
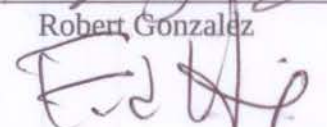


## APPLICANTS

Cutler Cay Homeowners Association, Inc.  
Robert Gonzalez  
7755 SW 192 St  
Cutler Bay, FL 33157  
305-793-2330  
[gonzalrj@gmail.com](mailto:gonzalrj@gmail.com)

Old Cutler Glen Homeowners Association  
Fred Herling  
P.O. Box 521458  
Miami, FL 33152  
786-897-1577  
[fherling@att.net](mailto:fherling@att.net)

**RECEIVED**  
APR 29 2016  
Environmentally Endangered  
Lands Program

By  4-26-16  
Robert Gonzalez Date  
By  4-25-16  
Fred Herling Date

Note: For technical questions regarding this application contact Fred Herling.

## 2. DESCRIPTION OF PROPERTY

(a) Property address: 18551 Old Cutler Rd. Folio Number: 36-6003-001-0013. Subject property is located east of Old Cutler Road from just south of SW 184<sup>th</sup> Street to approximately SW 185<sup>th</sup> Terrace in Cutler Bay.

(b) To the north of the property is a sewer utility substation. To the east is a Biscayne Bay Coastal Wetlands (BBCW) restoration project of CERP and Biscayne Bay National Park. The eastern property limit is also the wetland delineation line, and the property is considered uplands ranging in elevation from roughly four to 10 feet. To the south is the Cutler Cay residential development. To the west is Old Cutler Road and Old Cutler Glen residential development.

(c) Size: The property consists of 412,731 square feet of vacant land (gross acreage of 9.475 acres).

(d) Aerial Photograph: See attachments

Note: For purposes of this application the property will also be referred to as, the subject property, the parcel, buffer land, or the 9.4 acres.

## 3. TYPE OF ELIGIBLE LAND – BUFFER LAND

The property is sandwiched in between Old Cutler Road on the west and a ~150 acre Biscayne Bay Coastal Wetlands (BBCW) restoration project directly to the east. The eastern property limit is the wetland delineation line.

The South Florida Water Management District (SFWMD) owns the restoration area to the east. This land was purchased by SFWMD in 2010 for 24.5 million dollars to fulfill a BBCW project of the Comprehensive Everglades Restoration Plan (CERP). The subject property is part of the original study



area for CERP BBCW Phase 2. However at the time of the district land purchase in 2010, the costs already associated with the transaction prevented the inclusion of these last 9.4 acres in the final agreement.

In the decade since the current owner purchased the land, invasive species have been allowed through neglect to grow unchecked, and they threaten to progressively spread to the BBCW restoration property. Also, as the subject property is at its widest point a mere 300 feet wide, development of this property holds cause for even greater concerns. Its elevation is below that of the crest of Old Cutler Road to its west. As such, for any future development to occur, land elevation would need to be brought up beyond the crest of Old Cutler Rd. To accomplish this, massive amounts of rocky fill would need to be laid, permanently altering conditions that could negatively impact the BBCW lands to the east.

This buffer land, if acquired by EEL singly or in a partnership, would also provide the potential for further ecological restoration and uplift of the uplands and wetlands that would create a highly valuable ecotone between coastal wetlands and coastal uplands. Pine rockland is considered one of the most endangered plant communities worldwide. For example, only 1-2% of the large expanses of this ecosystem that once existed here still occur in Miami-Dade. The land provides the opportunity to restore a critical ecotone between pine rockland and coastal wetland. The loss of this buffer land to development would forever extinguish the ecological value of a critical ecotone of extreme rarity in South Florida.

The unique position of this property to Biscayne Bay also provides a barrier and buffer to sea level rise, which so threatens all of our South Florida ecosystems. Storm surge of future hurricane events could also over wash these uplands. Should they have been developed, the outgoing debris field and chemicals associated with human habitation in the outgoing surge could contaminate the restored coastal wetlands, mangroves, and the bay to the east for years to come.

#### **4. PLANT COMMUNITY TYPE – OTHER**

While the property does not meet the standard of environmental land, this property was historically primarily pine rockland transitioning to coastal wetland. While it no longer contains these plant communities, the property has not been rock plowed, and the elevation of the land is significant for restoration to a native upland community. Pine rockland is considered one of the most endangered plant communities worldwide. Only 1-2% of the large expanses of this ecosystem that once existed here still occur in Miami-Dade. The land provides the opportunity to restore a critical ecotone between pine rockland and coastal wetland.

#### **5. REASON FOR APPLICATION**

The land is sandwiched between Old Cutler Road and a CERP BBCW Phase 2 restoration area. Acquisition of this buffer land is needed to uplift the land itself to a more native and ecologically valuable condition. But more significantly that these 9.4 acres if acquired and uplifted will provide enormous ecological benefits to the BBCW lands to the east, as well as to the mangrove fringe, and ultimately to Biscayne Bay, Biscayne National Park, and our offshore coral reef system. No other uplands in the area are better positioned to provide these benefits should they be acquired and restored.

The owner has the right to build 30-40 single-family residential units on the land and has recently indicated to Cutler Bay that they may move forward with a site plan for a residential development. The



current zoning for the property is single-family residential/conservation. This is a special designation created by Cutler Bay to allow for the possibility of the purchase of the land to fulfill the town's parks master plan, which calls for acquisition of the land for a passive park. There is also a risk that the property owner could request that Cutler Bay approve an up zone in order to allow for mixed-use development, greatly increasing the density of a future development.

If developed, either as single-family residential or mixed use, the property would have to be elevated significantly. This increase in elevation and impacts from development, human habitation, and/or commercial activity would lead to the negative impacts as described in Section 3.

The subject property was pine rockland historically. Because the property was not rock plowed, it still contains the substrate to restore a critical pine rockland /wetland ecotone. Construction on this property would destroy the opportunity to bring back this critical ecotone forever.

The Village of Palmetto Bay is positioning to acquire the pine rockland/rockland hammock property directly to the north of this property. The acquisition is intended to protect approximately 40 acres of ecologically significant land, which does include some coastal wetlands east and near Old Cutler Road, and preserve it as a natural passive park with a low impact bike path. Purchasing the subject property would allow for the continuation of this natural passive park south into Cutler Bay and create a continuous stretch of important ecological land a mile long along Old Cutler Rd. And if you include the bike paths/walking trails through the Deering property and along Old Cutler Rd. the total stretch of the trail system would extend for over 2.5 miles.

The valuable ecotone created by the bringing together of the BBCW wetlands with these restored buffer lands in both municipalities, will provide educational and passive recreation opportunities for children and adults alike. The connected trails through these lands and into the coastal wetlands will provide recreational and educational benefits to the surrounding communities, such as through biking and hiking the expanded trail system this acquisition would enhance.

Ecotones are some of the most valuable and productive lands for wildlife habitat and activity. The transitioning of plant species from uplands to coastal wetlands will provide permanent and migratory species many more opportunities than just the coastal wetlands alone.

## **6. ADDITIONAL INFORMATION**

- The purchase of this parcel ensures a more robust BBCW project by fully protecting and taking advantage of the 77 Ave right-of-way (ROW) that is the best access point and orientation for the piped water delivered underground from the north for the CERP project. Acquisition of this parcel will better protect this crucial ROW from a roadway that would be built to access a future development built on the 9.4 acres.
- This property, if acquired, would allow for the spreader canal of the BBCW project to be built as far west as possible along the eastern edge of the parcel, and potentially even on the parcel itself, to allow for maximum hydration of the wetlands to the east.
- The higher land elevation of this parcel is better positioned to serve as a location to support the needed passive recreational and educational components of BBCW. Once the wetlands to the east of the parcel are rehydrated upon completion of the CERP water delivery project, most public access to the wetland site will be greatly limited. However, having the uplands acquired, preserved and restored would provide a perfect jumping off point for potential boardwalks,



kayak/canoe launches, and other recreation features into portions of the coastal wetlands.

- There has been a sustained public engagement campaign associated with the purchase of the SFWMD BBCW lands off SW 184 St and Old Cutler Rd. from 2006 -2010. This public engagement has grown even stronger as the lands have come into active restoration, first under a grant by NPS and IRC starting in 2013, and now continuing to move forward directly under the SFWMD with hundreds of community volunteers. Recently very strong public engagement by the local community lead by the Facebook Community page "Livablecutler" with a coalition of local activists and citizens prevented a master plan change and zoning change that would have allowed mixed use zoning on the subject property. The community is highly energized to bring passive parkland to fruition on these buffer lands.
- See attached additional maps, letters of support for this application, and photos of volunteer efforts at the adjacent BBCW coastal wetlands which border the subject property.

## **A. DISTURBANCES**

The land has been mostly cleared of the original vegetation. The current vegetation type is primarily invasive tree species and patches of Napier grass. However, the former pine rockland area, as noted above, has not been rock plowed providing an opportunity for restoration to a more native condition. Some solid waste has been dumped on the property.

## **B. VULNERABILITY**

The property is currently zoned by the Town of Cutler Bay as Low Density Residential/Conservation. The owner has the right to build up to 40 homes on this property. There is HIGH vulnerability in the near future for this parcel to be developed. Recently the owner has indicated to Cutler Bay that they may move forward with a single-family residential plan. Also, in a more favorable political climate after local Cutler Bay elections in November 2016, there is a threat that the owner may ask for a zoning change from single-family residential to mixed use. Though this may seem speculative, this has already been attempted once and there is nothing preventing this again in the future. This would be a worse case scenario that would allow for a high density mixed use development, including commercial/retail/high density residential, to abut a sensitive Biscayne Bay Coastal Wetland Restoration area.

## **DISCLOSURE OF INTEREST**

(a) None of the applicants have ownership interest in the property.

(b) None of the applicants represent the owner.

(c) Owner:

Cutler Properties LC  
1300 Brickell Ave.  
Miami, Fl. 33131-3308



April 28th, 2016

## Tropical Audubon Society

*South Florida's Voice of Conservation*

Janet Gil, Director  
Department of Regulatory & Economic Resources  
Miami-Dade County EEL Program  
701 N.W. 1 Court, 5<sup>th</sup> Floor  
Miami, FL 33136

Re: EEL Acquisition Proposal for Folio #36-6003-001-013

Dear Ms. Gil:

The Tropical Audubon Society, Inc. is the oldest (since 1947) "grassroots" conservation organization in Miami-Dade County.

We write you today in support of adding buffer lands to your B acquisition list in Cutler Bay along SW 184th Street. This 9-acre upland is adjacent to the Biscayne Bay Coastal Wetlands Project (BBCW) and represents the only opportunity to restore an upland habitat next to pristine wetlands. This ecotone habitat is critical habitat for the Atlantic Flyway and over 120 bird species have been found in and around that vicinity. As habitat dwindles in South Florida, so do the bird species, which depend on greenspace for food, shelter and nesting. Restoration of this area will represent a wonderful opportunity to restore some of the coastal habitat required to help birds and other wildlife survive.

We ask that you take advantage of this rare opportunity to acquire, protect and restore these 9 acres, which is proximate to the Deering Estate at Cutler. This will bolster the goals of the Open Space Master Plan.

We feel that this acquisition could and should be prioritized to help with the County's resiliency portfolio; In being at "ground zero" for sea-level rise, any land acquisition in vulnerable coastal areas should be prioritized by the State and County. Further, if and when Amendment 1 funds become available, we believe this parcel and other coastal areas near BBCW should be prioritized to meet multiple goals found in the County CDMP.

We are be available to provide more information on the use of the surrounding areas for birding and other outdoor recreation.

Please contact us at 305-667-7337 with any questions on the subject.

Sincerely,

Dennis Olle

TAS Advisory Board Member and Co-Chair of the Conservation Committee

107193237.1



The Concerned Citizens of Cutler Bay  
9640 Martinique Drive  
Cutler Bay, Florida, 33189  
[www.CCofCB.org](http://www.CCofCB.org)

To whom it may concern,

Re: EEL Acquisition Proposal for Folio # 36-6003-001-013

We feel that this site is a prime candidate for acquisition, restoration, and preservation.

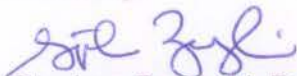
The site, on the top of the coastal ridge, may be the last remaining opportunity to restore and conserve a rare and globally endangered ecotone – Dade County pine rockland transitioning into coastal wetlands, (then into the mangrove fringe, then into Biscayne Bay National Park). The site is inside the boundaries of the South Florida Water Management District's Comprehensive Everglades Restoration Project (CERP). It is adjacent to the SFWMD's current restoration of the coastal wetlands and critical sheet flow of fresh water into Biscayne Bay.

This site could contain an irreplaceable natural forest community as well as a rare remaining vestige of the coastal ridge in its natural geologic state. In addition, the site would protect and enhance the coastal wetlands area being restored by the SFWMD.

With the addition of a small volunteer staffed and volunteer maintained visitor/science/education center, the site could host an educational and recreational opportunity for future generations to view and experience natural South Florida as it was in the past.

This opportunity for a small but critical acquisition must not be wasted.

Sincerely,



Stephen Zarzecki, President  
Concerned Citizens of Cutler Bay  
[stephenz@gate.net](mailto:stephenz@gate.net)  
305-255-4351

*The Concerned Citizens of Cutler Bay is a community based non-profit civic organization, founded in 1954, whose purpose is "to promote community awareness and citizen participation".*



Subject property is outlined in yellow. The eastern property limit is also the wetland delineation line. BBCW phase 2 property extends from the eastern property limit to Biscayne Bay.



Aerial photo from 1938 showing that the subject property (outlined in green) was not rock plowed or farmed. Agricultural activity is visible on areas to the east in the marl lands now owned by SFWMD. The rockland ridge vegetation is evident on the subject property and land to the west





Bare ground in summer 2014 after initial land clearing and controlled burn. Volunteers are planting *Spartina*, *Muhly*, and *Cladium* on 10 acres of now restored BBCW coastal wetlands off SW 184 St. The subject property is seen in the background and adjacent to the BBCW project.





Volunteers planting pineland species in uplands of the adjacent BBCW coastal wetlands off SW 184 St. Hundreds of volunteers during multiple workdays indicate that strong community support exists to restoring these lands



Tour given by a local volunteer to environmentally-focused homeschoolers, of the BBCW coastal wetlands current under restoration.









Wood stork in mosquito ditch of BBCW. Subject property is in background top right corner of image





BBCW restoration lands view looking SE from SW 184 St. Subject property is adjacent to the right and west





Cutler Bay Town Council Meeting – March 16, 2016

Grassroots support of area residents in yellow shirts, to save the subject property from development and "Make It a Park" (from facebook.com/livablecutler)



