:		

Exemption Information:		
	Current	Previous
Year	2012	2011
Homestead	\$0	\$0
2nd Homestead	\$0	\$0
Senior	\$0	\$0
Veteran Disability	\$0	
Civilian Disability	\$0	\$0
Widow(er)	\$0	\$0



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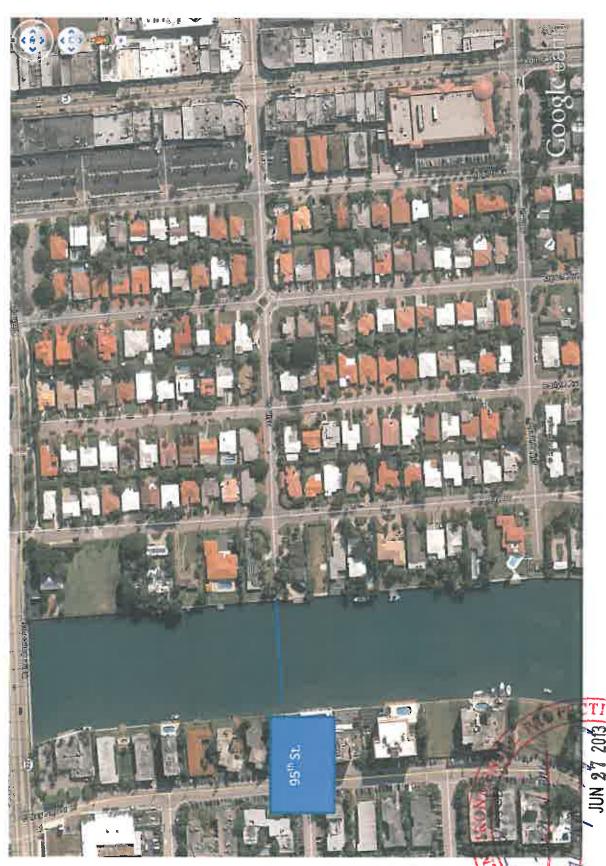
Aerial Photography 2012

Taxable Value Information:		
	Current	Previous
Year	2012	2011
	Exemption/Taxable	Exemption/Taxable
County	\$51,780 / \$0	\$49,330 <b>/ \$</b> 0
School Board	\$51,780 / \$0	\$49,330 / \$0
City	\$51,780 / \$0	\$49,330 <b>/\$</b> 0
Regional	\$51,780 / \$0	\$49,330 / \$0
Sale Information:	-	

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Date: DEPARTMENT &



Carlos Lopez-Cantera Property Appraiser

Property Information:		
Folio	14-2235-007-2610	
Property Address	9572 BAY DR	
Owner Name(s)	TOWN OF SURFSIDE	
Malling Address	9293 HARDING AVE SURFSIDE 54 FL 33154-3009	
Primary Zone	1100 SGL FAMILY - 2301-2500 SQ	
Use Code	0040 MUNICIPAL	
Beds/Baths/Haif	0/2/0	
Floors	1	
Living Units	0	
Adj. Sq. Footage	1,022	
Lot Size	43,499.82 SQ FT	
Year Built	1957	
Legal Description	ALTOS DEL MAR NO 6 PB 8-106 LOTS 8-9-10 11 & S39.01FT OF LOT 12 BLK 14 LOT SIZE 239.010 X 182	

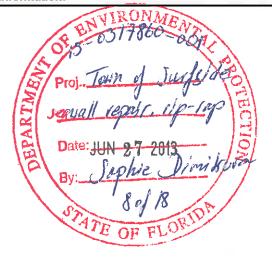
Assessment Information:				
	Current	Previous		
Year	2012	2011		
Land Value	\$2,390,960	\$2,390,960		
Building Value	\$89,172	\$89,172		
Market Value	\$2,480,132	\$2,480,132		
Assessed Value	\$2,480,132	\$2,480,132		
Exemption Information:				
	Current	Previous		

	Current	Previous
Year	2012	2011
Homestead	\$0	\$0
2nd Homestead	\$0	\$0
Senior	\$0	\$0
Veteran Disability	\$0	
Civilian Disability	\$0	\$0
Widow(er)	\$0	\$0



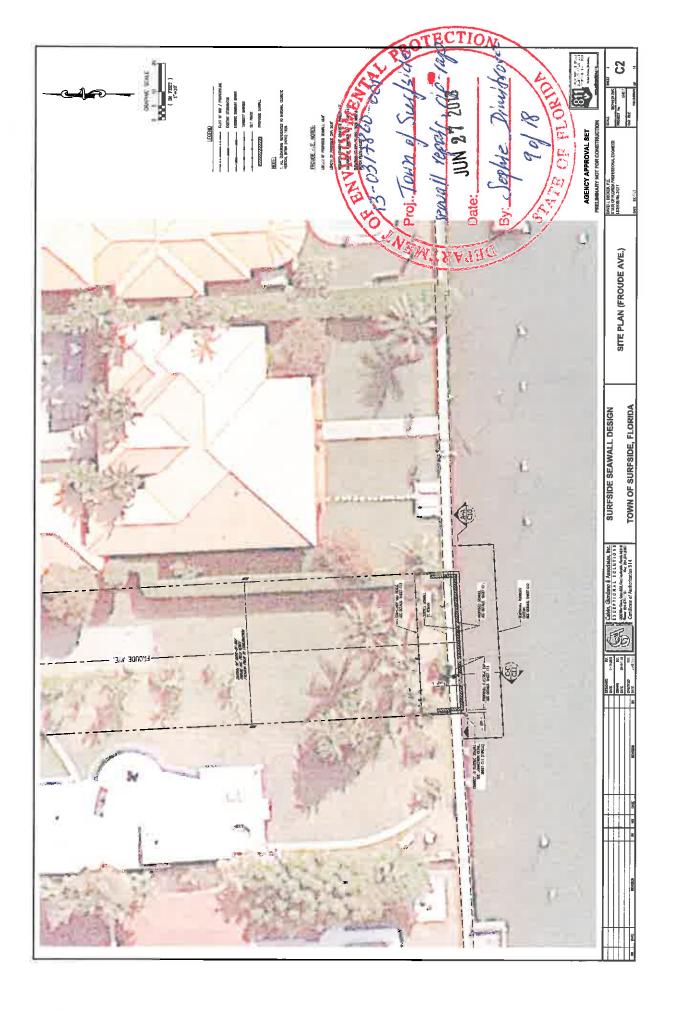
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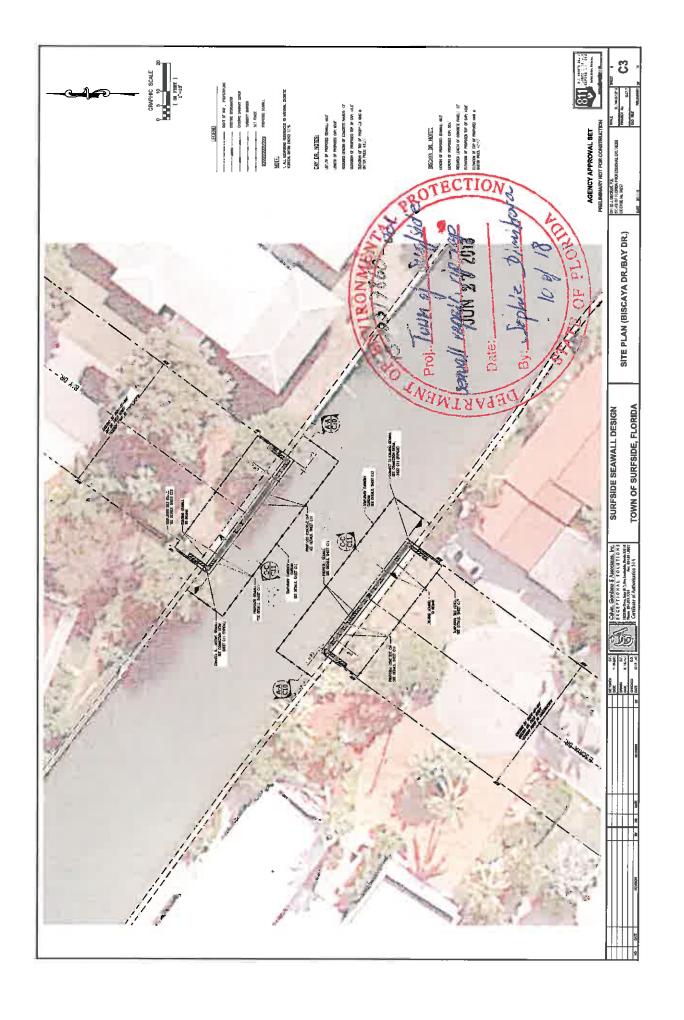
Taxable Value Information:		
	Current	Previous
Year	2012	2011
	Exemption/Taxable	Exemption/Taxable
County	\$2,480,132 / \$0	\$2,480,132 <b>/\$</b> 0
School Board	\$2,480,132 / \$0	\$2,480,132/\$0
City	\$2,480,132 / \$0	\$2,480,132 / \$0
Regional	\$2,480,132 / \$0	\$2,480,132 / \$0
Sale Information:		



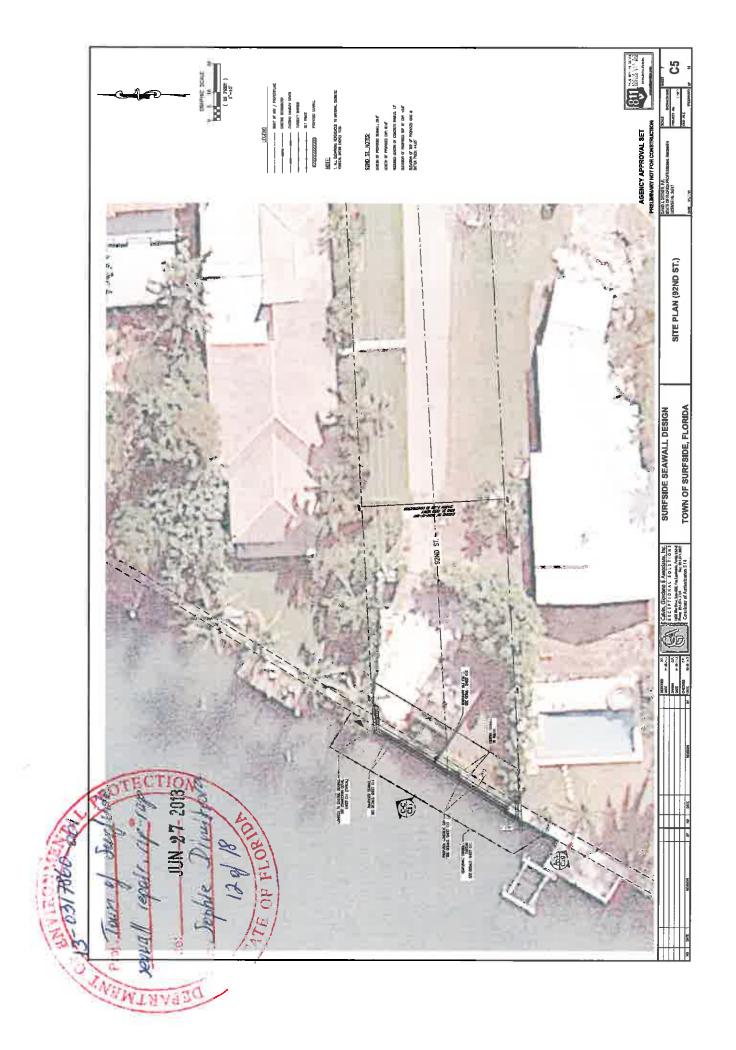
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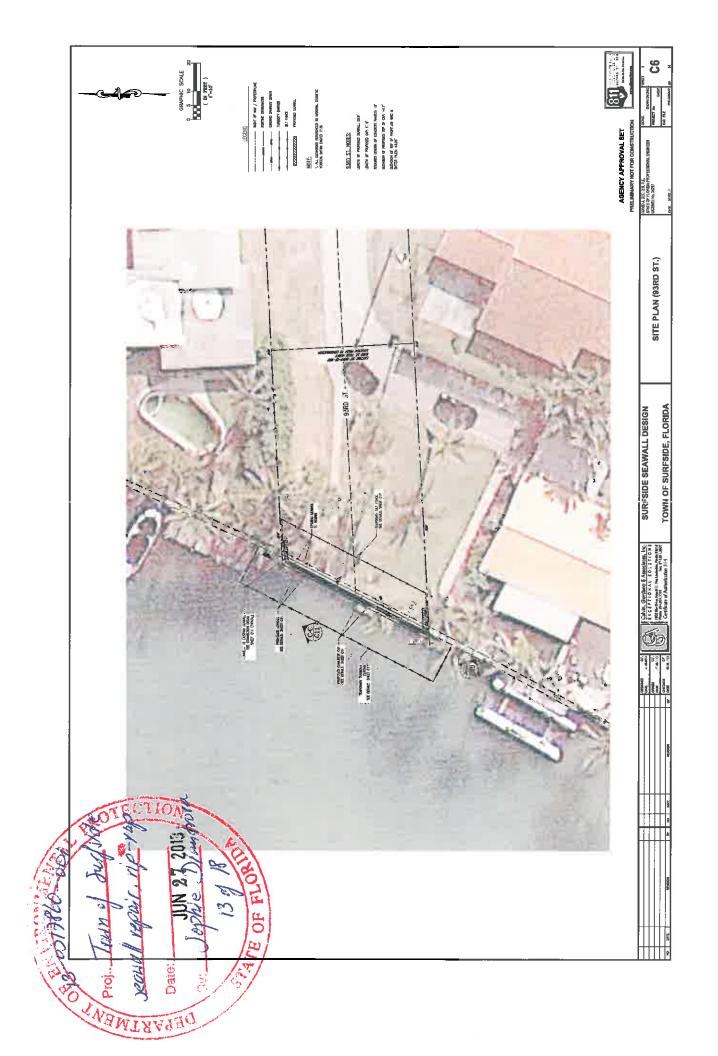
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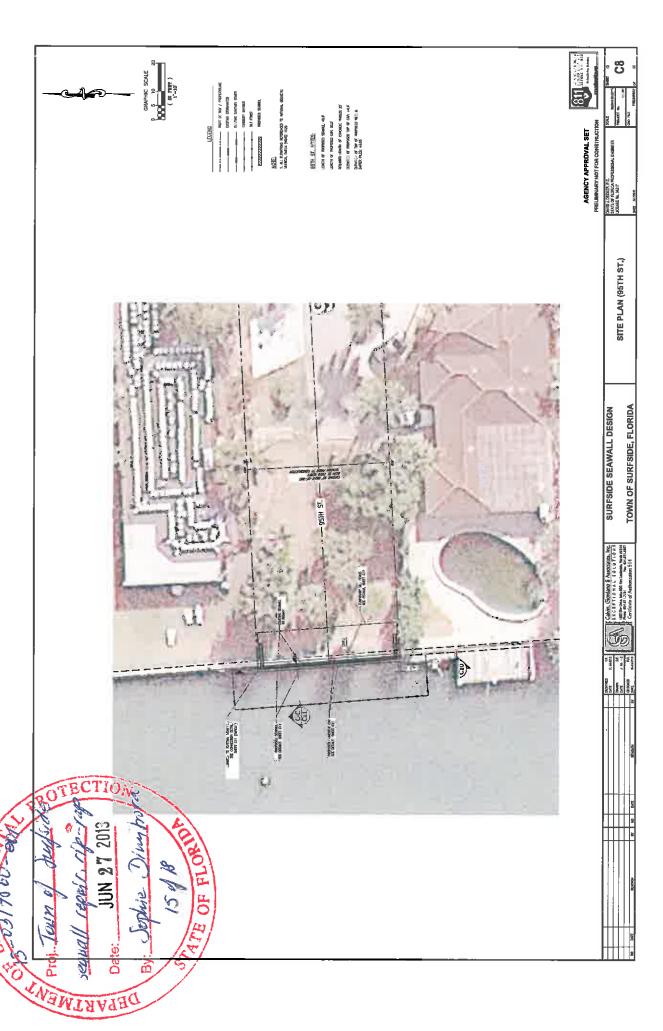














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SURFSIDE LARK NOTES:



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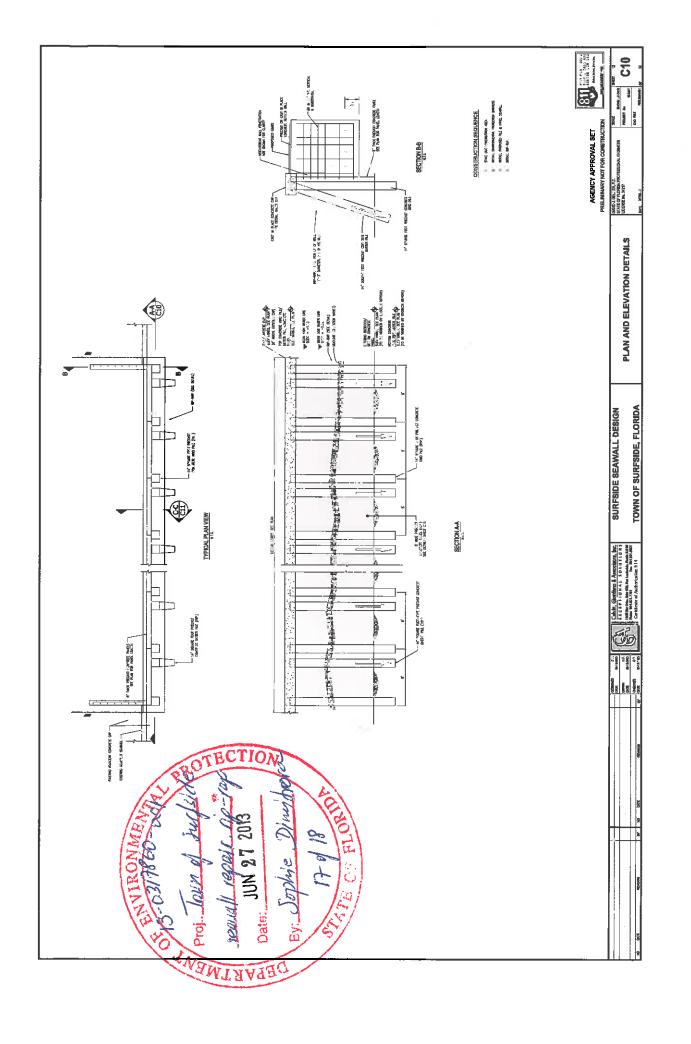
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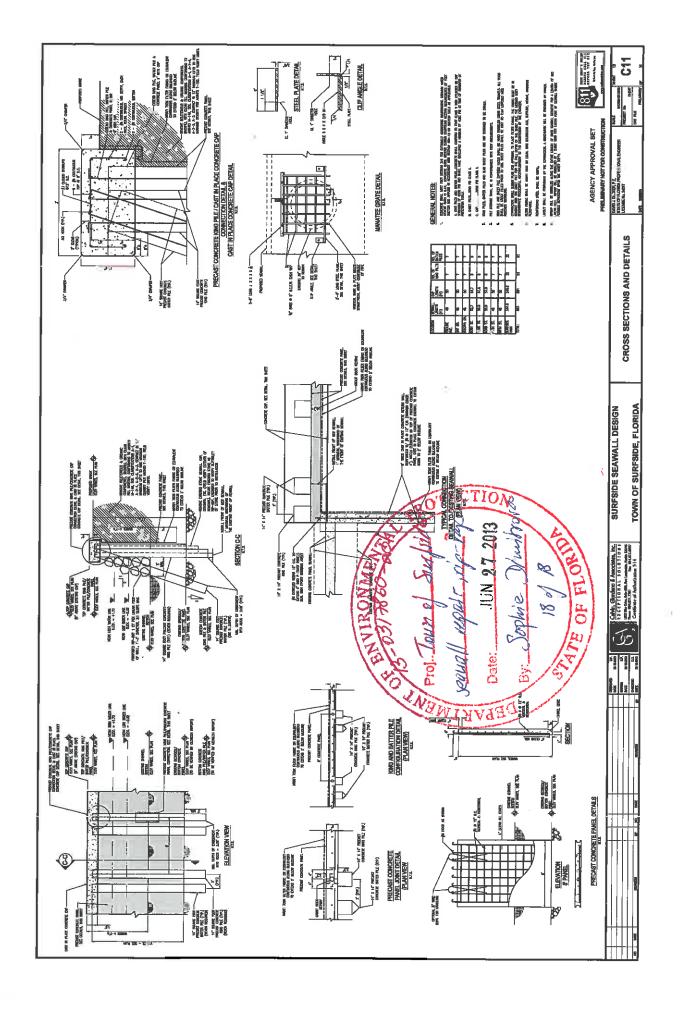
SITE PLAN (SURFSIDE PARK)

TOWN OF SURFSIDE, FLORIDA SURFSIDE SEAWALL DESIGN

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# FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION

SOUTHEAST DISTRICT OFFICE 400 NORTH CONGRESS AVE., THIRD FLOOR WEST PALM BEACH, FL 33401 561-681-6600 RICK SCOTT GOVERNOR HERSCHEL T. VINYARD JR. SECRETARY

April 23, 2013

Town of Surfside c/o Roger Carlton, Manager 9293 Harding Avenue Surfside, FL 33154 RCarlton@townofsurfsidefl.gov

Re: File No.: 13-0316743-001, 002

File Name: Town of Surfside- Seawall Repair Carlyle Ave.

Dear Mr. Carlton:

On February 15, 2013, we received your application for an exemption and notice of intent to use a noticed general permit (NGP) pursuant to Rule 62-330.431, Florida Administrative Code (F.A.C.), which was complete on March 28, 2013, to perform the following activities: (1) repair a 48-linear foot seawall by installing a new seawall within one-foot waterward (wet face to wet face) of the existing seawall, (2) repair an existing 48-linear foot seawall by installing a new seawall cap that shall extend 1.66 feet beyond the wetface of the seawall, (3) install 1.77 yd³ of riprap extending a maximum of 8-feet waterward from the wetface of the seawall to the toe of the riprap where no rip rap currently exists, per the attached drawings, and (4) install 6 batter piles. The projects are located in the Biscayne Bay, Class III Waters, located at the terminus of Carlyle Avenue, Surfside (Section 2, Township 53 South, Range 42 East), in Miami-Dade County (Latitude N 25° 52' 20.87", Longitude W 80° 07' 29.07").

Your application has been reviewed to determine whether it qualifies for any of three kinds of authorization that may be necessary for work in wetlands or waters of the United States. The kinds of authorization are (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 projects **may not** have qualified for all three forms of authorization. If your projects did not qualify for one or more of the authorizations, refer to the specific section dealing with that authorization for advice on how to obtain it.

# 1. Regulatory Review. -VERIFIED

The Department has reviewed the submitted information and has determined that the projects are not expected to cause the release of pollutants in sufficient quantity, quality, content, or character with respect to the circumstances surrounding the location, use, and operation of the project, as to contribute to pollution in contravention of the provisions of Chapters 373 and 403, Florida Statutes (F.S.), or Title 62, Florida Administrative Code (F.A.C.).

Based solely upon the documents submitted to the Department, your project to install 6 batter piles has been determined to qualify as an activity that is exempt from the need to obtain a DEP Environmental Resource Permit pursuant to Chapter 373.406(6), F.S.

FDEP File No.: 13-0316743-001

Page 2 of 6

Based on the information you submitted, we have determined that your project to repair a 48-linear foot seawall by installing a new seawall within one-foot waterward (wet face to wet face) of the existing seawall and repair an existing 48-linear foot seawall by installing a new seawall cap that shall extend 1.66 feet beyond the wetface of the seawall is exempt from the need to obtain a DEP Environmental Resource Permit under Rule 40E-4.051(4)(b), F.A.C.

Based on the information you submitted, we have determined that the project to install 1.77 yd³ of riprap extending a maximum of 8-feet waterward from the wetface of the seawall to the toe of the riprap where no rip rap currently exists meets the requirements for and is hereby granted the noticed general permit listed above (Rule 62-330.431, F.A.C.).

Activity performed under a noticed general permit is subject to the general conditions required in Rule 62-330.405, F.A.C. (attached) and to the specific conditions of the permit for which notice was given (62-330.431, F.A.C., attached). Deviations from the general and specific conditions may subject the permittee to enforcement action and penalties. Project drawings and a location map are attached.

Please be advised that the construction phase of the noticed general permit must be completed within 5 years from the date the notice to use the noticed general permit was received by the Department.

# 2. Proprietary Review. -NOT REQUIRED

The Department acts as staff to the Board of Trustees of the Internal Improvement Trust Fund (Board of Trustees) and issues certain authorizations for the use of sovereignty submerged lands. The Department has the authority to review your projects under Chapters 253 and 258, F.S., ChapterS 18-18 and 18-21, F.A.C., and Section 62-343.075, F.A.C.

Your projects will occur within TIFFT Deed no. 18895 and will not occur on sovereignty submerged land. Therefore, pursuant to Chapter 253.77, F.S., authorization from the Board of Trustees is not required.

# 3. Federal Review (SPGP) –NOT GRANTED

Federal authorization for the proposed projects is reviewed by DEP pursuant to an agreement between the Department and the U.S. Army Corps of Engineers (Corps). The agreement is outlined in a document titled Coordination Agreement Between the U.S. Army Corps of Engineers and the Florida Department of Environmental Protection State Programmatic General Permit, Section 10 of the Rivers and Harbor Act of 1899 and Section 404 of the Clean Water Act.

Your projects have been reviewed for compliance with a State Programmatic General Permit (SPGP). As shown on the attached drawings, the proposed projects are <u>not</u> consistent with the SPGP program. A copy of your application has been sent to the Corps who may require a separate permit. Failure to obtain their authorization prior to construction could subject you to enforcement action. For further information, contact the Corps directly at (305) 526-7181.

This exemption verification is based on the information you provided the Department and the statutes and rules in effect when the information was submitted. This verification will expire after one year, and will not be valid at any other time if site conditions materially change, the project design is modified, or

FDEP File No.: 13-0316743-001

Page 3 of 6

the statutes or rules governing the exempt activity are amended. However, the activity may still be conducted without further notification to or verification from the Department after the one-year expiration of this verification, provided: 1) the project design does not change; 2) site conditions do not materially change; and 3) there are no changes to the statutes or rules governing the exempt activity. In the event you need to re-verify the exempt status for the activity after the one-year expiration of this verification, a new application and verification fee will be required. Any substantial modifications to the project design should be submitted to the Department for review, as changes may result in a permit being required. Conditions of compliance with the regulatory exemption are contained in Attachment A.

This letter does not relieve you from the responsibility of obtaining other permits (federal, state, or local) that may be required for the project. If you change the project from what you submitted, the authorizations 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.

# NOTICE OF RIGHTS OF SUBSTANTIALLY AFFECTED PERSONS

This letter acknowledges that the proposed activity is exempt from ERP permitting requirements under Rule 40E-4.051(4)(b), F.A.C. and may be conducted under Noticed General Permit Rule 62-330.431, F.A.C. This determination is final and effective on the date filed with the Clerk of the Department unless a sufficient petition for an administrative hearing is timely filed under sections 120.569 and 120.57 of the Florida Statutes as provided below. If a sufficient petition for an administrative hearing is timely filed, this determination automatically becomes only proposed agency action subject to the result of the administrative review process. Therefore, on the filing of a timely and sufficient petition, this action will not be final and effective until further order of the Department. Because an administrative hearing may result in the reversal or substantial modification of this action, the applicant is advised not to commence construction or other activities until the deadlines noted below for filing a petition for an administrative hearing or request for an extension of time have expired.

# Mediation is not available.

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 of the Florida Statutes. The petition must contain the information set forth below and 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.

Under rule 62-110.106(4) of the Florida Administrative Code, a person whose substantial interests are affected by the Department's action may also request an extension of time to file a petition for an administrative hearing. The Department may, for good cause shown, grant the request for an extension of time. Requests for extension of time must be filed with the Office

of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000, before the applicable deadline. A timely request for extension of time shall toll the running of the time period for filing a petition until the request is acted upon. If a request is filed late,

FDEP File No.: 13-0316743-001

Page 4 of 6

the Department may still grant it upon a motion by the requesting party showing that the failure to file a request for an extension of time before the deadline was the result of excusable neglect.

If a timely and sufficient petition for an administrative hearing is filed, other persons whose substantial interests will be affected by the outcome of the administrative process have the right to petition to intervene in the proceeding. Intervention will be permitted only at the discretion of the presiding officer upon the filing of a motion in compliance with rule 28-106.205 of the Florida Administrative Code.

In accordance with rule 62-110.106(3), F.A.C., petitions for an administrative hearing by the applicant must be filed within 21 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) of the Florida Statutes, must be filed within 21 days of publication of the notice or within 21 days of receipt of the written notice, whichever occurs first. Under section 120.60(3) of the Florida Statutes, however, any person who has asked the Department for notice of agency action may file a petition within 21 days of receipt of such notice, regardless of the date of publication.

The petitioner shall mail a copy of the petition to the applicant at the address indicated above at the time of filing. The failure of any person to file a petition for an administrative hearing within the appropriate time period shall constitute a waiver of that right.

A petition that disputes the material facts on which the Department's action is based 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, 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; 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.

A petition that does not dispute the material facts on which the Department's action is based shall state that no such facts are in dispute and otherwise shall contain the same information as set forth above, as required by rule 28-106.301.

FDEP File No.: 13-0316743-001

Page 5 of 6

Under sections 120.569(2)(c) and (d) of the Florida Statutes, a petition for administrative hearing must be dismissed by the agency if the petition does not substantially comply with the above requirements or is untimely filed.

The Department will not publish notice of this determination. Publication of this notice by you is optional and is not required for you to proceed. However, in the event that an administrative hearing is held and the Department's determination is reversed, proceeding with the proposed activity before the time period for requesting an administrative hearing has expired would mean that the activity was conducted without the required permit.

If you wish to limit the time within which all substantially affected persons may request an administrative hearing, you may elect to publish, at your own expense, the enclosed notice (Attachment A) in the legal advertisement section of a newspaper of general circulation in the county where the activity is to take place. A single publication will suffice.

If you wish to limit the time within which any specific person(s) may request an administrative hearing, you may provide such person(s), by certified mail, a copy of this determination, including Attachment A.

For the purposes of publication, a newspaper of general circulation means a newspaper meeting the requirements of sections 50.011 and 50.031 of the Florida Statutes. In the event you do publish this notice, within seven days of publication, you must provide to the following address proof of publication issued by the newspaper as provided in section 50.051 of the Florida Statutes. If you provide direct written notice to any person as noted above, you must provide to the following address a copy of the direct written notice.

This determination constitutes an order of the Department. Subject to the provisions of paragraph 120.68(7)(a) of the Florida Statutes, which may require a remand for an administrative hearing, the applicant has the right to seek judicial review of the order under section 120.68 of the Florida Statutes, by the filing of a notice of appeal under rule 9.110 of the

Florida Rules of Appellate Procedure with the Clerk of the Department in the Office of General Counsel, 3900 Commonwealth Boulevard, Mail Station 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 when the final order is filed with the Clerk of the Department.

If you revise your projects after submitting the initial joint application, please contact us as soon as possible. Also, if you have any questions, please contact Kelly Egan at (561) 681-6656, or via email at Kelly.Egan@dep.state.fl.us. When referring to this project, please use the FDEP file number listed above.

FDEP File No.: 13-0316743-001

Page 6 of 6

Sincerely.

4/23/13 Jill King Date

Environmental Manager

Submerged Lands and Environmental Resources Program

Enclosures: NGP General Conditions

NGP Specific Conditions

Attachment A (Newspaper Publication Notice)

**Project Drawings** 

cc: Rosalinda Rodriguez, USACOE- Miami-Dade, <u>Rosalinda.Rodriguez@usace.army.mil</u> Lisa Spadafina, Miami-Dade County RER, <u>spadaL2@miamidade.gov</u> Sandra Lee, Calvin, Giordano & Associates, Inc., <u>SLee@calvin-giordano.com</u>

# FILING AND ACKNOWLEDGMENT

FILED, on this date, pursuant to 120.52(9), Florida Statutes, with the designated Department Clerk, receipt of which is hereby acknowledged.

Clerk

Date

## Rule 62-330.405, Florida Administrative Code General Conditions for All Noticed General Permits.

- (1) The terms, conditions, requirements, limitations, and restrictions set forth in this section are general permit conditions and are binding upon the permittee for all noticed general permits in this chapter. These conditions are enforceable under Part IV of Chapter 373, F.S.
- (2) 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. A violation of the permit is a violation of Part IV of Chapter 373, F.S., and may result in suspension or revocation of the permittee's right to conduct such activity under the general permit. The Department also may begin legal proceedings seeking penalties or other remedies as provided by law for any violation of these conditions.
- (3) 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.
- (4) 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.
- (5) 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 in contravention of Florida Statutes and Department rules.
- (6) The permittee is hereby advised that Section 253.77, F.S., states that a person may not commence any excavation, construction, or other activity involving the use of sovereign 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 lease, license, easement, or other form of consent authorizing the proposed use. Therefore, the permittee is responsible for obtaining any necessary authorizations from the Board of Trustees prior to commencing activity on sovereignty lands or other state-owned lands.
- (7) The authorization to conduct activities pursuant to a general permit may be modified, suspended or revoked in accordance with Chapter 120 and Section 373.429, F.S.
- (8) This permit shall not be transferred to a third party except pursuant to Rule 62-343.130, F.A.C., or, for activities within the geographical area of the Northwest Florida Water Management District, Rule 62-346.130, 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 system or the real property at which the permitted system is located.
- (9) Upon reasonable notice to the permittee, Department staff with proper identification shall have permission to enter, inspect, sample and test the permitted system to insure conformity with the plans and specifications approved by the permit.
- (10) The permittee shall maintain any permitted system in accordance with the plans submitted to the Department and authorized in this general permit.
  - (11) A permitee's right to conduct a specific noticed activity under this noticed general permit is authorized for a duration of five years.
- (12) Construction, alteration, operation, maintenance, removal and abandonment approved by this general permit shall be conducted in a manner which does not cause violations of state water quality standards, including any antidegradation provisions of paragraphs 62-4.242(1)(a) and (b), subsections 62-4.242(2) and (3) and Rule 62-302.300, F.A.C., and any special standards for Outstanding Florida Waters and Outstanding National Resource Waters. The permittee shall implement best management practices for erosion, turbidity, and other pollution control to prevent violation of state water quality standards. Temporary erosion control measures such as sodding, mulching, and seeding shall be implemented and shall be maintained on all erodible ground areas prior to and during construction. Permanent erosion control measures such as sodding and planting of wetland species shall be completed within seven days of any construction activity. Turbidity barriers shall be installed and maintained at all locations where the possibility of transferring suspended solids into wetlands and other surface waters exists due to the permitted activity. Turbidity barriers shall remain in place and shall be maintained in a functional condition at all locations until construction is completed and soils are stabilized and vegetation has been established. Thereafter the permittee shall be responsible for the removal of the barriers. The permittee shall correct any erosion or shoaling that causes adverse impacts to the water resources.
- (13) The permittee shall hold and save the Department 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 system authorized by the general permit.
- (14) The permittee shall immediately notify the Department in writing of any previously submitted information that is later discovered to be inaccurate.

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

## 62-330.431 Specific Conditions for General Permit for Installation of Riprap.

- (1) A general permit is hereby granted to any person installing riprap at the toe of an existing vertical seawall, provided:
- (a) the riprap consists only of natural boulders or clean concrete rubble one to three feet in diameter in dimensions;
  - (b) the slope of the riprap is no steeper than two horizontal to one vertical and the horizontal distance from the toe of the seawall is no more than eight feet;
  - (c) there are no reinforcing rods or other similar protrusions in concrete rubble and all rubble or boulders are free of attached sediments;
  - (d) neither the distance nor the use of the riprap shall interfere with navigation;
  - (e) there is no filling or dredging associated with the placement of riprap other than the riprap material itself;
  - (f) there shall be no filling of submerged grassbeds;
  - (g) the amount of wetland area filled shall not exceed 100 square feet; and
  - (h) there shall be no filling of coral communities.
- (2) This general permit shall be subject to the specific conditions as follows:
  - (a) installation of the structure does not obligate the Department to approve any subsequent request to dredge for navigational access;
  - (b) there shall be no backfilling to obtain useable upland or to straighten an otherwise sinuous shoreline; and
  - (c) there shall be no filling or backfilling to reclaim land lost by avulsion or erosion. Specific Authority 373.026, 373.043, 373.044, 373.118, 373.406, 403.813, 403.814, FS.

(d)

Law Implemented 373.026, 373.043, 373.046, 373.118, 373.403, 373.413, 373.416, 373.418, 373.419, 373.422, 373.423, 373.426, 403.813, 403.814, FS.

History -- New 10-3-95.

Attachment A File No.: 13-0316743-001, 002

# STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION NOTICE OF DETERMINATION OF EXEMPTION & NOTICED GENERAL PERMIT

The Department of Environmental Protection gives notice that the projects to repair a 48-linear foot seawall by installing a new seawall within one-foot waterward (wet face to wet face) of the existing seawall, repair an existing 48-linear foot seawall by installing a new seawall cap that shall extend 1.66 feet beyond the wetface of the seawall, install 1.77 yd³ of riprap extending a maximum of 8-feet waterward from the wetface of the seawall to the toe of the riprap where no rip rap currently exists, per the attached drawings, and install 6 batter piles, located in the Biscayne Bay, Class III Waters, located at the terminus of Carlyle Avenue, Surfside (Section 2, Township 53 South, Range 42 East), in Miami-Dade County (Latitude N 25° 52' 20.87", Longitude W 80° 07' 29.07") has been determined in part, to qualify for a noticed general permit and to be exempt from the requirements to obtain an environmental resource permit.

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 of the Florida Statutes. The petition must contain the information set forth below and 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.

Mediation is not available.

If a timely and sufficient petition for an administrative hearing is filed, other persons whose substantial interests will be affected by the outcome of the administrative process have the right to petition to intervene in the proceeding. Intervention will be permitted only at the discretion of the presiding officer upon the filing of a motion in compliance with rule 28-106.205 of the Florida Administrative Code.

In accordance with rule 62-110.106(3), F.A.C., petitions for an administrative hearing must be filed within 21 days of publication of the notice or receipt of written notice, whichever occurs first. Under rule 62-110.106(4) of the Florida Administrative Code, a person whose substantial interests are affected by the Department's action may also request an extension of time to file a petition for an administrative hearing. The Department may, for good cause shown, grant the request for an extension of time. Requests for extension of time must be filed with the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000 prior to the applicable deadline. A timely request for extension of time shall toll the running of the time period for filing a petition until the request is acted upon. Upon motion by the requesting party showing that the failure to file a request for an extension of time before the deadline was the result of excusable neglect, the Department may also grant the requested extension of time.

The petitioner shall mail a copy of the petition to the applicant at the address indicated above at the time of filing. The failure of any person to file a petition for an administrative hearing within the appropriate time period shall constitute a waiver of that right.

A petition that disputes the material facts on which the Department's action is based 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, 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;
  - $(d) \quad A \ statement \ of \ all \ disputed \ issues \ of \ material \ fact. \ \ If \ there \ are \ none, \ the \ petition \ must \ so \ indicate;$
- (e) A concise statement of the ultimate facts alleged, including the specific facts 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; 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.

A petition that does not dispute the material facts on which the Department's action is based shall state that no such facts are in dispute and otherwise shall contain the same information as set forth above, as required by rule 28-106.301.

Under sections 120.569(2)(c) and (d) of the Florida Statutes, a petition for administrative hearing shall be dismissed by the agency if the petition does not substantially comply with the above requirements or is untimely filed.

Complete copies of all documents relating to this determination of exemption are available for public inspection during normal business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, at the Southeast District office, 400 North Congress Avenue, 3<sup>rd</sup> Floor, West Palm Beach, Florida 33401.

# SURFSIDE SEAWALL DESIGN

# TOWN OF SURFSIDE, FLORIDA CARLYLE AVENUE



SHEET NO.

62

2882



# PLANS PREPARED BY:

CARD SPEE ANY COMP OF ECONOMIC RESOURCES,



EXCEPTIONAL SOLUTIONS Calvin, Giordano & Associates, Inc.

1800 Eller Drive, Suite 600, Fort Lauderdale, Florida 33315 Phone: 9:4.921.7781 • Fax: 954.921.8807

CERTIFICATE OF AUTHORIZATION 5M

- RESPONSENT FOR THE USE OF THESE PLANS FOR ANY PURPOSE PROPER TO SECURAL PERMISES FINAL ALL ASSECTION OFFICES THE PROPERTY OFFI THIS PROPERTY MALF ALL SOLETY UPAN THE USES.
  - LA FLECTING OF JULY WILL RIGHOUS ON DAMPON DATE, DRINGS OF DAMPON OF RESPONSE AS LECTIONS OF LAW RESPONSE DAMPON DAMPO

BENCHMARK: SEE SHEET GE FOR BENCHMINK INFORMA

# SHOP DRAWINGS TO BE SUBMITTED TO:

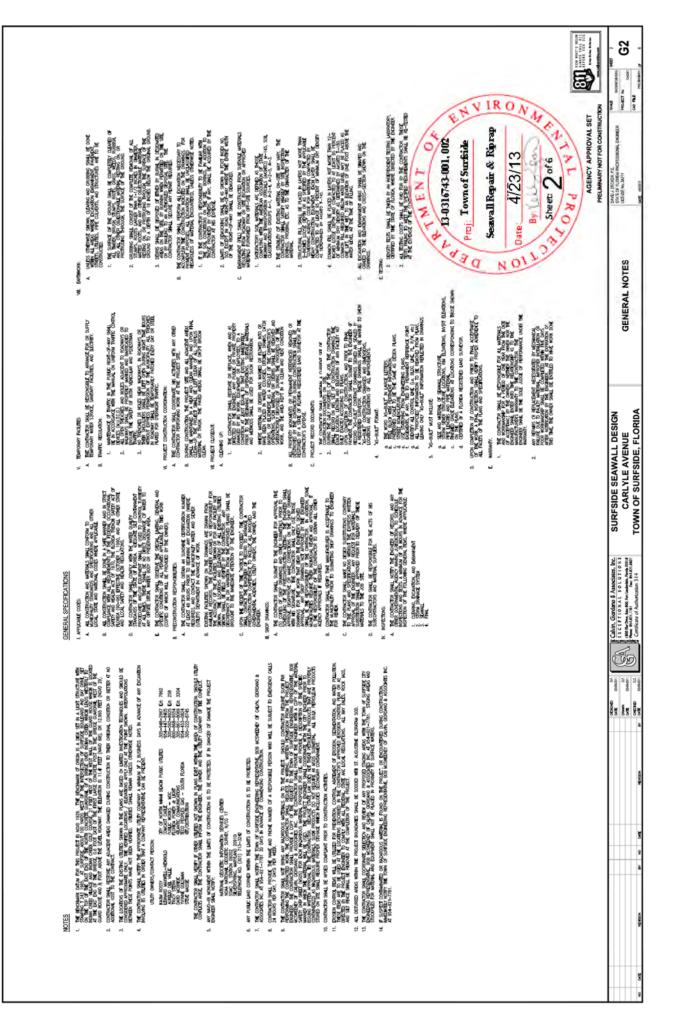
CAUM, GONDANO & ASSOCIATES, INC.
JODO ELLER DRIVE
STOTE BOD
FORT LAUGEBOALE FL 33499
FMORE, 954-929-778 FAX, 954-92-8807

AGENCY APPROVAL SET

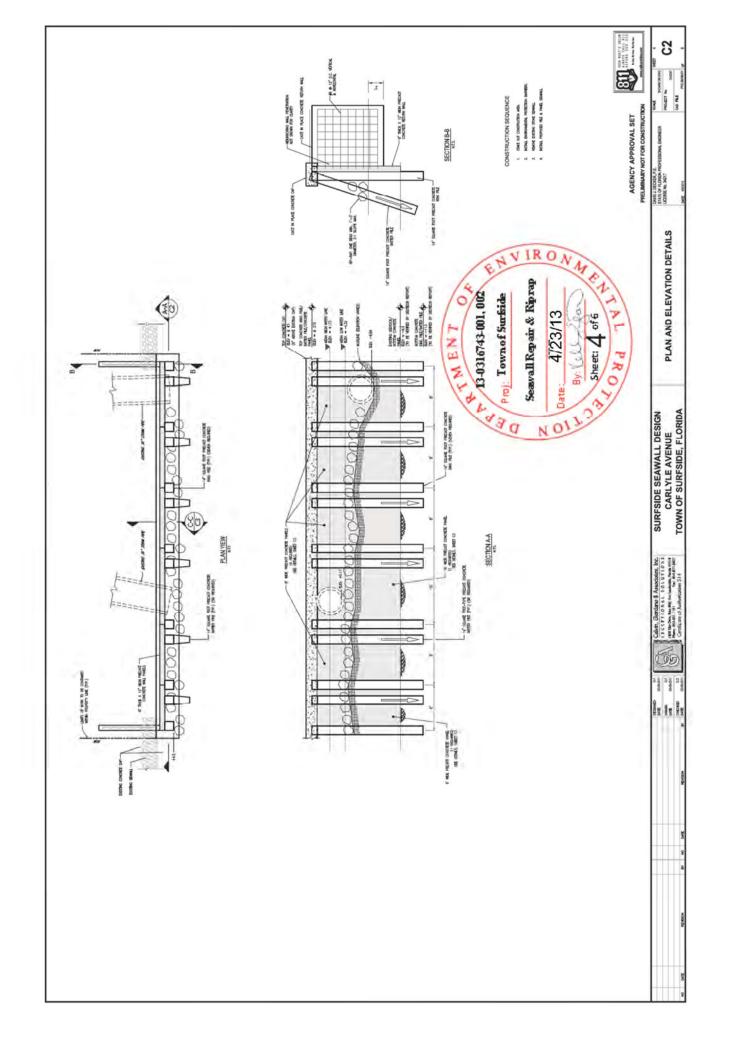
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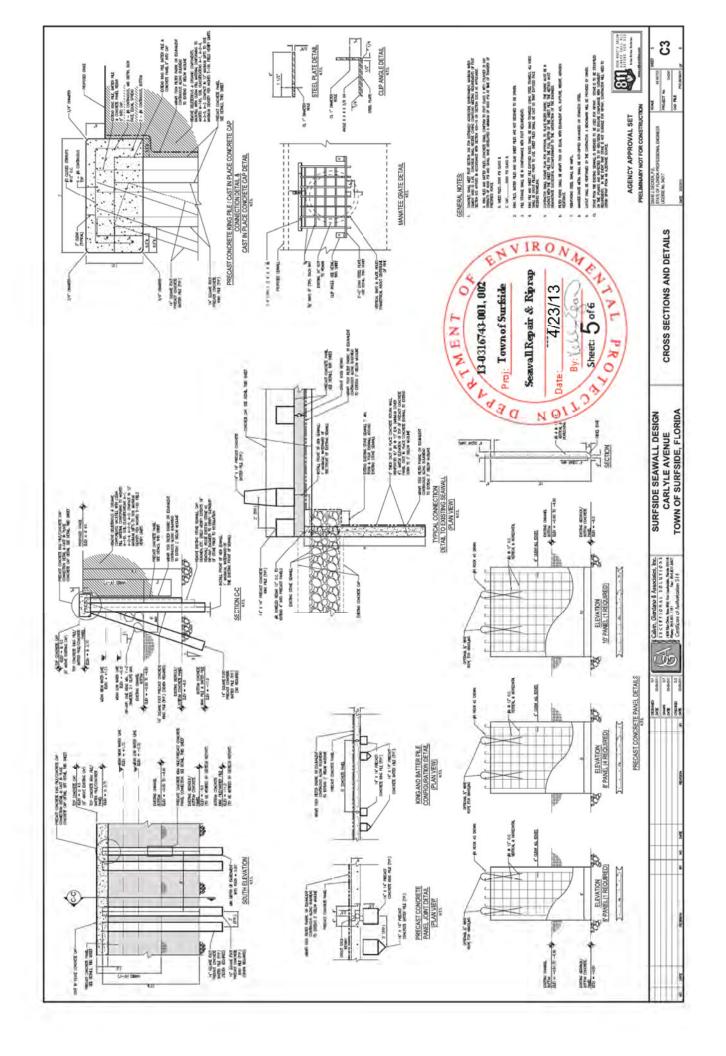
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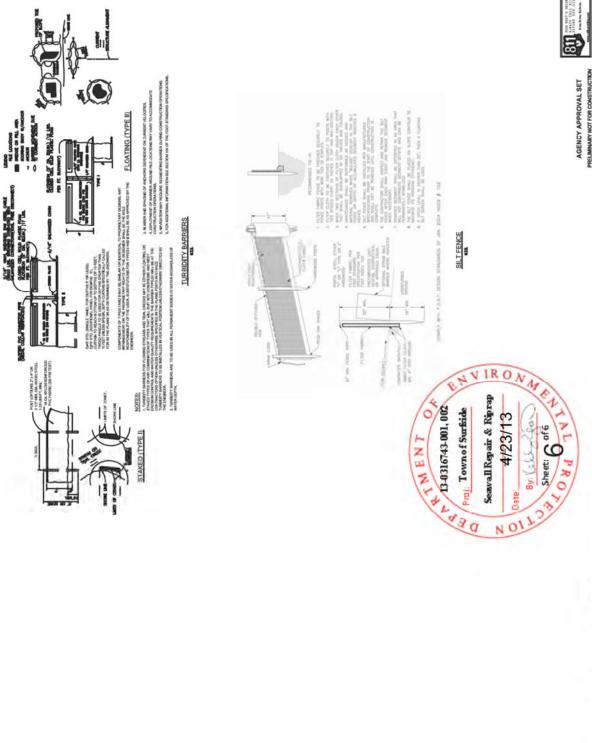
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STORM WATER POLLUTION PREVENTION DETAILS

SURFSIDE SEAWALL DESIGN CARLYLE AVENUE TOWN OF SURFSIDE, FLORIDA

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