



JACKSONVILLE DISTRICT CORPS OF ENGINEERS
9900 SW 107TH AVENUE, SUITE 203
MIAMI, FL 33176-2785

August 20, 2019

REPLY TO
ATTENTION OF

Regulatory Division
South Permits Branch
Miami Permits Section

PUBLIC NOTICE

Permit Application Number SAJ-2005-08090 (SP-MLC)

TO WHOM IT MAY CONCERN: The Jacksonville District of the U.S. Army Corps of Engineers (Corps) has received an application for a Department of the Army permit pursuant to Section 404 of the Clean Water Act of 1972 (33 U.S.C. § 1344) as described below:

APPLICANT: CV Hialeah Gardens, LLC.
Attn: Jason Glasser
230 Park Avenue, 12th Floor
New York, NY 10169

WATERWAY AND LOCATION: The project would affect wetlands of the United States associated with the East Turnpike Wetland Basin. The project is located at NW 112th Avenue and approximately NW 141st Street within a portion of Section 19, Township 52 South, and Range 40 East, Miami-Dade County, Florida (Folio #s 27-2019-001-0680, -0681, -0685, and -0686)

Directions to the site are as follows: From Florida's Turnpike, take Exit 25A-27 and FL-836 E to NW 27th Avenue (Okeechobee Road), then turn left on NW 138th Street, then take the first left onto the Frontage Road. On NW 112th Ave turn right and the Site will be on the right hand side.

Driving northwest on N Okeechobee Road turn right on NW 138th Street, then take the first left onto Frontage Road. On NW 112th Ave turn right and the Site will be on the right hand side.

APPROXIMATE CENTRAL COORDINATES: Latitude 25.902492°
Longitude - 80.377902°

PROJECT PURPOSE:

Basic: The basic project purpose is for commercial development.

Overall: The overall project purpose is for commercial development in northwest Miami-Dade Country, Florida.

EXISTING CONDITIONS: The wetland system consists of a fresh water system. The northern portion of the Site (folios -0681 and -0686) is comprised of vacant vegetated land with a dense canopy dominated by exotic invasive species such as *Melaleuca* (*Melaleuca quinquenervia*) and Australian pine (*Casuarina equisetifolia*). The southern portion of the Site (folios -0680 and -0685) is comprised of vacant disturbed land with the majority previously filled under the previous DA permit SAJ-2005-08090.

PROPOSED WORK: The applicant seeks authorization for the renewal of a previously approved permit for the placement of 22,305 cubic yards of fill in 10 acres of fresh water wetlands in order to facilitate commercial development. The previous permit expired without the project being completed.

AVOIDANCE AND MINIMIZATION INFORMATION – The applicant has provided the following information in support of efforts to avoid and/or minimize impacts to the aquatic environment: “Avoidance and minimization of impacts is considered to the extent practicable, 3.85-acres of low quality wetlands are proposed to be impacted. Currently, these wetlands do not provide high-quality habitat for native wildlife and they do not support a native vegetative community. Preserving these wetlands would not provide a high level of wetland function. Because of the site constraints and low wetland quality, off-site mitigation was selected to offset the wetland impacts.”

COMPENSATORY MITIGATION –

The applicant has offered the following compensatory mitigation plan to offset unavoidable functional loss to the aquatic environment:

“Compensation for the unavoidable wetland impacts will occur as a credit purchase from Everglades National Park Hole-in-the-Donut Mitigation Bank or Florida Power & Light Everglades Mitigation Bank. See attached Natural Resources Report for more details on avoidance and minimization.”

CULTURAL RESOURCES:

The Corps is not aware of any known historic properties within the permit area. By copy of this public notice, the Corps is providing information for review. Our final determination relative to historic resource impacts is subject to review by and coordination with the State Historic Preservation Officer and those federally recognized tribes with concerns in Florida and the Permit Area.

ENDANGERED SPECIES:

A preliminary review the U.S. Fish and Wildlife Service (FWS) and the National Marine Fisheries Service’s Protected Resource Divisions (NMFS-PRD)’s list of Endangered and Threatened Species indicates the following listed species may occur in the project area:

The Corps has determined the proposed project will have no effect on the Everglades snail kite, as the site does not contain habitat for this species and it is not designated critical habitat for this species.

The Corps has determined the proposed project is “*May affect but is not likely to adversely affect*” the wood stork (*Mycteria americana*). Based on the Effect Determination Key for the Wood Stork in South Florida (dated May 18, 2010), the Corps determination sequence was A>B>C>D=MANLAA.

The Corps has determined the proposed project “*May affect but is not likely to adversely affect*” the Eastern indigo snake (*Drymarchon corais couperi*). Based on the *Eastern Indigo Snake Effect Determination Key* (dated August 1, 2017), the Corps determination sequence resulted in A>B>C>D= May affect, but is not likely to adversely affect.

The Corps has determined the proposed project “*May affect but is not likely to adversely affect*” the Florida bonneted bat (*Eumops floridanus*). Based on the 2013 FBB Effect Determination Guidelines, the Corps determination sequence resulted in 2>a= “May affect but is not likely to adversely affect.” The Corps will request initiation of formal consultation/informal correspondence with the Fish and Wildlife Service pursuant to Section 7 of the Endangered Species Act by separate letter.

The Corps has determined the proposal would have no effect on any other listed threatened or endangered species or designated critical habitat.

This notice serves as request for information from the U.S. Fish and Wildlife Service, the National Marine Fisheries Service’s Protected Resource Division, and any other interested party, on whether any species listed or proposed for listing may be present in the area.

ESSENTIAL FISH HABITAT: The project would impact freshwater wetlands; therefore, the Corps has determined that no substantial adverse impacts to EFH will result from the proposed action.

NOTE: This public notice is being issued based on information furnished by the applicant. This information has not been verified or evaluated to ensure compliance with laws and regulation governing the regulatory program. The jurisdictional line has not been verified by Corps personnel.

AUTHORIZATION FROM OTHER AGENCIES: Water Quality Certification may be required from the Florida Department of Environmental Protection and/or one of the state Water Management Districts.

COMMENTS regarding the potential authorization of the work proposed should be submitted in writing to the attention of the District Engineer through the Miami Permits Section, 9900 SW 107th, Suite 203, Miami, Florida 33176 within 30 days from the date of this notice.

The decision whether to issue or deny this permit application will be based on the information received from this public notice and the evaluation of the probable impact to the associated wetlands. This is based on an analysis of the applicant's avoidance and minimization efforts for the project, as well as the compensatory mitigation proposed.

QUESTIONS concerning this application should be directed to the project manager, Megan Clouser, in writing at the Miami Permits Section, 9900 SW 107th, Suite 203, Miami, Florida 33176; by electronic mail at Megan.L.Clouser@usace.army.mil; by facsimile transmission at (305) 526-7184; or, by telephone at (305)526-7182.

IMPACT ON NATURAL RESOURCES: Coordination with U.S. Fish and Wildlife Service, Environmental Protection Agency (EPA), the National Marine Fisheries Services, and other Federal, State, and local agencies, environmental groups, and concerned citizens generally yields pertinent environmental information that is instrumental in determining the impact the proposed action will have on the natural resources of the area.

EVALUATION: The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits, which reasonably may be expected to accrue from the proposal, must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered including cumulative impacts thereof; among these are conservation, economics, esthetics, general environmental concerns, wetlands, historical properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food, and fiber production, mineral needs, considerations of property ownership, and in general, the needs and welfare of the people. Evaluation of the impact of the activity on the public interest will also include application of the guidelines promulgated by the Administrator, EPA, under authority of Section 404(b) of the Clean Water Act or the criteria established under authority of Section 102(a) of the Marine Protection Research and Sanctuaries Act of 1972. A permit will be granted unless its issuance is found to be contrary to the public interest.

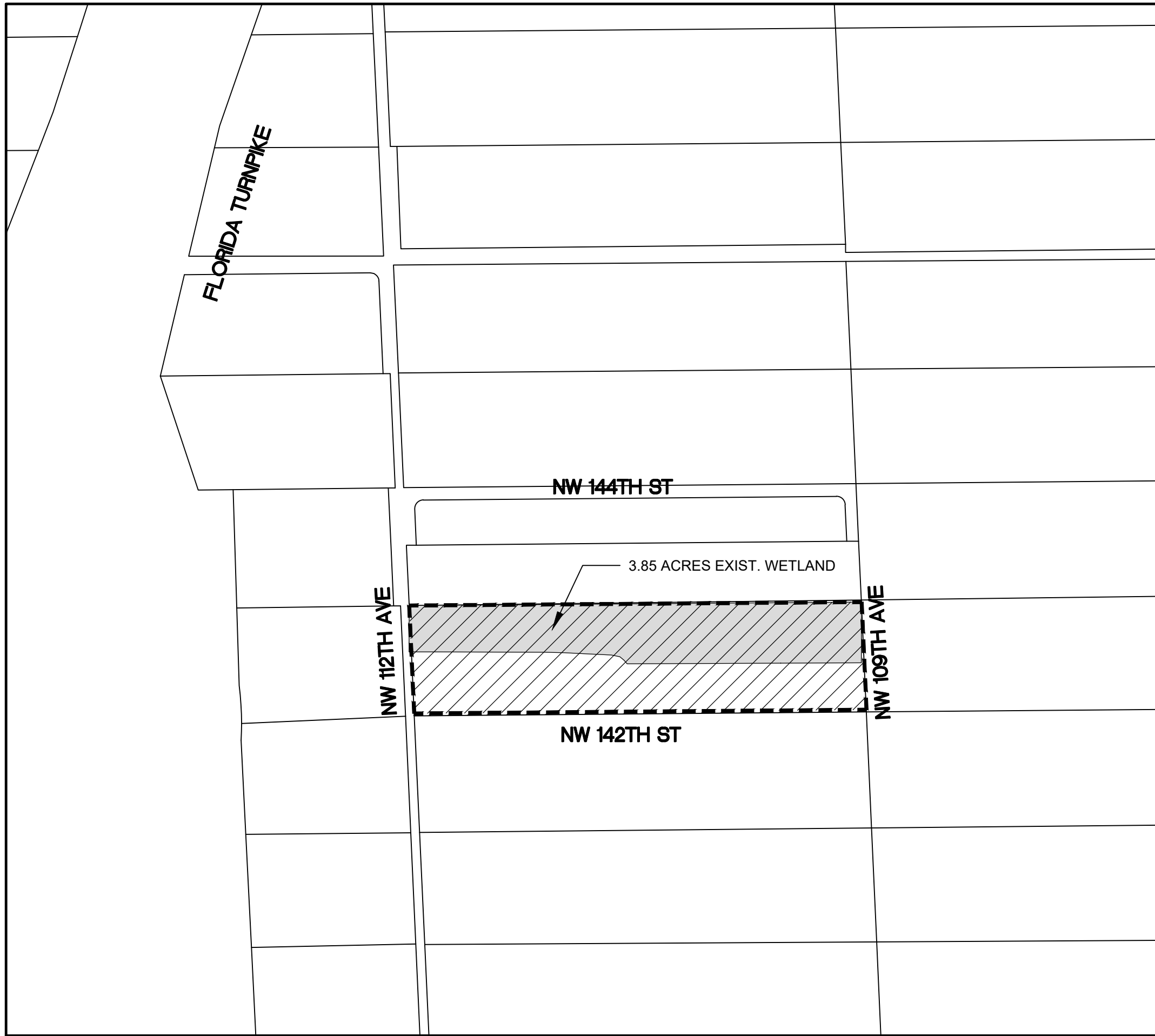
The US Army Corps of Engineers (Corps) is soliciting comments from the public; Federal, State, and local agencies and officials; Indian Tribes; and other Interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps to determine whether to issue, modify, condition, or deny a permit for this proposal. To make this determination, comments are used to assess impacts to endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

COASTAL ZONE MANAGEMENT CONSISTENCY: In Florida, the State approval constitutes compliance with the approved Coastal Zone Management Plan. In Puerto Rico, a Coastal Zone Management Consistency Concurrence is required from the Puerto Rico Planning Board. In the Virgin Islands, the Department of Planning and Natural Resources permit constitutes compliance with the Coastal Zone Management Plan.

REQUEST FOR PUBLIC HEARING: Any person may request a public hearing. The request must be submitted in writing to the District Engineer within the designated comment period of the notice and must state the specific reasons for requesting the public hearing.

CLEARING AND FILLING PLANS FOR
Hialeah Commerce Center
NW 142th STREET AND 109th AVENUE
HIALEAH GARDENS, FLORIDA

LIST OF DRAWINGS	
SHEET NO.	SHEET DESCRIPTION
C-0	COVER AND SHEET LAYOUT
C-2	PAVING, GRADING AND DRAINAGE PLAN
C-3	PAVING, GRADING AND DRAINAGE PLAN
C-4	CROSS SECTIONS
C-5	CROSS SECTIONS
C-12	STORMWATER POLLUTION PREVENTION PLAN



SECTION 19 - TOWNSHIP 52 SOUTH - RANGE 40 EAST
LOCATION SKETCH
SCALE 1"=300'

PREPARED FOR:
Spinnaker Acquisitions, LLC
PREPARED BY:



5001 Southwest 74th Court, Suite 201
Miami, Florida 33155-4453
TEL. 305-662-8887, FAX 305-662-8858
WWW.SRS-CORP.COM

ENGINEERING, INC.

CONSULTING ENGINEERS

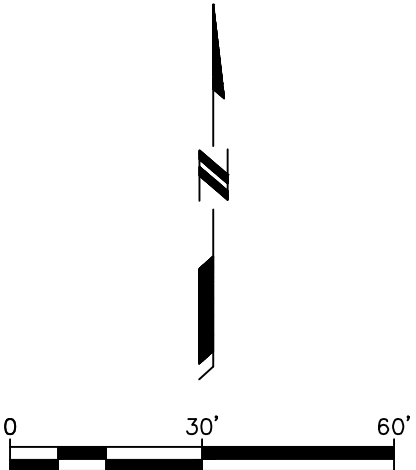
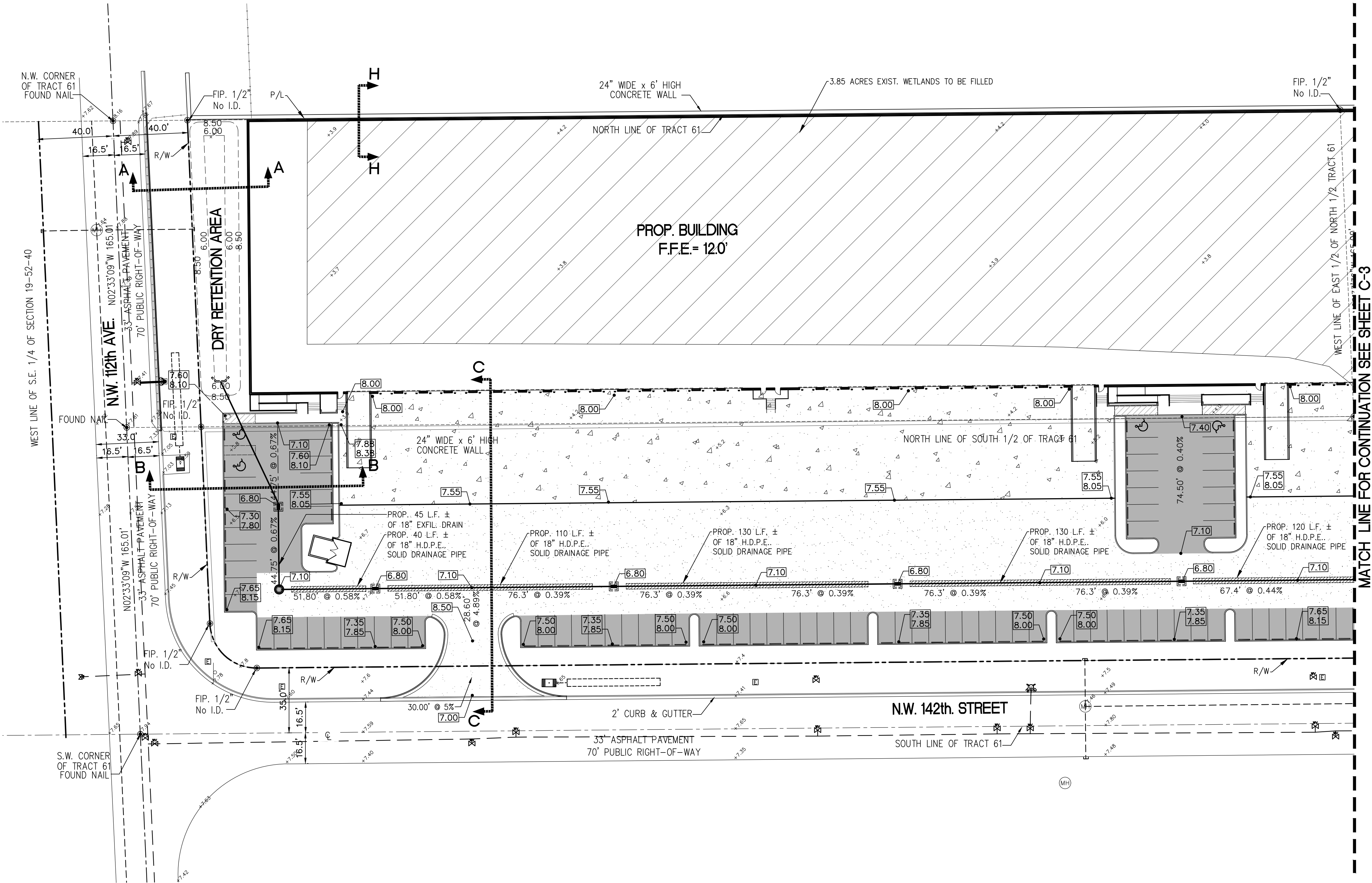
EB-00007317

-  PROJECT LOCATION
-  WETLAND AREA TO BE IMPACTED

ABBREVIATIONS:	
A.R.V.	= AIR RELEASE VALVE
BLDG.	= BUILDING
C.B.	= CATCH BASIN
CL	= CENTER LINE
C.O.	= CLEANOUT
CONC.	= CONCRETE
C.O.H.	= CITY OF HIALEAH
CONN.	= CONNECTION
CONT.	= CONTINUATION
D.D.C.V.	= DOUBLE DETECTOR CHECK VALVE
DET.	= DETAIL
D.I.P.	= DUCTILE IRON PIPE
EXIST.	= EXISTING
F.D.C.	= FIRE DEPARTMENT CONNECTION
F.F.E.	= FINISHED FLOOR ELEVATION
F.H.	= FIRE HYDRANT
F.M.	= FORCE MAIN
H.D.P.E.	= HIGH DENSITY POLYETHYLENE
HORIZ.	= HORIZONTAL
INV.	= INVERT
L.F.	= LINEAR FEET
M-DWASD	= MIAMI-DADE WATER AND SEWER DEPT.
M.E.G.	= MATCH EXISTING GRADE
MIN.	= MINIMUM
M.J.	= MECHANICAL JOINT (FITTING)
P.E.	= PLAIN END (FITTING)
P.I.V.	= POST INDICATOR VALVE
P/L, PL	= PROPERTY LINE
PROP.	= PROPOSED
R/W, ROW	= RIGHT OF WAY
SEC.	= SECTION
SERV.	= SERVICE
S/L, SL	= SECTION LINE
STA.	= STATION
STD.	= STANDARD
T.O.P.	= TOP OF PIPE
VERT.	= VERTICAL
W.M.	= WATER MAIN

LAND USE

Impervious Area: 6.56 Ac.
Pervious Area: 1.86 Ac.
Total Site Area: 8.42 Ac.
Building Area: 3.39 Ac.
Open Land Area: 5.03 Ac.
Existing Wetland Area to be Impacted: 3.85 Ac.
Volume of wetland to be filled: 22,308.4 CY



- LEGEND:**
- PROP. LIGHT-DUTY ASPHALT PAVEMENT
 - PROPOSED EXISTING WETLAND TO BE FILLED
 - PROPOSED CONCRETE PAVEMENT
 - PROP. HEAVY-DUTY ASPHALT PAVEMENT
 - EXISTING ELEVATION
 - PROPOSED ELEVATION
 - CONSTRUCT. EXFILTRATION TRENCH W/ 18" DIA. PERFORATED H.D.P.E. DRAINAGE PIPE
 - CONSTRUCT 18" DIA. SOLID DRAINAGE PIPE
 - PROP. CATCH BASIN STRUCTURE AND STORM MANHOLE

MATCH LINE FOR CONTINUATION SEE SHEET C-3

HIALEAH GARDENS
COMMERCE CENTER

NW 112th Ave. & NW 142nd Street
Hialeah Gardens, Florida 33172

AR
Architecture,
7700 CONGRESS AVE., SUITE #1117
BOCA RATON, FLORIDA 33487
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adam@ar-architecturefirm.com

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CONTRACTOR MUST CHECK AND VERIFY ALL DIMENSIONS AND FIELD CONDITIONS AND NOTIFY ARCHITECT/ENGINEER IMMEDIATELY OF ANY DISCREPANCIES.

NO.	DATE	REVISION

IGNACIO SERRALTA
PROFESSIONAL ENGINEER
LICENSE NO. 46509

DIRECTION:

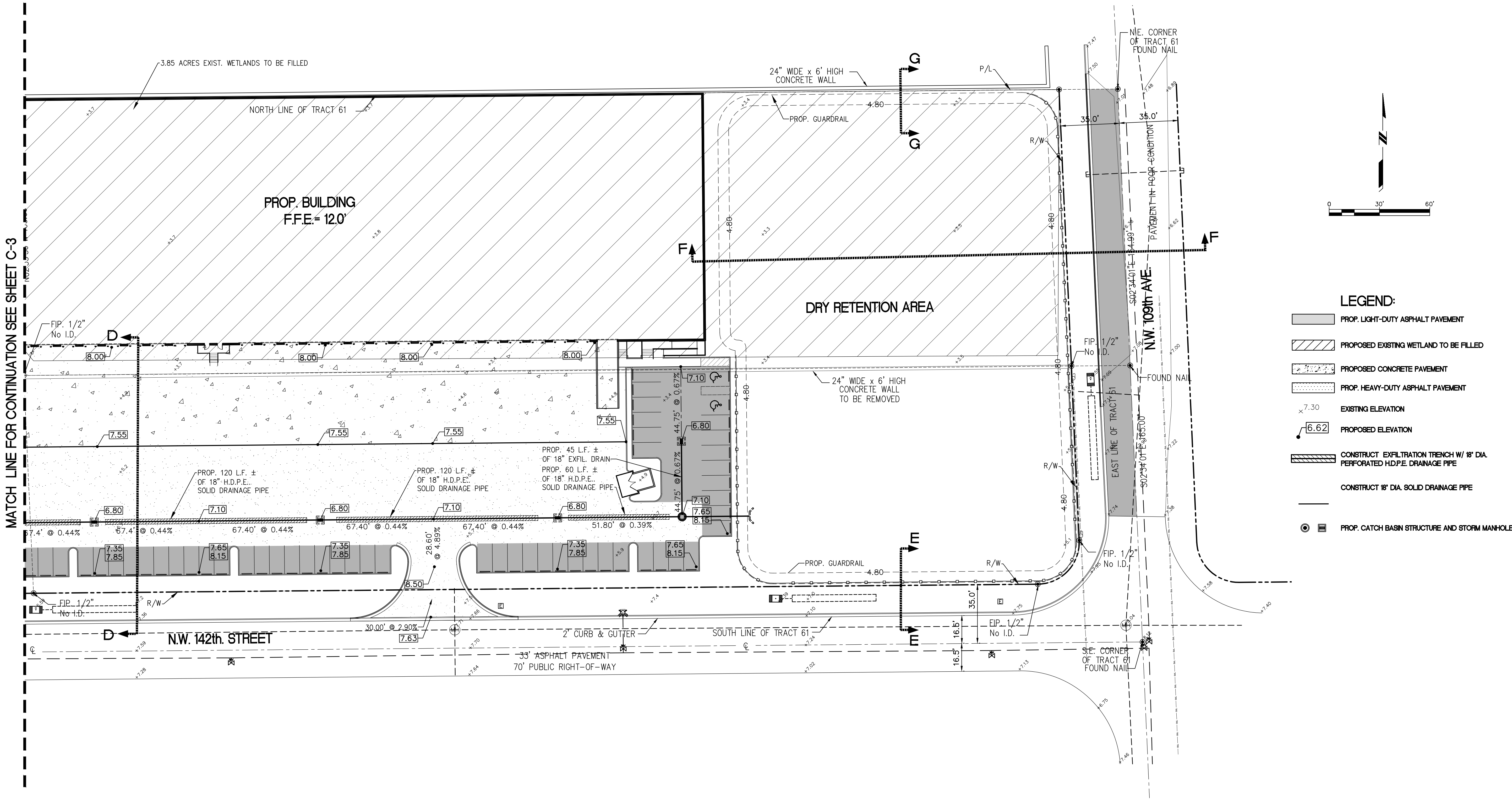
ISSUED DATE: 2019-06-05
DRAWN BY: A.F.

DATE PRINTED:
CHECKED BY: A.F.

SCALE: AS NOTED
PROJECT NO: 1915

TITLE:
PAVING, GRADING
DRAINAGE PLAN

DRAWING NO.
C-2



MATCH LINE FOR CONTINUATION SEE SHEET C-3

HIALEAH GARDENS COMMERCE CENTER

NW 112th Ave. & NW 142nd Street
Hialeah Gardens, Florida 33172

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DIRECTION: SCALE:

ISSUED DATE: 2019-06-05
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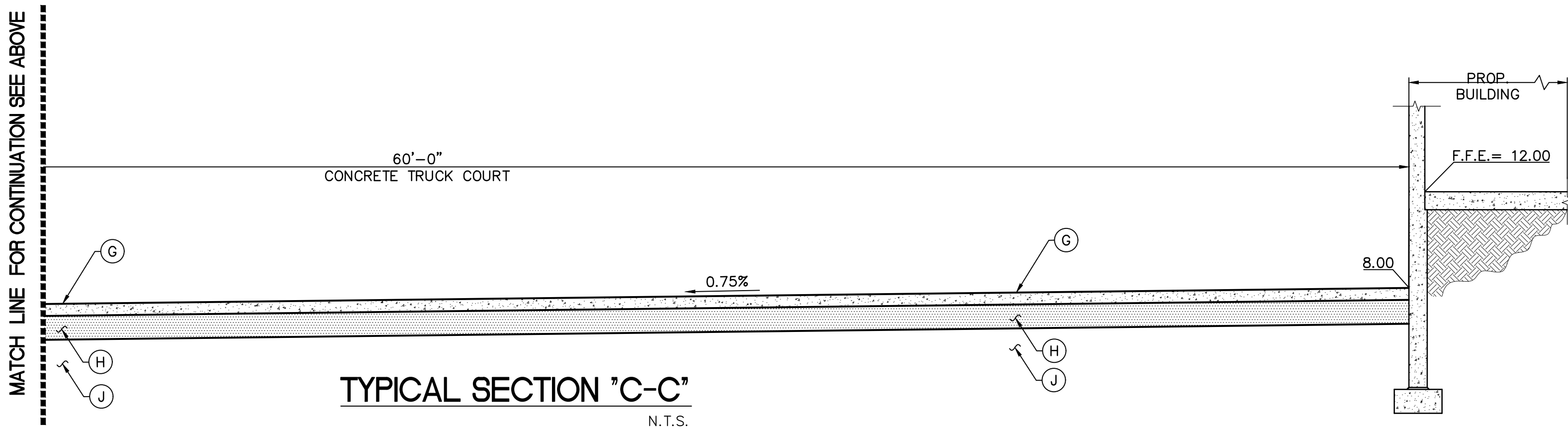
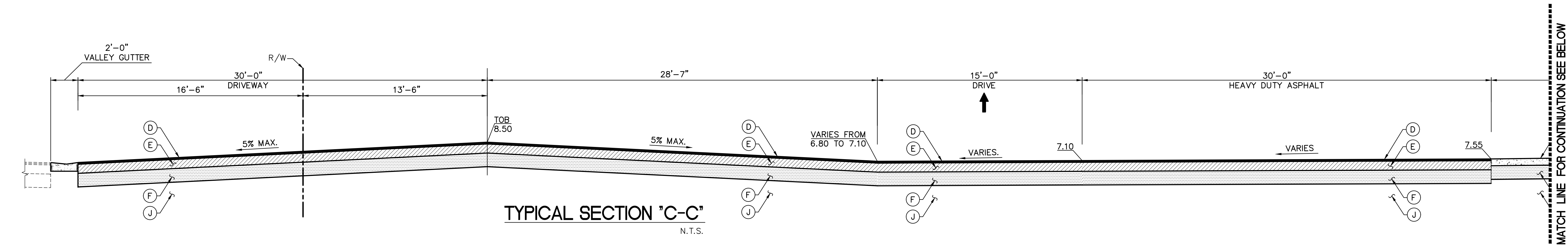
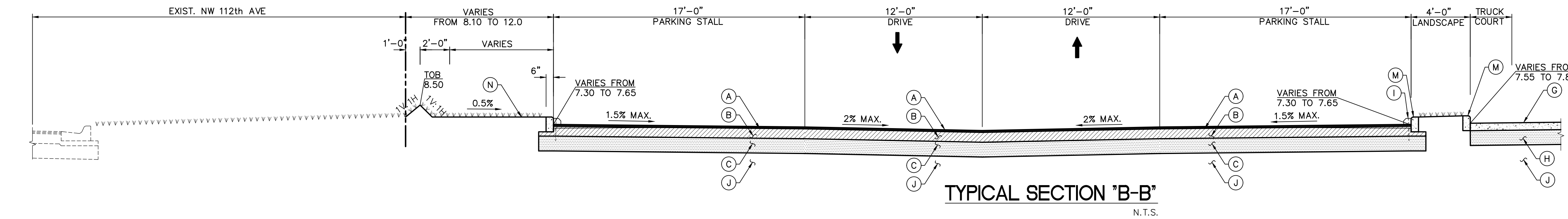
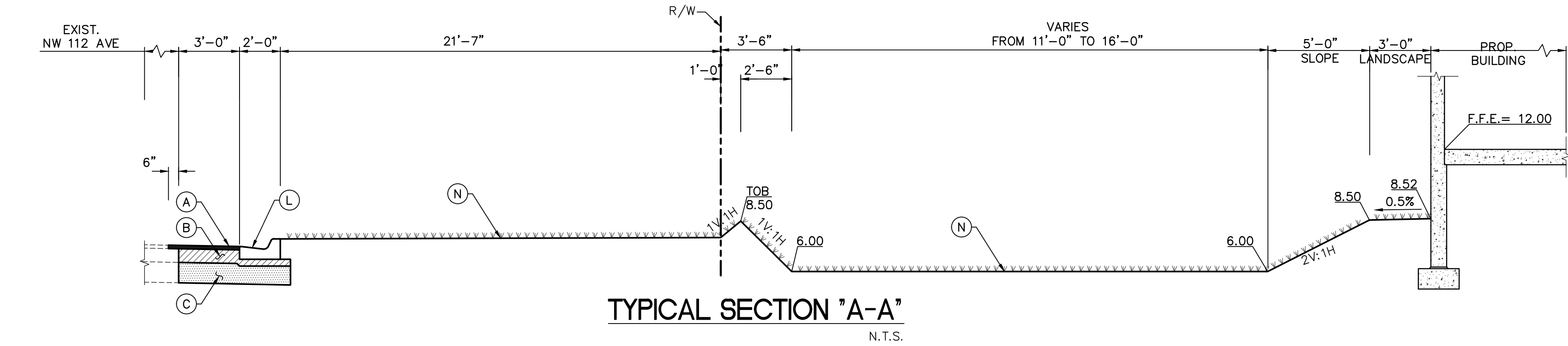
DATE PRINTED: CHECKED BY: A.F.

SCALE: AS NOTED
PROJECT NO. 1915

TITLE: PAVING, GRADING
DRAINAGE PLAN

DRAWING NO.

C-3



LEGEND:

LIGHT DUTY ASPHALT:

- (A) 1.5" TYPE S-1 ASPHALTIC CONCRETE PAVEMENT
- (B) 6" LIMEROCK BASE COURSE COMPACTED TO MIN. 98% (MODIFIED PROCTOR) MIN. LBR=100 PER AASHTO T-180
- (C) 12" STABILIZED SUBBASE, COMPACTED TO MIN. 98%, MIN. LBR=40, PER AASHTO T-180.

HEAVY DUTY ASPHALT:

- (D) 2" TYPE S-1 ASPHALTIC CONCRETE PAVEMENT
- (E) 8" LIMEROCK BASE COURSE COMPACTED TO MIN. 98% (MODIFIED PROCTOR) MIN. LBR=100 PER AASHTO T-180
- (F) 12" STABILIZED SUBBASE, COMPACTED TO MIN. 98%, MIN. LBR=40, PER AASHTO T-180.

CONCRETE PAVEMENT:

- (G) 6" 4000 P.S.I. CONCRETE, REINFORCED WITH 6x6 (W2.9) WIRE MESH (SEE STRUCTURAL PLANS FOR ALTERNATE DESIGN)
- (H) 12" LIMEROCK BASE COURSE COMPACTED TO MIN. 98% (MODIFIED PROCTOR) MIN. LBR=100 PER AASHTO T-180

OTHER:

- (I) PROP. CONC. PRECAST WHEEL STOP
- (J) COMPACTED FILL
- (K) PROP. 2' VALLEY GUTTER
- (L) PROP. 6" CONC. CURB TYPE "F"
- (M) PROP. 6" CONC. CURB TYPE "D"
- (N) PROP. SOD

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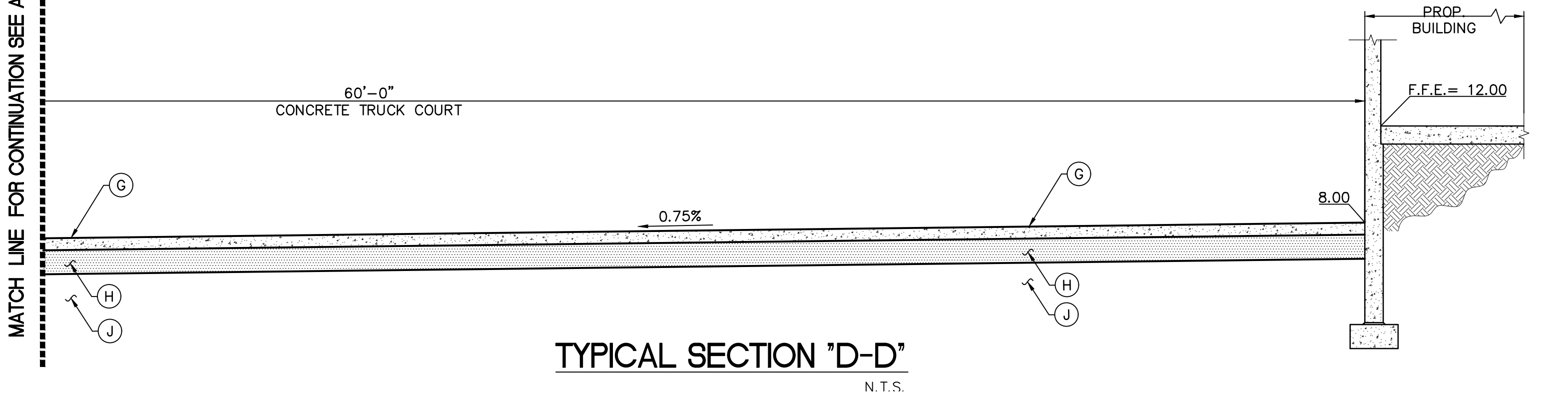
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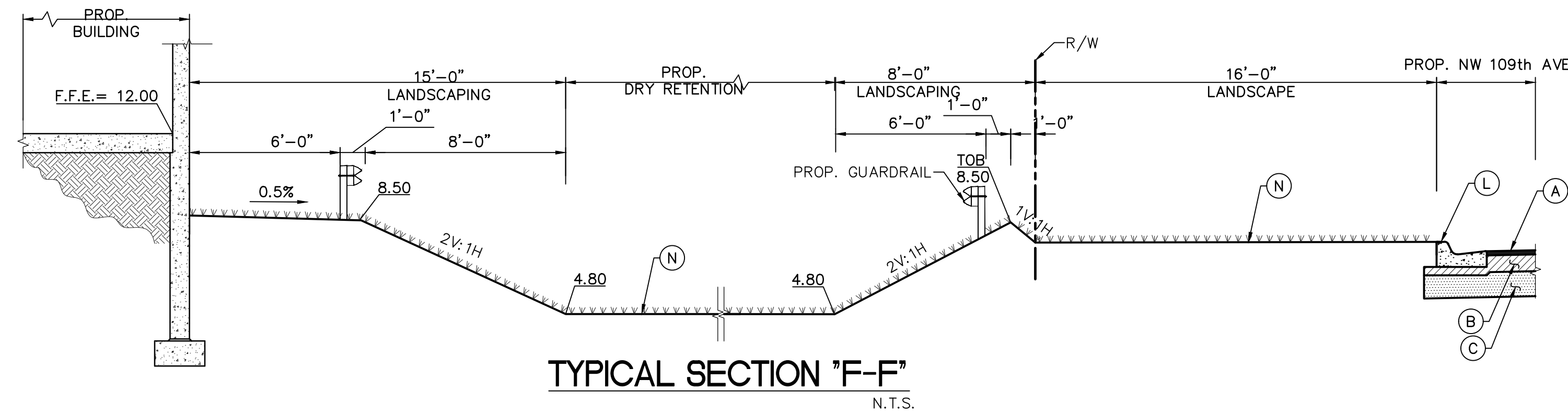
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N.T.S. CROSS SECTIONS

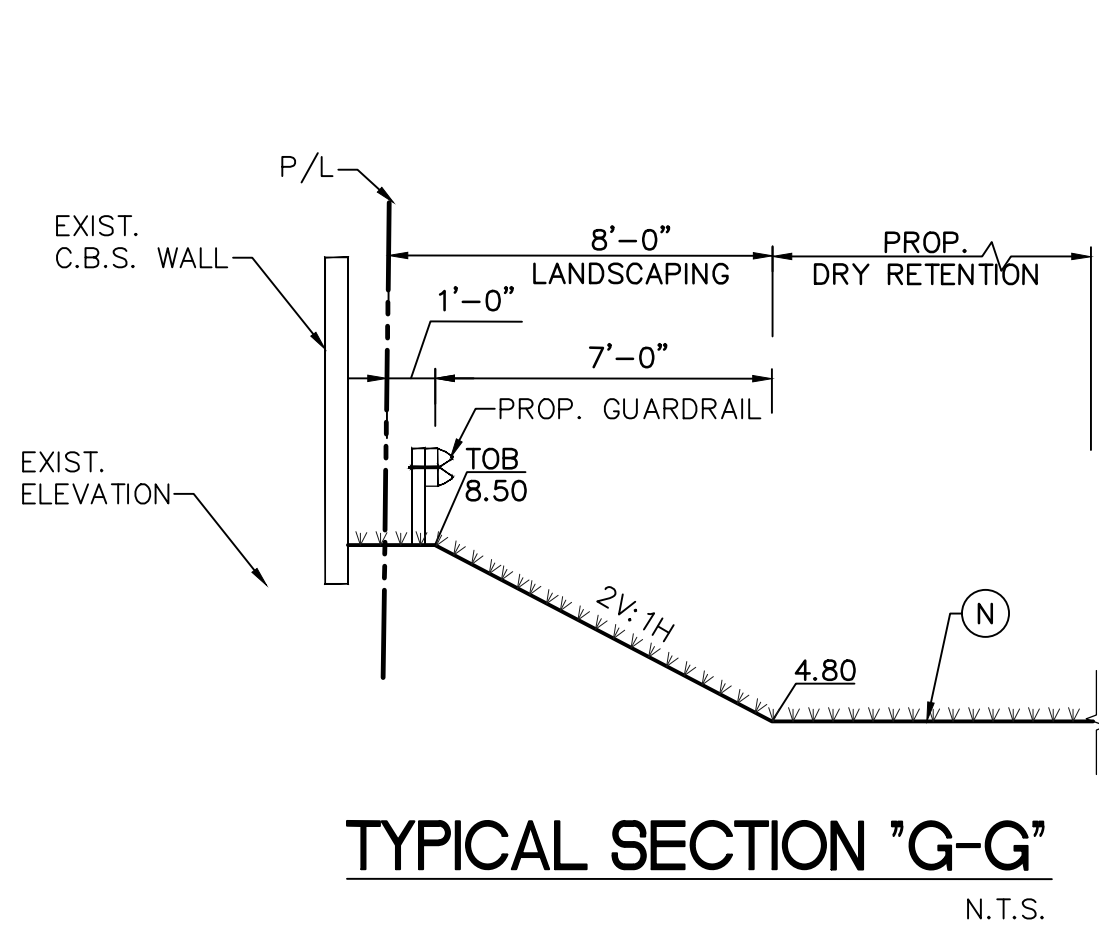
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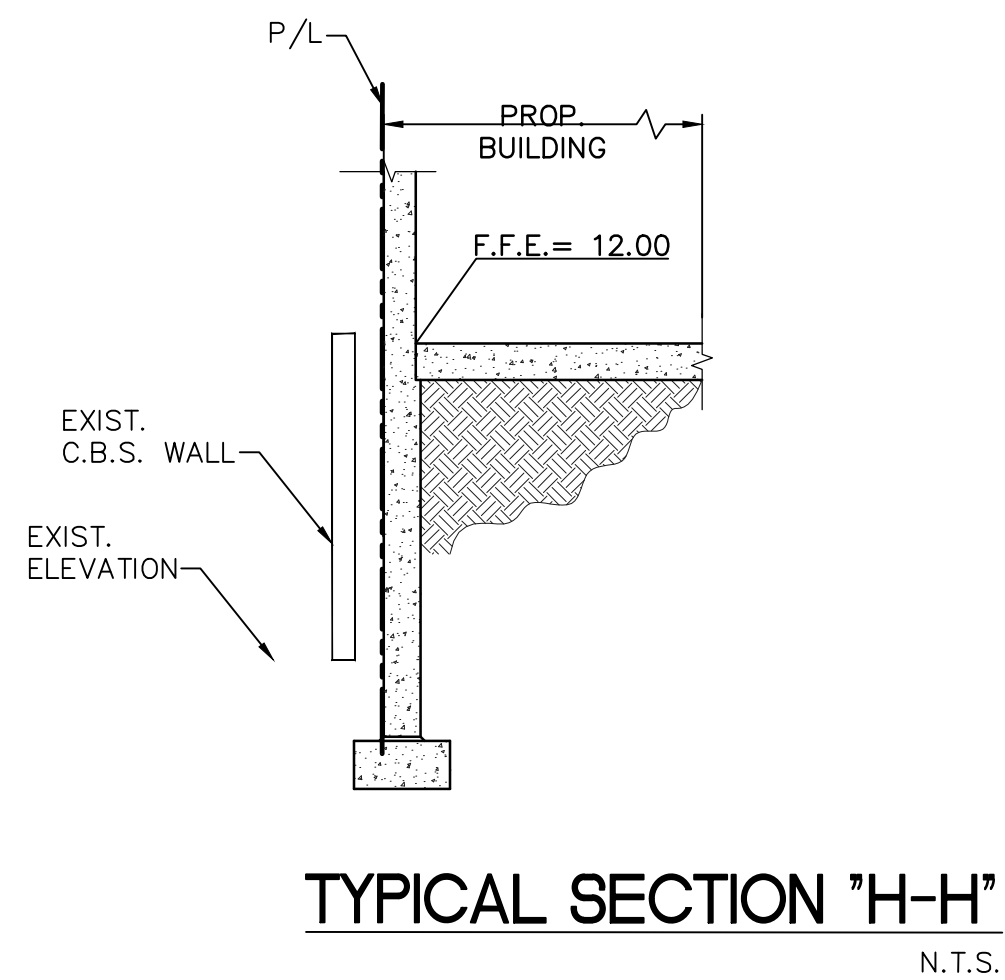
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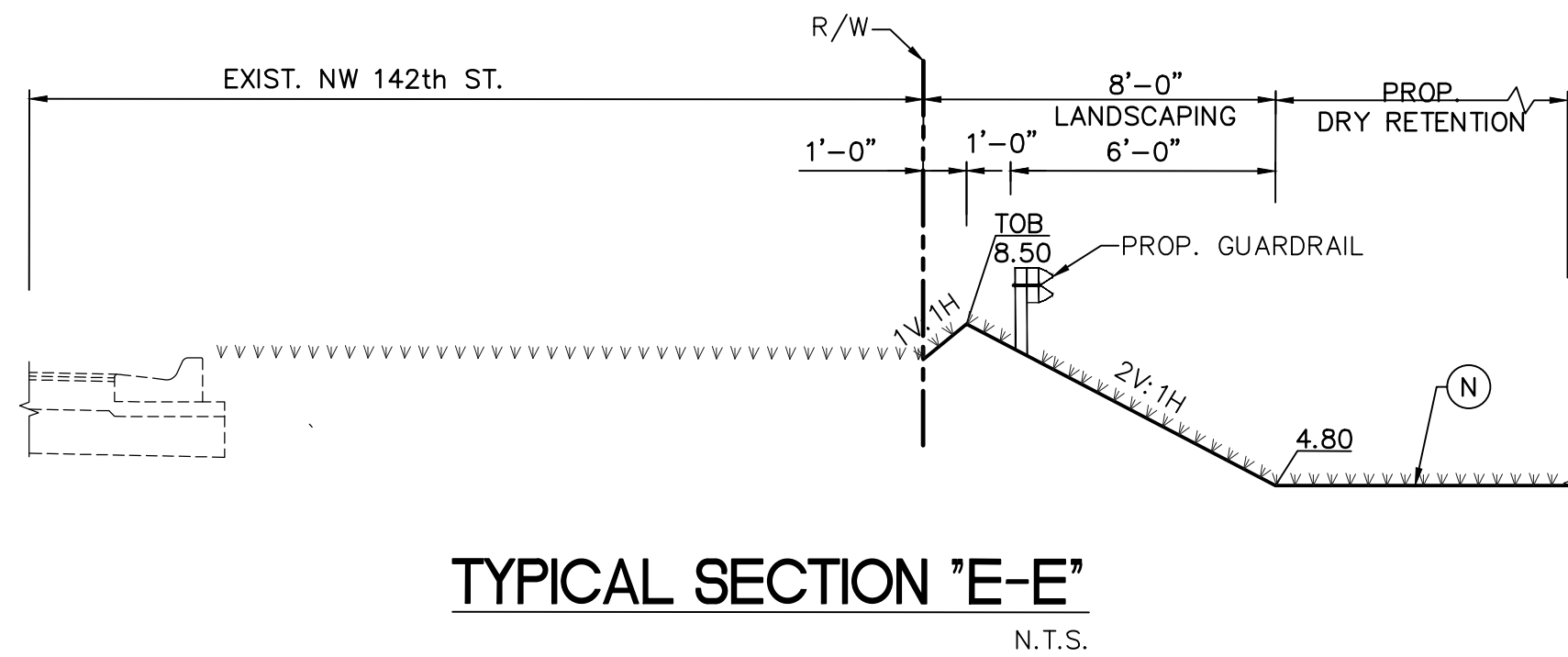
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N.T.S.



TYPICAL SECTION "G-G"
N.T.S.



TYPICAL SECTION "H-H"
N.T.S.



TYPICAL SECTION "E-E"
N.T.S.

LEGEND:

LIGHT DUTY ASPHALT:

- (A) 1.5" TYPE S-1 ASPHALTIC CONCRETE PAVEMENT
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SCALE:
AS NOTED

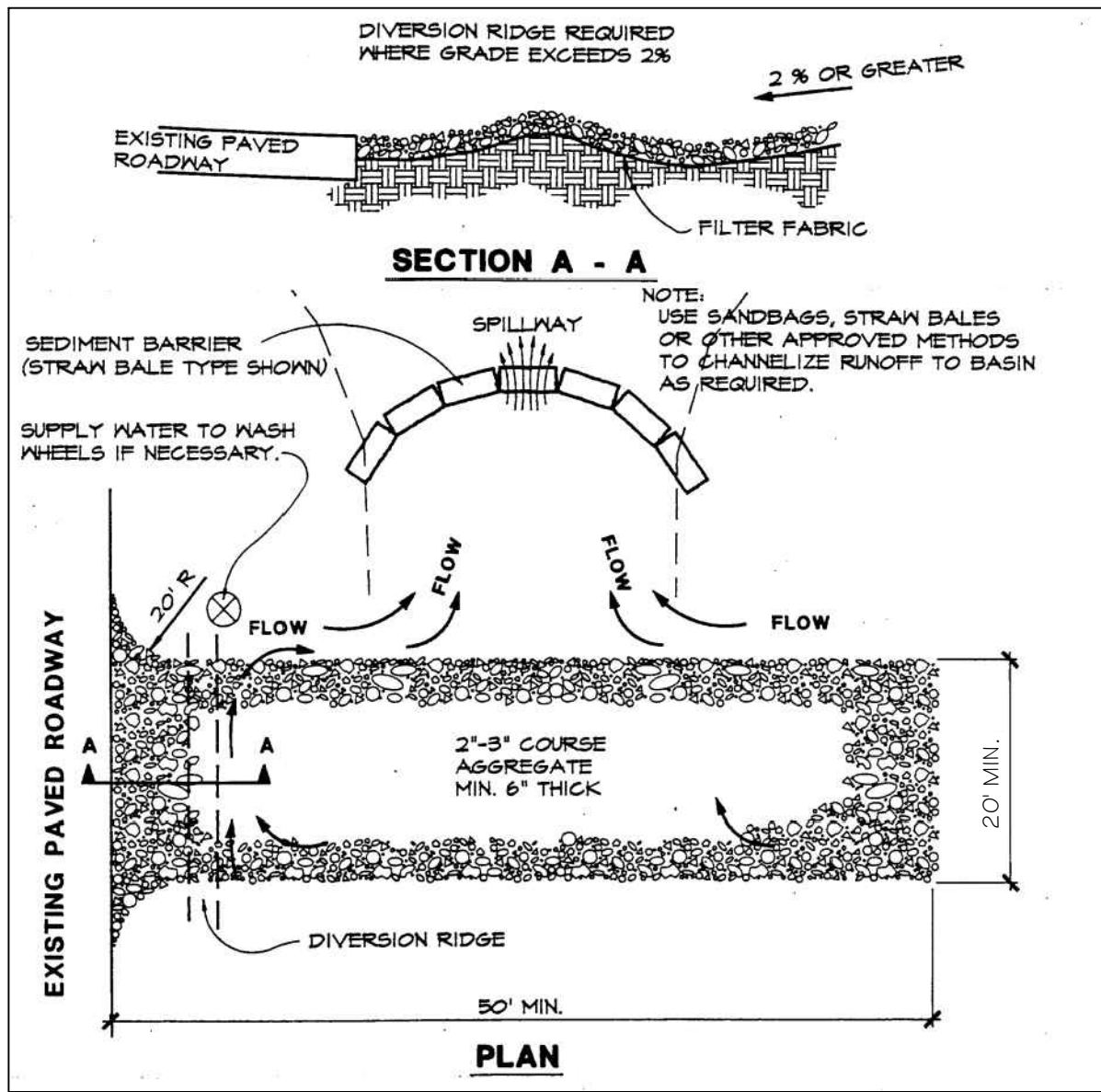
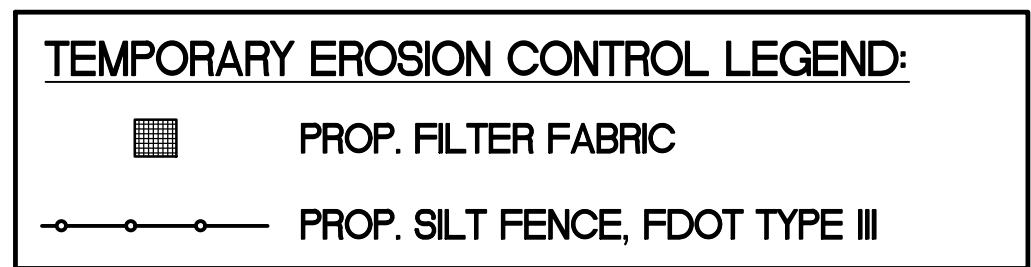
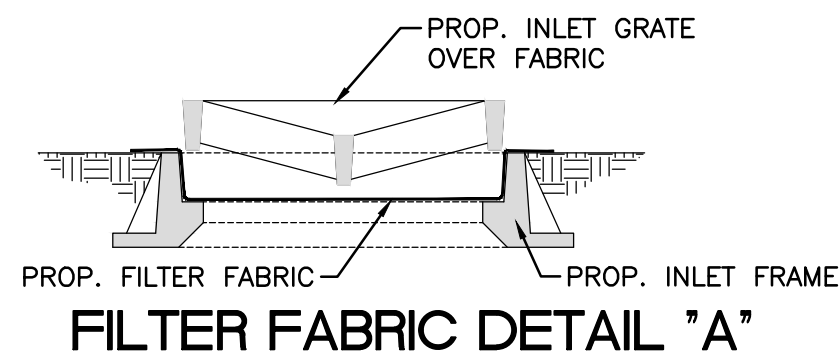
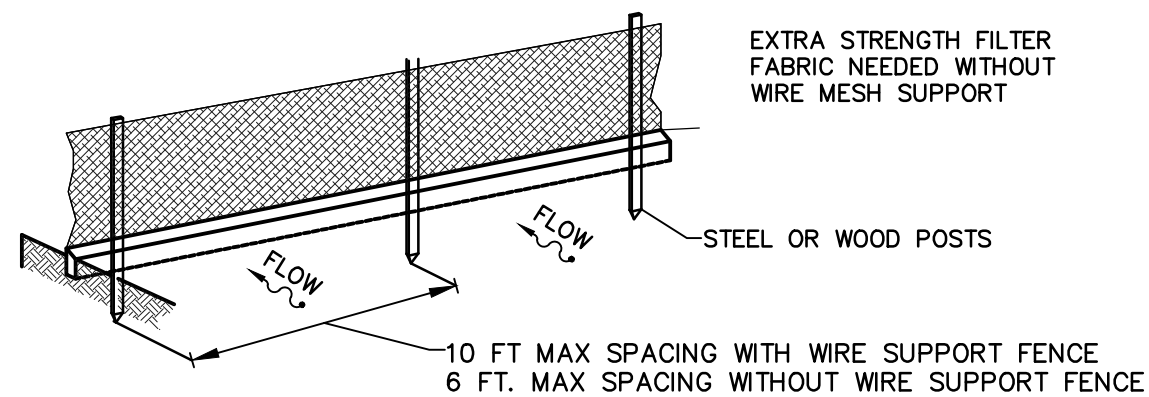
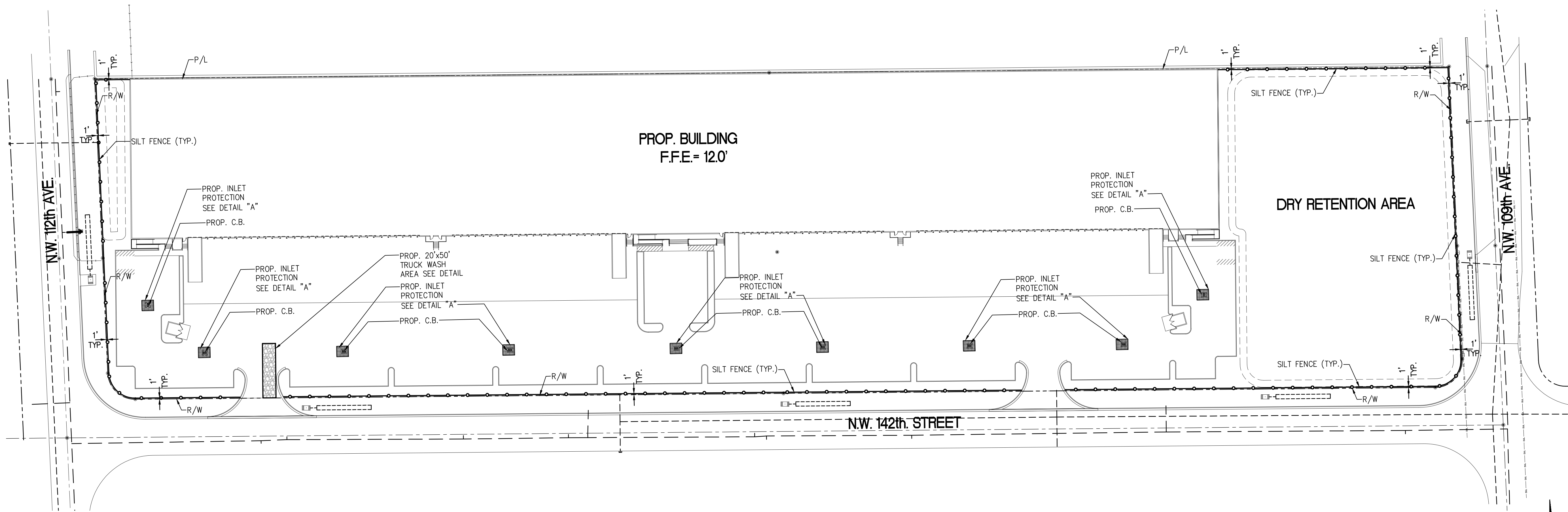
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DRAWING NO.

C-5

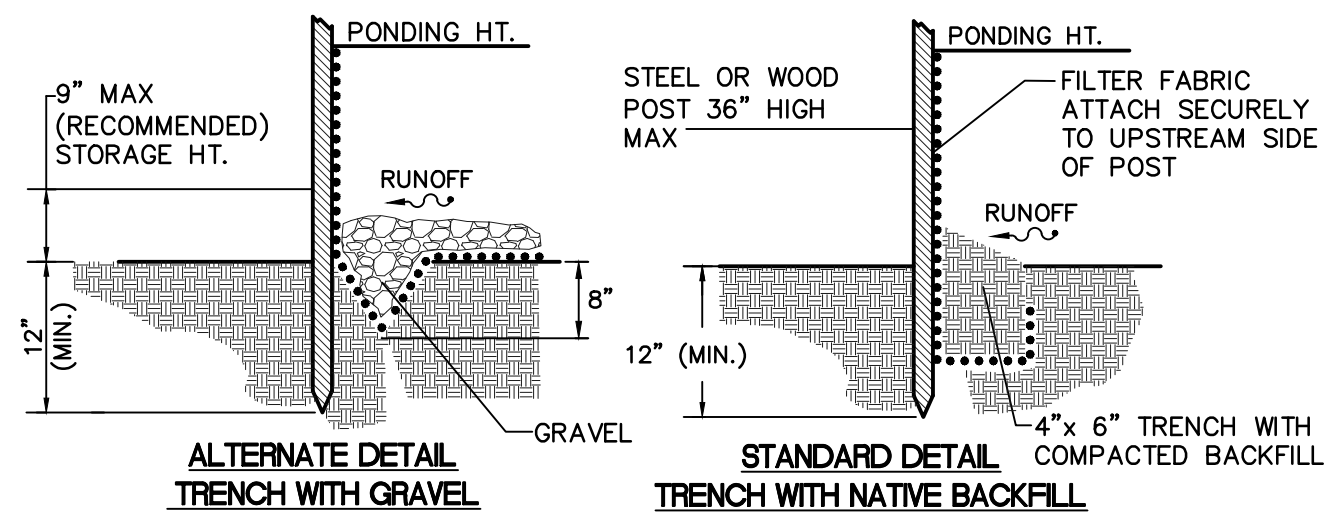
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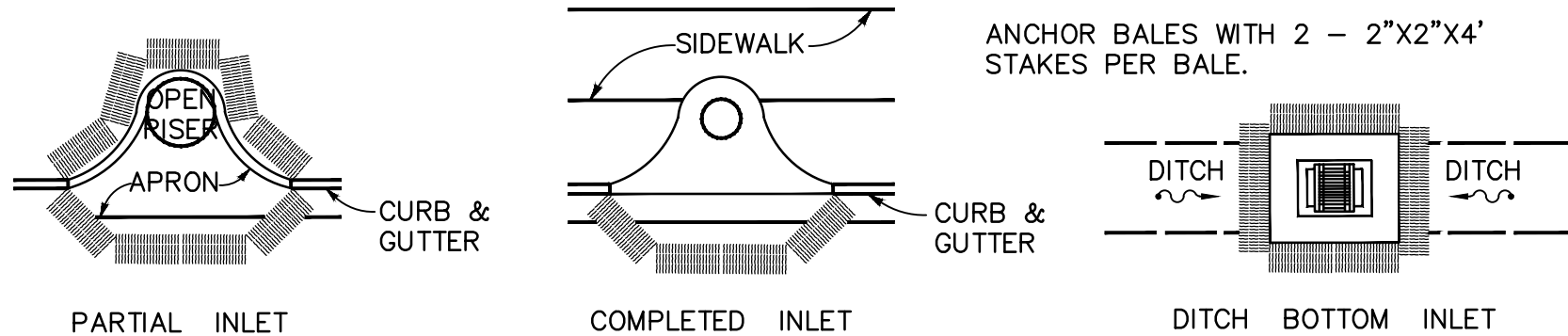
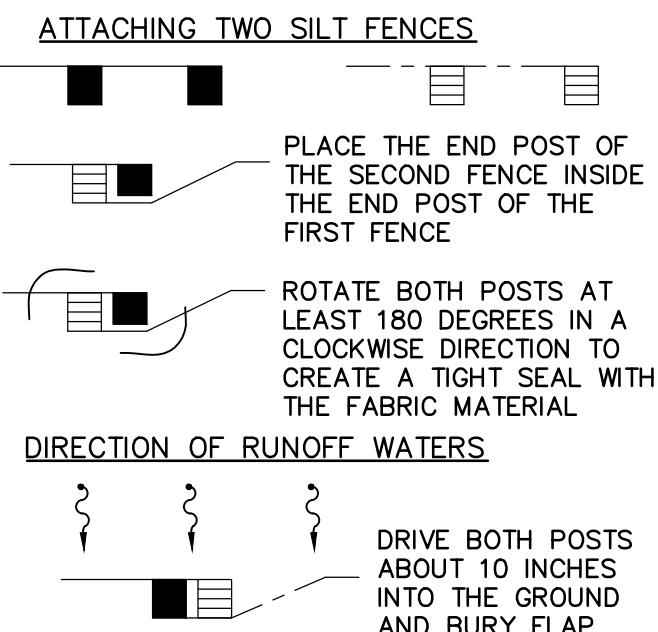


NOTES:
1. THE ENTRANCE SHALL BE MAINTAINED IN A CONDITION THAT WILL PREVENT TRACKING OR FLOWING OF SEDIMENT ONTO PUBLIC RIGHT-OF-WAY. THIS MAY REQUIRE TOP DRESSING, REPAIR AND/OR CLEANOUT OF ANY MEASURES USED TO TRAP SEDIMENT.
2. WHEN NECESSARY, WHEELS SHALL BE CLEANED PRIOR TO ENTRANCE ONTO PUBLIC RIGHT-OF-WAY.
3. WHEN WASHING IS REQUIRED, IT SHALL BE DONE ON AN AREA STABILIZED WITH CRUSHED STONE THAT DRAINS INTO AN APPROVED SEDIMENT TRAP OR SEDIMENT BASIN.

TRUCK WASH AREA DETAIL
N.T.S.



TEMPORARY EROSION AND TURBIDITY CONTROL DETAILS
N.T.S.



PROTECTION AROUND INLETS OR SIMILAR STRUCTURES
N.T.S.

GENERAL NOTES:

1. TEMPORARY EROSION AND TURBIDITY CONTROL SHALL BE IMPLEMENTED PRIOR TO AND DURING CONSTRUCTION, AND PERMANENT CONTROL MEASURES SHALL BE COMPLETED WITHIN 7 DAYS OF ANY CONSTRUCTION ACTIVITY.
2. SYNTHETIC BALES AND SILT FENCES SHALL BE INSTALLED AND MAINTAINED AT ALL LOCATIONS AS INDICATED ON PLANS. SYNTHETIC BALES AND SILT FENCES SHALL REMAIN IN PLACE IN ALL LOCATIONS UNTIL CONSTRUCTION IS COMPLETED AND SOILS ARE STABILIZED AND VEGETATION HAS BEEN ESTABLISHED.
3. SYNTHETIC BALES SHALL BE TRENCHED 3" TO 4" AND ANCHORED WITH 2 - 1" X 2" (OR 1" DIAM.) X 4" WOOD STAKES. STAKES OF OTHER MATERIAL OR SHAPE PROVIDING EQUIVALENT STRENGTH MAY BE USED IF APPROVED BY THE ENGINEER.
4. ADJACENT BALES SHALL BE BUTTED FIRMLY TOGETHER. UNAVOIDABLE GAPS SHALL BE PLUGGED WITH HAY OR STRAW TO PREVENT SILT FROM PASSING.
5. SILT FENCES SHALL BE INSTALLED AS INDICATED ON PLANS.
6. SYNTHETIC BALES AND/OR FILTER FABRIC SHALL BE INSTALLED AT ALL NEW INLETS DURING CONSTRUCTION.
7. SYNTHETIC BALES AND/OR FILTER FABRIC SHALL BE INSTALLED AT EXISTING INLETS LOCATED IN SWALE AREA
8. SILT FENCES SHALL BE PROVIDED ON EXIST INLETS LOCATED IN C&G, OR VALLEY GUTTER
9. FOR ADDITIONAL STRENGTH FILTER FABRIC MATERIAL CAN BE ATTACHED TO A 6" (MAX.) MESH WIRE SCREEN WHICH HAS BEEN FASTENED TO THE POSTS.
10. THE FABRIC MATERIAL AND THE WIRE MESH SHALL NOT EXTEND MORE THAN 36" (90 CM) ABOVE THE ORIGINAL GROUND SURFACE.
11. SILT FENCES AND FILTER BARRIERS SHALL BE INSPECTED IMMEDIATELY AFTER EACH RAINFALL AND REMOVE SEDIMENT WHEN NECESSARY.
12. REMOVE SEDIMENT SHALL BE DEPOSITED TO AN AREA THAT WILL NOT CONTRIBUTE SEDIMENT OFF-SITE AND CAN BE PERMANENTLY STABILIZED
13. SILT FENCE SHALL BE PLACED ON SLOPE CONTOURS TO MAXIMIZE PONDING EFFICIENCY

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CONTRACTOR MUST CHECK AND VERIFY ALL DIMENSIONS AND FIELD CONDITIONS AND NOTIFY ARCHITECT/ENGINEER IMMEDIATELY OF ANY DISCREPANCIES.

NO. DATE REVISION

HIALEAH GARDENS COMMERCE CENTER

NW 112th Ave. & NW 142nd Street
Hialeah Gardens, Florida 33172

IGNACIO SERRALTA
PROFESSIONAL ENGINEER
LICENSE NO. 45509

DIRECTION:

SCALE:

ISSUED DATE:
2019-06-05

DRAWN BY:
A.F.

DATE PRINTED:

CHECKED BY:
A.F.

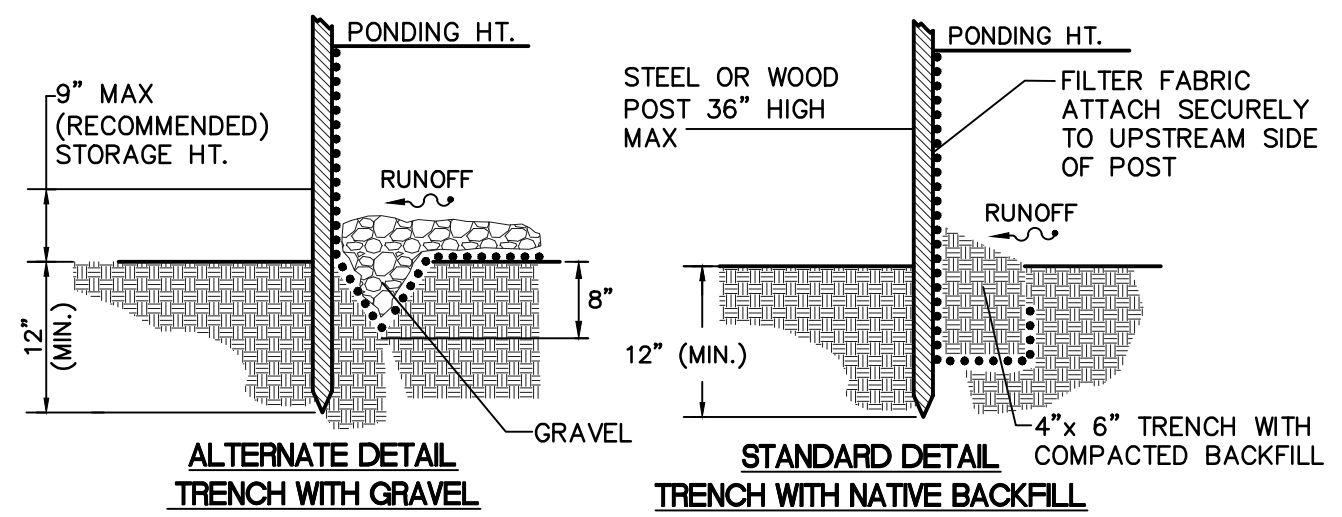
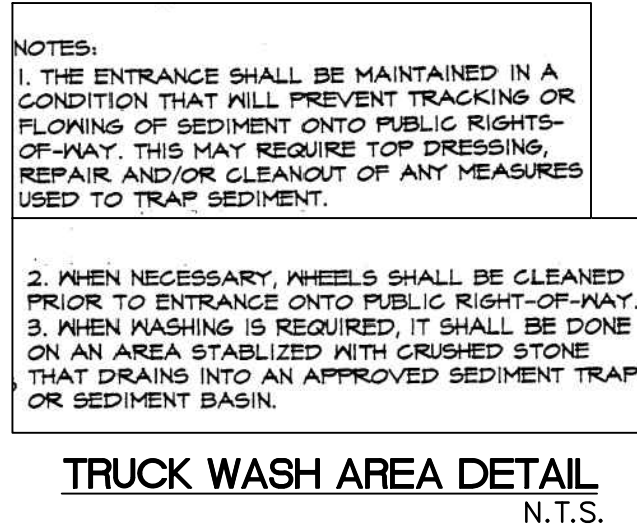
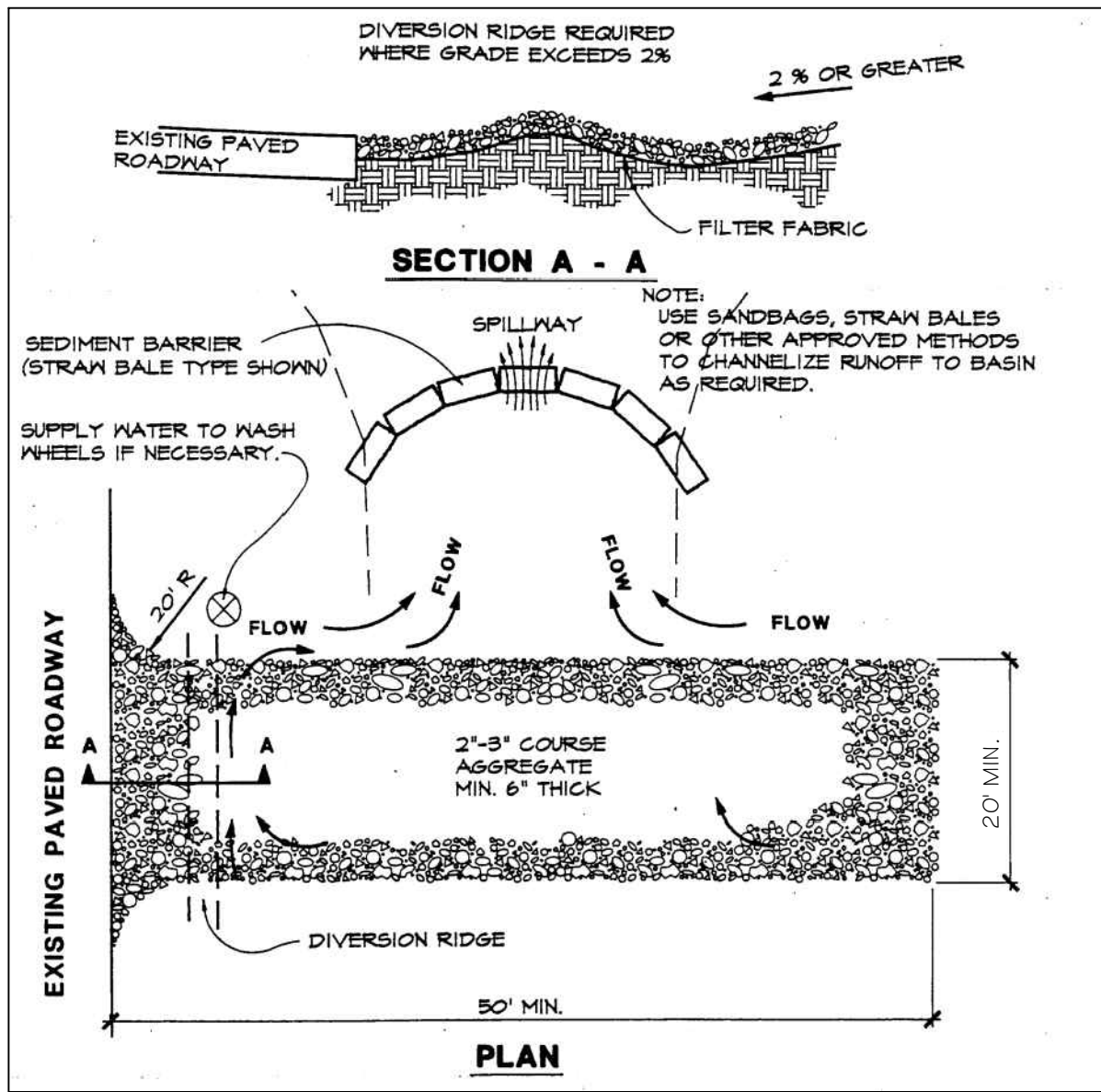
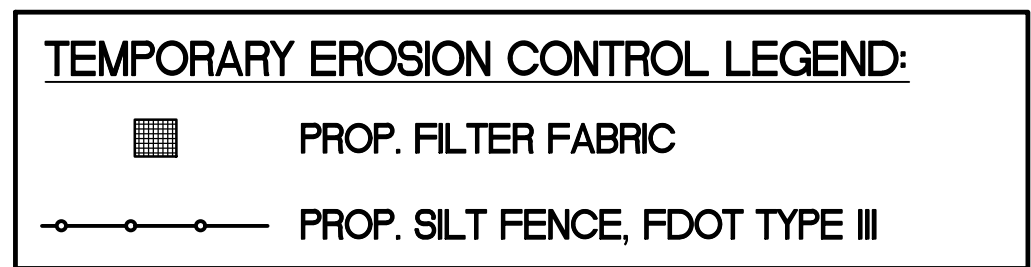
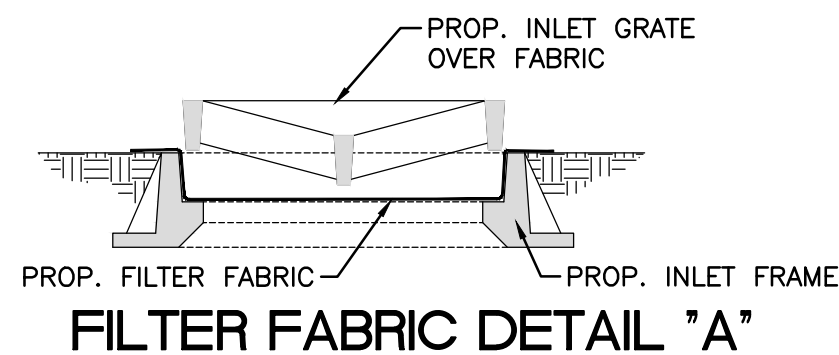
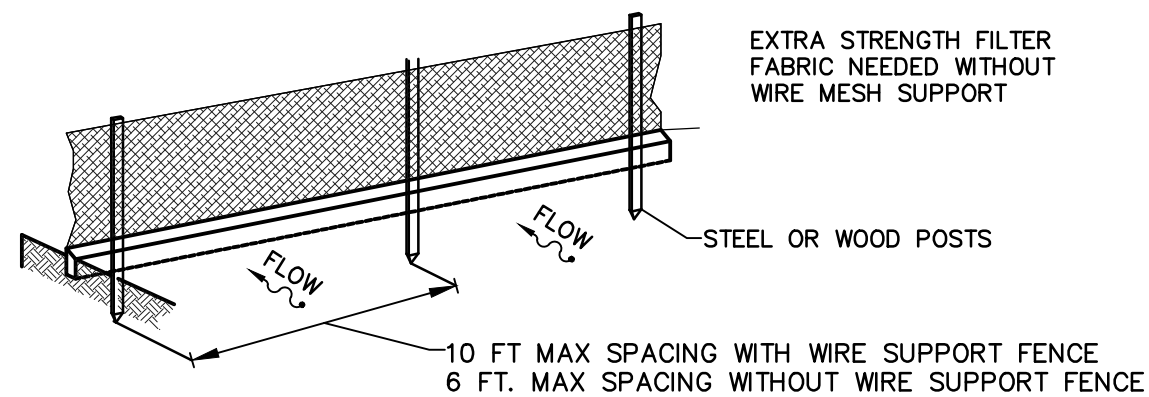
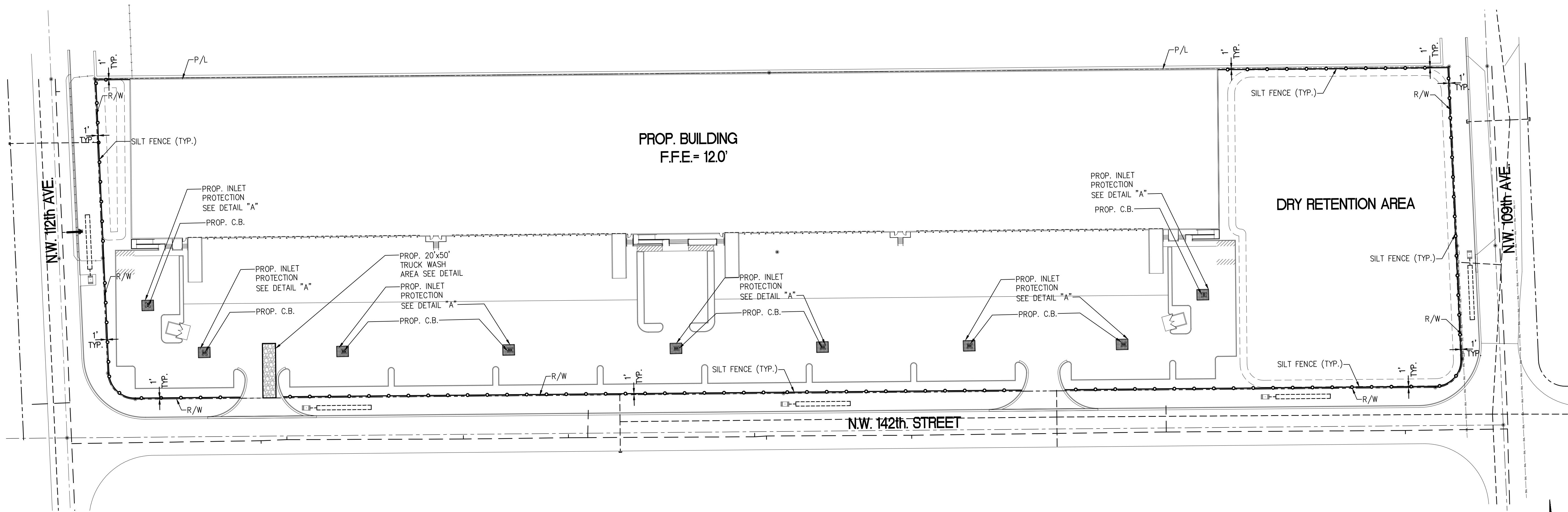
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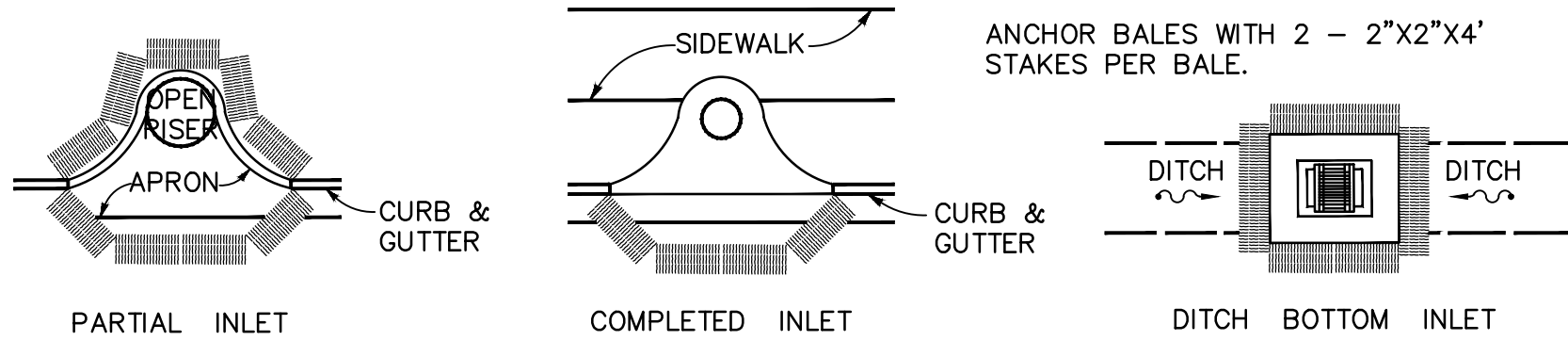
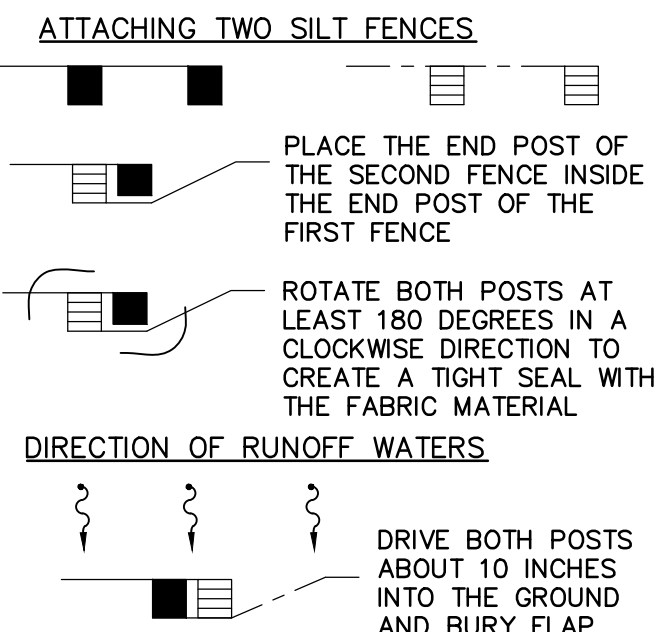
TITLE:
STORMWATER
POLLUTION
PREVENTION PLAN

DRAWING NO.

C-12



TEMPORARY EROSION AND TURBIDITY CONTROL DETAILS
N.T.S.



PROTECTION AROUND INLETS OR SIMILAR STRUCTURES
N.T.S.

GENERAL NOTES:

1. TEMPORARY EROSION AND TURBIDITY CONTROL SHALL BE IMPLEMENTED PRIOR TO AND DURING CONSTRUCTION, AND PERMANENT CONTROL MEASURES SHALL BE COMPLETED WITHIN 7 DAYS OF ANY CONSTRUCTION ACTIVITY.
2. SYNTHETIC BALES AND SILT FENCES SHALL BE INSTALLED AND MAINTAINED AT ALL LOCATIONS AS INDICATED ON PLANS. SYNTHETIC BALES AND SILT FENCES SHALL REMAIN IN PLACE IN ALL LOCATIONS UNTIL CONSTRUCTION IS COMPLETED AND SOILS ARE STABILIZED AND VEGETATION HAS BEEN ESTABLISHED.
3. SYNTHETIC BALES SHALL BE TRENCHED 3" TO 4" AND ANCHORED WITH 2 - 1" X 2" (OR 1" DIAM.) X 4" WOOD STAKES. STAKES OF OTHER MATERIAL OR SHAPE PROVIDING EQUIVALENT STRENGTH MAY BE USED IF APPROVED BY THE ENGINEER.
4. ADJACENT BALES SHALL BE BUTTED FIRMLY TOGETHER. UNAVOIDABLE GAPS SHALL BE PLUGGED WITH HAY OR STRAW TO PREVENT SILT FROM PASSING.
5. SILT FENCES SHALL BE INSTALLED AS INDICATED ON PLANS.
6. SYNTHETIC BALES AND/OR FILTER FABRIC SHALL BE INSTALLED AT ALL NEW INLETS DURING CONSTRUCTION.
7. SYNTHETIC BALES AND/OR FILTER FABRIC SHALL BE INSTALLED AT EXISTING INLETS LOCATED IN SWALE AREA
8. SILT FENCES SHALL BE PROVIDED ON EXIST INLETS LOCATED IN C&G, OR VALLEY GUTTER
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SCALE:

AS NOTED

PROJECT NO.:

1915

TITLE:
STORMWATER
POLLUTION
PREVENTION PLAN

DRAWING NO.

C-12