

Miami-Dade DERM Coastal Construction Permitting

DERM Permits

- **Class I Coastal Construction Permits** required for work in tidal waters (i.e. installation or repair of piers, docks, pilings, boatlifts, buoys, seawalls, dredging projects, mangrove trimming, etc.)
- **Marine Facilities Annual Operating Permit (MOP)** required for operation of boat docking and vessel storage facilities with 10 or more slips, and commercial vessel slips.



Chapter 24 Miami-Dade County Environmental Code

**DERM uses criteria and evaluation factors
provided in Chapter 24 for review of class I
coastal construction projects**

This includes but is not limited to an evaluation of a project's potential adverse environmental impact on, and conformance with:

- Hydrology
- Water quality
- Aesthetics
- Navigation
- Public health
- Floral values
- Faunal values
- Marine and wildlife habitat values
- Rare, Threatened, and Endangered species
- MDC Chapter 24, 33
- MDC CDMP (Comp Plan)
- MDC MPP
- MDC Public Works Manual
- Applicable local, state and federal laws and regulations

Other Factors in Review Process

- **Projects must demonstrate avoidance and minimization of adverse environmental impacts. This may require modification of the project or may include use restrictions in the approval**
- **Project must provide acceptable mitigation for unavoidable impacts**
- **Proprietary approval for use of submerged lands is required prior to issuance of permit**



**Minimizing and
avoiding
Resource Impacts**



Avoiding and Minimizing Water Quality Impacts

Review of Proposed Project with Manatee Protection Plan

- **Determine if project is located within essential manatee habitat**
- **Evaluate project using protection guidelines for essential manatee habitat and the limits and recommendations for new or expanded marine facilities.**
- **Evaluate project related impacts for preservation of submerged vegetation and shallow water habitat used by manatees, provide adequate water depth for manatee travel clearance, and address any potential entrapment threats**

New or Expanded Marine Facilities should:

- **Cause minimal or no manatee/boat travel pattern overlap**
- **Cause minimal or no wetland or benthic community disturbances**
- **Be compatible with surrounding land use**

Use the limits and recommendations for new or expanded marine facilities and the Marine Facility Siting criteria provided in the MPP

Existing Facilities

- An “existing facility” for the purposes of the Manatee Protection Plan, is one which was in use on October 28, 1984 or later, and if constructed after 1980, must have appropriate DERM permits. An existing marine facility may be reconstructed with at least the maximum number of slips that were in use at one time since October 28, 1984.
- All existing marine facilities should be allowed to continue with the existing use and may renovate (according to permitting guidelines) as long as there is no change in the facility size, including no increase in the number of wet or dry slips.

Existing Uses at a Facility

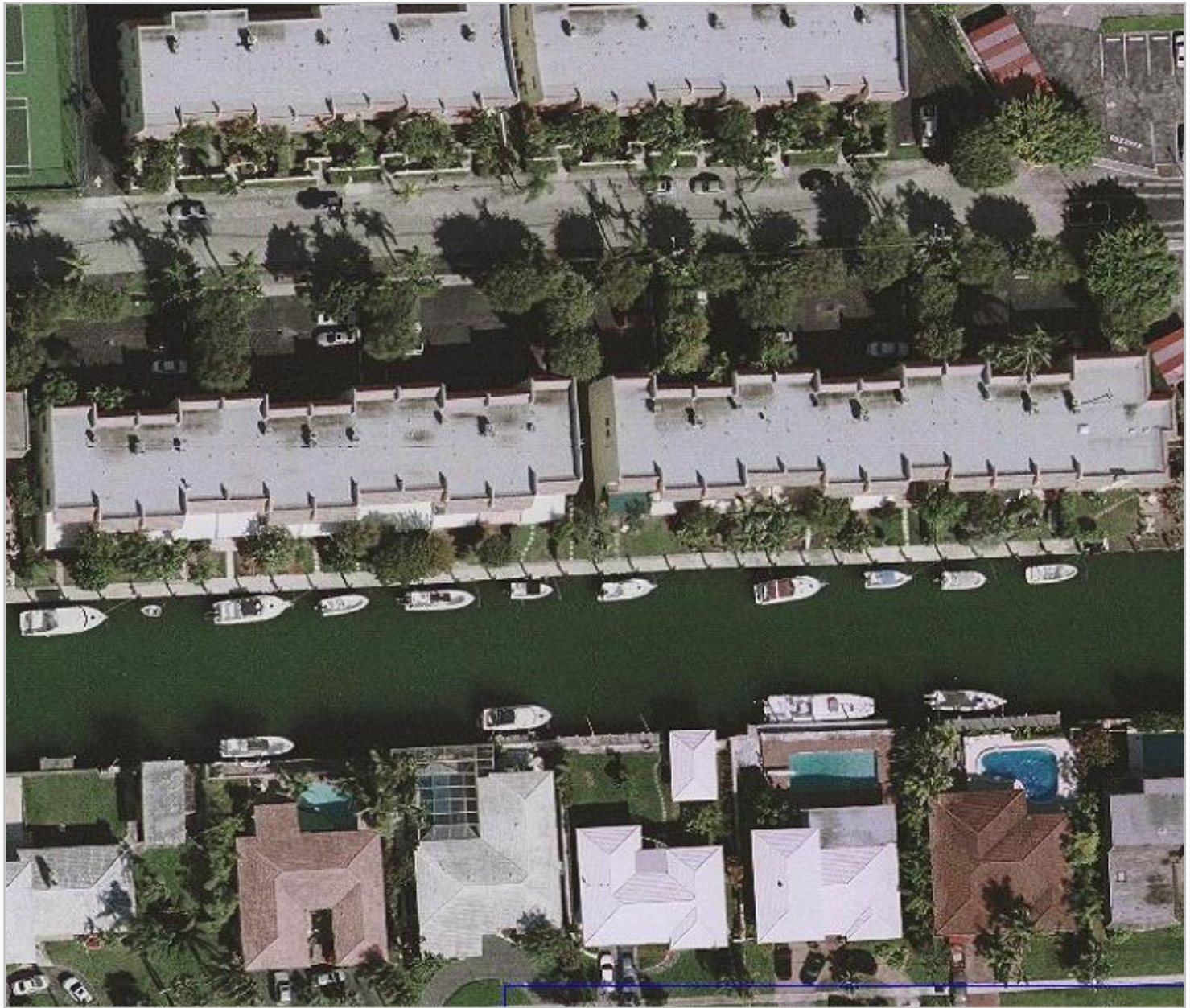
Manatee Plan points out that various categories of facilities impact manatees differently.

- Large numbers of powerboats may be launched at boat ramps, verses relatively few at a single family residence
- Transitory slips such as a fueling facility or a waterfront restaurant may have many boats using the facility each day, compared to a freight terminal or boat yard with fewer vessels arriving or leaving each day.

DERM uses various records to help determine existing use

- **Review information provided in permit application**
- **Conduct a facility site inspection**
- **Review aerial photographs**
- **Review existing Class I Permit files**
- **Review MOP Operating Permit files**
- **Review any other inspection reports**
- **Consider other information provided by applicant**

**Aerial
Photographs
Help to
Evaluate
Existing Use**





Review for Existing Facility

- Evaluate the proposed use in relation to the existing use and consider boat trip intensity associated with uses
- Evaluate proposed facility size (i.e. number of proposed powerboat slips) in relation to existing powerboat usage
- Formulate a recommendation for consistency with MPP based on these evaluations

Summary

DERM regulatory review includes many factors in addition to the Manatee Protection Plan

Regulatory Evaluation for MPP

- For new or expanded facilities DERM uses protection guidelines for essential manatee habitat and the limits and recommendations for new or expanded marine facilities provided in the MPP**
- For reconstruction of existing facilities, DERM uses protection guidelines for essential manatee habitat and an evaluation of the existing uses to formulate a recommendation for**