



October 23, 2019

Alex David, Interim Director
Town of Cutler Bay
10720 Caribbean Boulevard, Suite 105
Cutler Bay, FL 33189

Re: Municipal Site Plan Review #MZ2017000017-3rd Revision
18551 Old Cutler Road, Town of Cutler Bay
Municipal Application Number: SP-2015-022

Dear Mr. David:

The Department of Regulatory and Economic Resources – Division of Environmental Resources Management (DERM) has reviewed the revised plans received by DERM on October 21st, 2019 for the above referenced Municipal Site Plan Review for compliance with the requirements of Chapter 24 of the Miami-Dade County Code (the Code) for potable water service and wastewater disposal. Based on the information provided, this site plan review is approved pursuant to Section 24-43.1 the Code. With respect to other issues discussed herein DERM does not object to this application provided that all the conditions contained herein are complied with.

Potable Water Service and Wastewater Disposal

Public water and public sanitary sewers can be made available to the subject property. Therefore, connection of the proposed development to the public water supply system and sanitary sewer system shall be required in accordance with Code requirements.

Be advised that the required water main extension permit is issued by the Florida Department of Health. Civil drawings for the proposed water main extension will need to be approved by the Miami-Dade Water and Sewer Department and the Environmental Plan Review Specialty Section of DERM.

Civil drawings for the required sewer main extension will need to be approved by Miami-Dade Water and Sewer Department and the DERM Environmental Wastewater Permitting Section, prior to approval of final development orders.

Notwithstanding the foregoing, and in light of the fact that the County's sanitary sewer system has limited sewer collection, transmission, and treatment capacity, no new sewer service connections can be permitted, unless there is adequate capacity to handle the additional flows that this project would generate. Consequently, final development orders for this site may not be granted if adequate capacity in the system is not available at the point in time when the project will be contributing sewage to the system. Lack of adequate capacity in the system may require the approval of alternate means of sewage disposal. Use of an alternate means of sewage disposal may only be granted in accordance with Code

requirements, and shall be an interim measure, with connection to the public sanitary sewer system required upon availability of adequate collection/transmission and treatment capacity.

Stormwater Management

An Environmental Resource Permit from the South Florida Water Management District (1-800-432-2045) shall be required for the construction and operation of the required surface water management system. This permit shall be obtained prior to any future development order approval. It is the applicant's responsibility to contact the above-mentioned agency for further information regarding permitting procedures and requirements.

Stormwater shall be retained on site utilizing properly designed seepage or infiltration drainage system. Drainage plans shall provide for full on-site retention of the stormwater runoff generated by a 5-year / 1-day storm event.

Site grading and development plans shall comply with the requirements of Chapter 11C of the Code, as well as with all state and federal criteria, and shall not cause flooding of adjacent properties.

Applicant is advised that a Class II Permit from DERM Water Control Section shall be required if the proposed surface water management system will have an overflow outfall to any water body in Miami-Dade County, including, but not limited to, canals, rivers, lakes and/or tidal water bodies. Please contact the DERM Water Control at (305) 372-6681 if you have any questions.

Coastal Resources

It has been determined by DERM Staff that wetlands capable of sustaining halophytic vegetation (coastal wetlands) and mangroves exist adjacent to the subject property. Additionally, a determination to verify the limits of the jurisdictional wetland line between the wetland and upland portions of the property was accurately established and marked in the field on July 18, 2019. Work and associated activities to develop the subject property may not result in adverse environmental impacts to coastal wetlands or to mangrove trees, including but not limited to dredging or filling, siltation, alteration of water quality or alteration of the hydrological functions of wetlands areas.

Please be advised that pursuant to Section 24-48(1) of the Code, any work in, on, over or upon coastal wetlands or to cut, trim or alter mangrove trees, requires prior authorization via a Class I permit, and that Class I permit projects proposing dredging or filling of coastal wetlands, must meet with the criteria listed on Section 24-48.3(2) of the Code. Projects unable to demonstrate compliance with said criteria may not be authorized. In addition, please be advised that staging or storing of spoils, materials or equipment within wetland areas even temporarily is strictly prohibited. Further, transit through wetlands, whether pedestrian or vehicular, is prohibited at all times.

Pursuant Section 24-49.9 of the Code, prohibited and controlled plant species may not be planted within the subject property. Please refer to the Code and to the Miami-Dade County Landscape Manual's List of Prohibited Landscaping Plants, which may not be sold, propagated or planted anywhere in Miami-Dade County, and List of Controlled Landscaping Plants, which may not be planted within 500 feet of a native plant community such as the adjacent coastal wetlands.

The South Florida Water Management District (SFWMD) is the owner of record of adjacent properties which host the above referenced coastal wetlands and mangroves. Please note that the SFWMD typically requires that development projects maintain a setback distance of 25 feet on the average but never less than 15 feet from the boundary of wetland areas. Staff recommends that the applicant consult with and comply with all SFWMD setback requirements.

Please contact the Coastal Resources Section at (305) 372-6575 if you have any further questions.

Miami-Dade Comprehensive Development Master Plan

DERM notes that the subject property is adjacent to a Comprehensive Everglades Restoration Project (CERP). Specifically, there is a conceptually planned canal or underground pressure culvert as part of the Biscayne Bay Coastal Wetlands (BBCW) project to rehydrate the wetlands immediately east and south of the NE corner of the subject property. The conceptual plan includes the installation of a canal or underground pressure culvert within the right-of-way (ROW) along the section line of SW 77th Avenue to convey water from the canal system north of SW 184th Street to the BBCW. Without such dedication of section line ROW within the subject property, it is not clear if the CERP project component could be built. DERM recommends that the review of these plans by the Town of Cutler Bay take into consideration the planned CERP project.

"Site Plan – Option D", dated October 19, 2019, depict 27 feet east of the center line of the right-of-way along SW 77th Avenue on pages SP-1 and SP-3. DERM recommends that the full right-of-way (40 feet from centerline of SW 77th Avenue) within the developer's property be dedicated to not prevent or constrain the CERP project.

The Miami-Dade County Comprehensive Development Master Plan has specific objectives regarding the Comprehensive Everglades Restoration Program (CERP). Specifically, the Conservation, Aquifer Recharge and Drainage Element states:

CON-7C. Miami-Dade County shall continue to promote the restoration and maintenance of the natural, surface water flow regimes into, and through wetland systems such as the Shark River Slough, Everglades National Park and the saline wetlands of southeastern Miami-Dade County.

CON-7J. In evaluating applications that will result in alterations or adverse impacts to wetlands Miami-Dade County shall consider the applications' consistency with Comprehensive Everglades Restoration Program (CERP) objectives. Applications that are found to be inconsistent with CERP objectives, projects or features shall be denied.

In addition, DERM recommends that proposed underground utilities and any associated easement should not interfere or conflict with the proposed CERP water delivery feature along the SW 77th Avenue section line alignment.

Please be advised that SW 77th Avenue ROW contains native vegetation which should not be replaced or sodded but rather protected and preserved to the extent feasible if underground utilities are to be constructed in this area. It is recommended that any development approval prohibit the use of sod in this area and include a requirement that the owner/developer of the project be responsible for preserving the existing publicly owned vegetation to the extent possible and for the restoration (including replanting and maintenance until plantings are established) of any areas impacted by construction of the underground utilities. It is also recommended that the Town of Cutler Bay require any planting or replanting to be limited only to species approved by the Town and DERM.

Tree Preservation

DERM has reviewed the subject application and revised site plans to determine whether the proposed site action is in accordance with the tree preservation and protection provisions of the Code.

A review of the revised site plans submitted indicates impacts to tree resources, in which some may be specimen trees (having a trunk diameter of 18 inches or greater). Sheet L-1 within the site plans submitted references several specimen and non-specimen mahogany trees that will remain on site, along the ROW, next to Old Cutler Road. Should the applicant require impacts to specimen trees, substantive changes to the site plan pursuant to the specimen tree standards outlined in Section 24-49.2(II)(2) of the Code shall be made.

A Miami-Dade County Tree Permit is required prior to the removal and/or relocation of any tree that is subject to the tree preservation and protection provisions of the Code. Projects and permits shall meet the requirements of Sections 24-49.2 and 24-49.4 of the Code, specifically the specimen tree standards.

It is advised that pursuant to Policy Con-8I of the CDMP and Section 24-49.9 of the Code, should there be exotic pest plant and nuisance species as listed in Section 24-49.9 of the Code present on the subject property, they shall be removed prior to development or redevelopment and developed property shall be maintained to prevent the growth or accumulation of prohibited species.

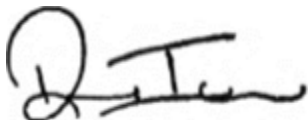
Please contact the Tree Permitting Program at (305)372-6574 for additional information regarding tree permitting procedures and requirements.

Enforcement History

There are no open or closed enforcement records for violations of Chapter 24 of the Code for the subject property.

In summary, this letter shall constitute written approval for this municipal site plan review to the extent required by Chapter 24 of the Code.

Sincerely,

A handwritten signature in black ink, appearing to read 'R. Istambouli', with a stylized flourish at the end.

Rashid Istambouli, P.E.
Department of Regulatory and Economic Resources