



**DEPARTMENT OF THE ARMY
CORPS OF ENGINEERS, JACKSONVILLE DISTRICT
P. O. BOX 4970
JACKSONVILLE, FLORIDA 32232-0019**

Regulatory Division
South Branch
South Permits Section

September 9, 2020

PUBLIC NOTICE

Permit Application No. SAJ-2005-03945(SP-AG)

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 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. §403) as described below:

APPLICANT: Grove Harbour Marina and Caribbean Marketplace, LLC

WATERWAY AND LOCATION: The project would affect waters of the United States associated with Biscayne Bay. The project site is located at 2640 South Bayshore Drive, in Section 22, Township 54 South, 41 East, Miami, Florida 33133 (Folio # 01-4122-002-0011).

Directions to the site are as follows: From US1-N, turn right onto Grand Avenue. Turn right on McFarlene Road. McFarlene Road becomes Bayshore Drive. Turn right onto Charthouse. Destination is on the right.

APPROXIMATE CENTRAL COORDINATES: Latitude 25.730302°
Longitude -80.233202°

PROJECT PURPOSE:

Basic: The basic project purpose is the expansion of an existing marina.

Overall: The overall project purpose is to expand an existing 45 slip marina by adding 18 additional slips capable of mooring vessels ranging in size from 40 to 120 feet in length at Grove Harbor Marina.

EXISTING CONDITIONS: The project area is located on Biscayne Bay within an area that contains several large marinas. The onsite vegetation consists of sparse to moderate coverage with some patches of dense coverage of *Halophila decipiens*. The existing marina currently houses 45 slips located at 2 main piers with finger piers. Water depths within the marina slips range between -6 feet to -8 feet MLW.

PROPOSED WORK: The applicant seeks authorization to expand the existing docking facility to create 18 additional slips by adding a new 8 foot by 15 foot aluminum gangway connecting to a new L-shaped floating dock that will have a 10 foot wide by 75 foot section and an 18 foot wide by 263 foot long section. The total new over water area will be 5,484 square feet. The project will also include the installation of 15-14" square concrete piles and 20- 18" concrete mooring piles.

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:

To avoid impacts to water quality, turbidity curtains will surround all in-water construction.

This marina expansion project was originally permitted by the Corps in 2009. At that time, the total over-water area of the structures was 12,292 square feet, and 29 new slips were proposed. That work was never completed. Since that time, the applicant has significantly reduced the over-water footprint of the marina to minimize impacts to marine resources. The total over-water area has been reduced by over half (to 5,484 sf) and the number of proposed slips is now 18. Because of these reductions, seagrass (particularly the dense areas) have been avoided completely by the structures.

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

The applicant has provided WATER scores and is planning to contribute to the FPL Everglades Mitigation Bank in order to offset impacts to resources as a result of the proposed project. Despite the efforts to avoid seagrass shading impacts, some shading is unavoidable. To compensate for the unavoidable impacts to 1,574 square feet of sparse *H. decipiens*, the applicant is proposing the purchase of 0.026 saltwater credits at the FPL Everglades Mitigation Bank.

CULTURAL RESOURCES: The Corps has determined the permit area the activity is of such limited scope there is little likelihood of impact upon a historic property; therefore, the proposed project would have "No Potential to Cause Effect".

ENDANGERED SPECIES: The U.S. Army Corps of Engineers (Corps) has determined the project may affect, but is not likely to adversely affect ("MANLAA") the West Indian manatee (*Trichechus manatus*) or its designated critical habitat. Since the proposal by the applicant is for in-water construction, potential impacts to the endangered manatee were evaluated using The Corps of Engineers, Jacksonville District, and the State of Florida Effect Determination Key for the Manatee in Florida (Manatee Key), dated 25 April 2013. Use of the Manatee Key resulted in the following sequential determination:

A > B > C > G > H > I > J > K > N > O > P “MANLAA.” This determination is partially based on the previously determination by DERM that the project was consistent with the Miami-Dade Manatee Protection Plan for the previous larger scope and the concurrence provided by the FWS on 5 January 2006 and also the applicant following the standard manatee construction precautions for the proposed activity. The Corps has concurrence with this determination from the U.S. Fish and Wildlife Service (FWS).

The Corps has determined the proposed project “may affect, but is not likely to adversely affect” green sea turtles (*Chelonia mydas*), loggerhead sea turtles (*Caretta caretta*), hawksbill sea turtles (*Eretmochelys imbricata*), Kemp’s ridley sea turtles (*Lepidochelys kempii*), leatherback sea turtles (*Dermochelys coriacea*), smalltooth sawfish (*Pristis pectinata*) and would have “no affect” on Johnson’s seagrass (*Halophila johnsonii*) and its designated critical habitat, elkhorn and staghorn corals (*Acropora palmata*, *Acropora cervicornis*) and their designated critical habitat and the other 5 listed coral species found in Dade-County: pillar coral (*Dendrogyra cylindrus*), lobed star coral (*Orbicella annularis*), mountainous star coral (*Orbicella faveolata*), knobby star coral (*Orbicella franksi*), and rough cactus coral (*Mycetophyllia ferox*). The Corps will request National Marine Fisheries Service consultation with these determinations pursuant to Section 7 of the Endangered Species Act by separate letter.

The Corps has determined that the project will have no effect on any other listed threatened or endangered species, and/or designated critical habitat.

ESSENTIAL FISH HABITAT (EFH): This notice initiates consultation with the National Marine Fisheries Service on EFH as required by the Magnuson-Stevens Fishery Conservation and Management Act 1996. The proposal would impact approximately 13,015 square feet of moderate density *Halophila decipiens* utilized by various life stages of coastal migratory pelagics, coral, shrimp, snapper-grouper complex and spiny lobster. Our initial determination is that the proposed action would not have a substantial adverse impact on EFH or Federally managed fisheries in Biscayne Bay. Our final determination relative to project impacts and the need for mitigation measures is subject to review by and coordination with the National Marine Fisheries Service.

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/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 Avenue, Miami, FL 33176 within 21 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, Albert Gonzalez at the letterhead address, by electronic mail at albert.gonzalez@usace.army.mil, or by telephone at 305-779-6055.

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.

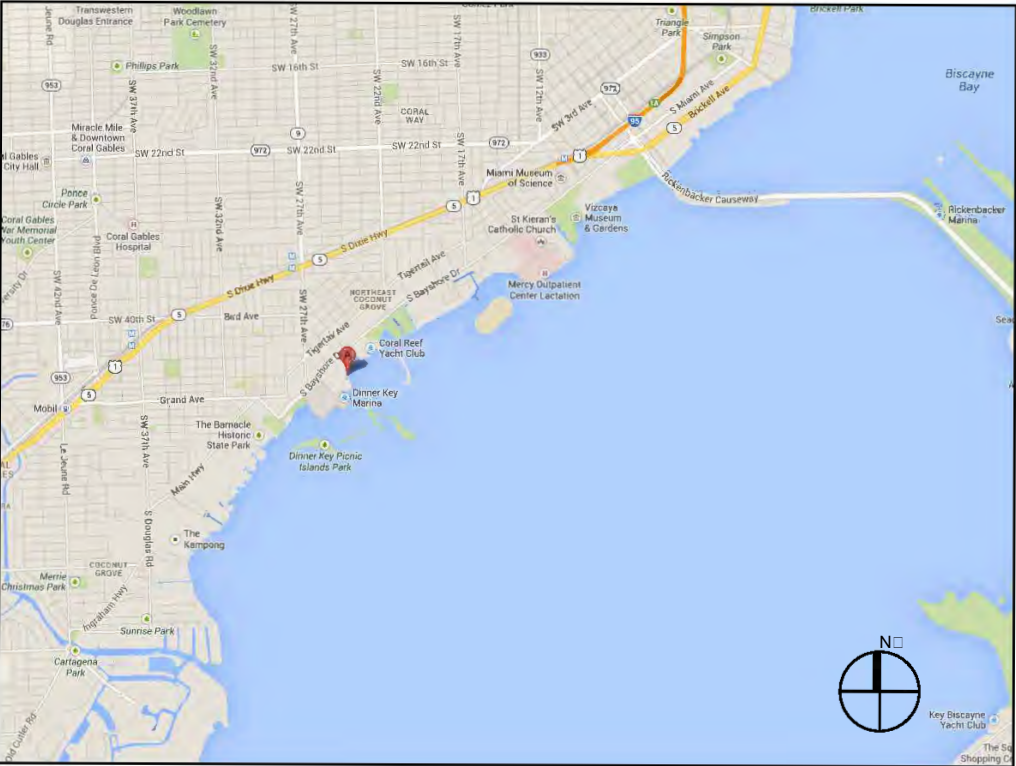
The US Army Corps of Engineers (Corps) is soliciting comments from the public; Federal, State, and local agencies and officials; Indian Tribes; and other Interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps to 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.



LOCATION MAP AND LEGAL DESCRIPTION



PROJECT SITE LOCATION:
2640 S. Bayshore Drive
Miami, Florida 33133
LATITUDE: 25°43'47.33"N
LONGITUDE: 80°13'59.90"W

FOLIO No.: 01-4122-002-0011

PROJECT SITE LEGAL DESCRIPTION:
22 54 41 13.56 AC M/L
DINNER KEY
PB 34-2
PORT OF TR A & PORT OF
SUBMERGED

LAND
PER LEASE AGREEMENT BETWEEN
CITY
OF MIAMI & GROVE HARBOUR
MARINA
& CARIBBEAN MARKETPLACE LLC
F/A/U 01 4122 002 0010

- GENERAL NOTES:
- ELEVATIONS SHOWN REFER TO THE NATIONAL GEODETIC VERTICAL DATUM (NGVD) OF 1929.
 - ALL DIMENSIONS ON PLANS ARE SUBJECT TO VERIFICATION IN THE FIELD.
 - IT IS THE INTENT OF THESE PLANS TO BE IN ACCORDANCE WITH APPLICABLE CODES AND AUTHORITIES HAVING JURISDICTION. ANY DISCREPANCIES BETWEEN THESE PLANS AND APPLICABLE CODES SHALL BE IMMEDIATELY BROUGHT TO THE ATTENTION OF ENGINEER BEFORE PROCEEDING WITH WORK. CONTRACTOR AND ALL SUBCONTRACTORS ARE RESPONSIBLE FOR ALL LINES, ELEVATIONS, AND MEASUREMENTS IN CONNECTION WITH THEIR WORK.
 - IT IS THE INTENT OF THESE PLANS AND THE RESPONSIBILITY OF THE CONTRACTOR TO COMPLY WITH LOCAL, STATE, AND FEDERAL ENVIRONMENTAL PERMITS ISSUED FOR THIS PROJECT. IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO FAMILIARIZE AND GOVERN HIMSELF BY ALL PROVISIONS OF THESE PERMITS.
 - APPLICABLE BUILDING CODE: FLORIDA BUILDING CODE, 2017 EDITION (AND CURRENT ADDENDUMS).
 - APPROVED CONTRACTOR TO DETERMINE THE SUITABILITY OF EXISTING STRUCTURES AND VERIFY ALL DIMENSIONS. THE APPROVED CONTRACTOR IS RESPONSIBLE FOR ALL METHODS, MEANS, SEQUENCES AND PROCEDURES OF WORK.
 - DO NOT SCALE DRAWINGS FOR DIMENSIONS.
 - CONTRACTOR TO VERIFY LOCATION OF EXISTING UTILITIES PRIOR TO COMMENCING WORK.
 - CONTRACTOR TO PROPERLY FENCE AND SECURE AREA WITH BARRICADES.
 - ANY DEVIATION AND/OR SUBSTITUTION FROM THE INFORMATION PROVIDED HEREIN SHALL BE SUBMITTED TO THE ENGINEER FOR APPROVAL PRIOR TO COMMENCEMENT OF WORK.
 - ALL NEW MATERIALS AND/OR PATCHWORK SHALL BE PROVIDED TO MATCH EXISTING MATERIALS AND/OR ADJOINING WORK WHERE PRACTICAL EXCEPT AS SPECIFICALLY NOTED HEREIN.
 - LICENSED CONTRACTOR SHALL USE ALL POSSIBLE CARE TO PROTECT ALL EXISTING MATERIALS, SURFACES, AND FURNISHINGS FROM DAMAGE DURING ALL PHASES OF CONSTRUCTION.
 - THE LICENSED CONTRACTOR TO INSTALL AND REMOVE ALL SHORING AND BRACING AS REQUIRED FOR THE PROPER EXECUTION OF THE WORK.
 - ALL NEW WORK AND/OR MATERIALS SHALL CONFORM TO ALL REQUIREMENTS OF EACH ADMINISTRATIVE BODY HAVING JURISDICTION IN EACH PERTAINING CIRCUMSTANCE.
 - THE CONTRACTOR WILL EMPLOY AND MAINTAIN ADEQUATE SEDIMENT AND EROSION CONTROL MEASURES TO PROTECT BISCAYNE BAY FROM SEDIMENT AND CONSTRUCTION DEBRIS.

DOCK: LL 100 PSF

- BOLTS
- ALL BOLTS STEEL SHALL BE 316 STAINLESS STEEL, UNLESS OTHERWISE NOTED.

- WOOD
- PRIMARY WOOD FRAMING MEMBERS SHALL BE NUMBER 1 PRESSURE TREATED MARINE GRADE SOUTHERN PINE, OR BETTER.
 - ALL DIMENSIONS ON PLANS ARE SUBJECT TO VERIFICATION IN THE FIELD.

- CONCRETE
- CONCRETE SHALL CONFORM TO ACI 318 (LATEST ED.) AND SHALL BE REGULAR WEIGHT, SULFATE RESISTANT, WITH A DESIGN STRENGTH OF 5,000 PSI AT 28 DAYS W/ A MAX WATER-CEMENTIOUS MATERIALS RATIO, BY WEIGHT, NORMAL WEIGHT AGGREGATE CONCRETE OF 0.40.
 - OWNER SHALL EMPLOY AND PAY FOR TESTING SERVICES FROM AN INDEPENDENT TESTING LABORATORY FOR CONCRETE SAMPLING AND TESTING IN ACCORDANCE W/ ASTM.
 - LICENSED CONTRACTOR IS RESPONSIBLE FOR THE ADEQUACY OF FORMS AND SHORING AND FOR SAFE PRACTICE IN THEIR USE AND REMOVAL.
 - CONCRETE COVER SHALL BE 3" UNLESS OTHERWISE NOTED ON APPROVED DRAWINGS.
 - REINFORCING STEEL SHALL BE IN CONFORMANCE WITH THE LATEST VERSION OF ASTM A615 GRADE 60 SPECIFICATIONS. ALL REINFORCEMENT SHALL BE PLACED IN ACCORDANCE W/ ACI 315 AND ACI MANUAL OF STANDARD PRACTICE.
 - SPLICES IN REINFORCING BARS SHALL NOT BE LESS THAN 48 BAR DIAMETERS AND REINFORCING SHALL BE CONTINUOUS AROUND ALL CORNERS AND CHANGES IN DIRECTION. CONTINUITY SHALL BE PROVIDED AT CORNERS OR CHANGES IN DIRECTION BY BENDING THE LONGITUDINAL STEEL AROUND THE CORNER 48 BAR DIAMETERS.

- PILE DRIVING NOTES
- PILE DRIVING OPERATIONS SHALL BE OBSERVED BY A SPECIAL INSPECTOR, INCLUDING TEST PILES SUFFICIENT TO DETERMINE THE APPROXIMATE LENGTH REQUIRED TO MEET DESIGN CAPACITY.
 - PILES SHALL BE DRIVEN USING AN APPROVED CUSHION BLOCK CONSISTING OF MATERIAL SO ARRANGED SO AS TO PROVIDE THE TRANSMISSION OF THE HAMMER ENERGY.
 - PILES SHALL BE DRIVEN TO REQUIRED MINIMUM 15 TON. BEARING CAPACITY FOR WOOD PILES, AND 25 TON. FOR CONCRETE PILES.
 - PILES SHALL BE DRIVEN WITH A DROP HAMMER OR GRAVITY HAMMER PROVIDED THE HAMMER SHALL WEIGH NO LESS THAN 3,000 POUNDS, AND THE FALL OF THE HAMMER SHALL NOT EXCEED 6 FT.
 - PILES SHALL BE DRIVEN WITH A VARIATION OF NOT MORE THAN 1/4" PER FOOT FROM THE VERTICAL, OR FROM THE BATTER LINE INDICATED, WITH A MAX VARIATION OF THE HEAD OF THE PILE FROM THE POSITION SHOWN ON THE PLANS OF NOT MORE THAN 3".
 - WHERE PILING MUST PENETRATE STRATA OFFERING HIGH RESISTANCE TO DRIVING, THE STRUCTURAL ENGINEER OF RECORD OR SPECIAL INSPECTOR MAY REQUIRE THAT PILES BE SET IN PRE-DRILLED OR PUNCHED HOLES. THE PILES SHALL REACH THEIR FINAL PENETRATION BY DRIVING.

GROVE HARBOR MARINA MED-MOOR EXPANSION PROJECT

Coconut Grove, Florida

CLIENT:

Mr. Alan Lima
GROVE HARBOUR MARINA &
MARKET PLACE, LLC
2640 S. Bayshore Drive
Miami, Florida 33133

ENVIRONMENTAL CONSULTANT:

OCEAN
CONSULTING, LLC
340 Minorca Avenue, Suite 7
Coral Gables, Florida 33134
Tel: (305) 921-9344
Fax: (305) 677-3254

CONTRACTOR:

PROJECT ENGINEER:

SEAL / SIGNATURE / DATE

PERMIT DRAWINGS

Issue #	Issue Date
①	January 28, 2019
②	June 17, 2019

PROJECT: 18-8300

PROJECT LOCATION & NOTES

SCALE : AS SHOWN
SHEET NO.

S-1

GROVE HARBOR
MARINA MED-MOOR
EXPANSION PROJECT

Coconut Grove, Florida

CLIENT:

Mr. Alan Lima
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MARKET PLACE, LLC
2640 S. Bayshore Drive
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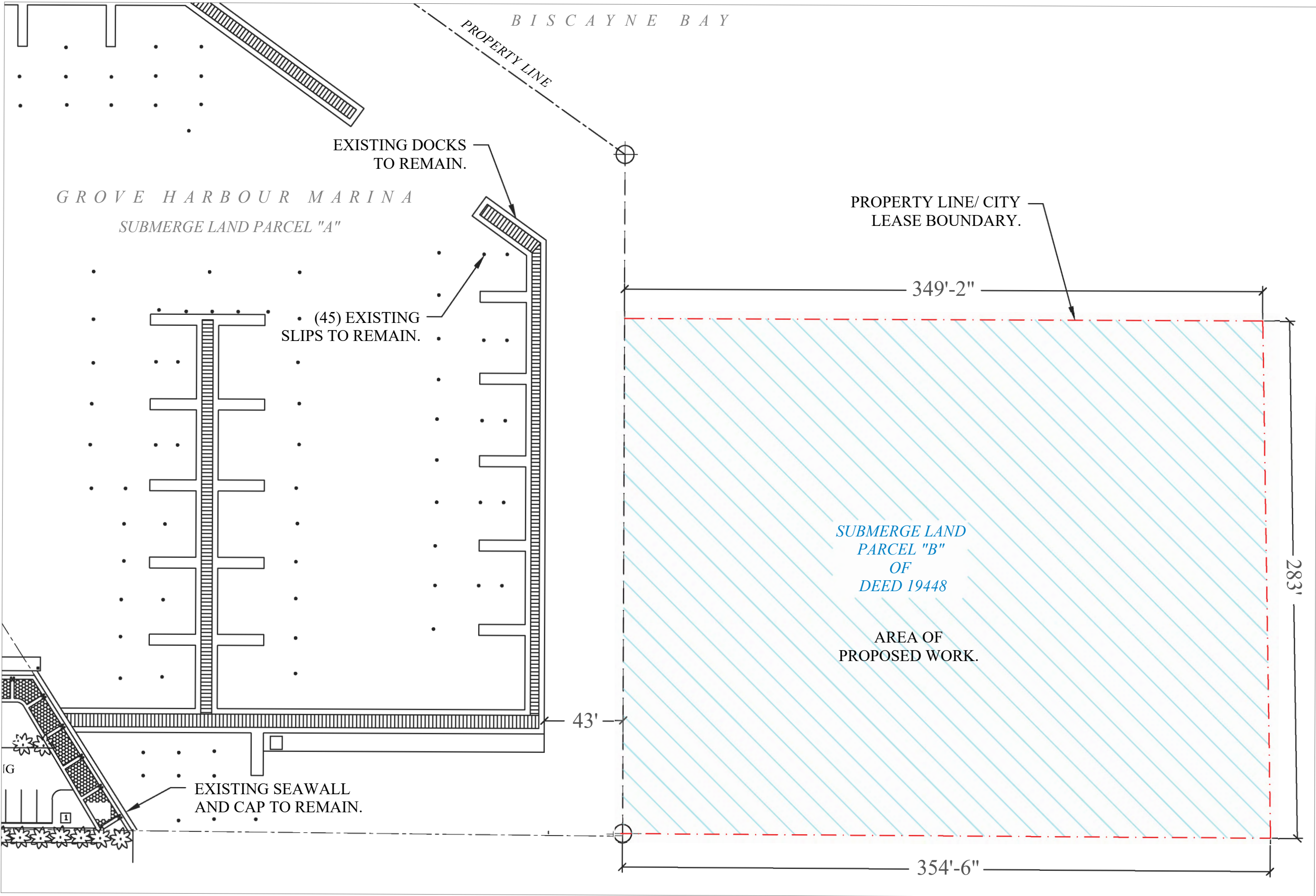
Issue #	Issue Date
①	January 28, 2019
②	June 17, 2019

PROJECT: 18-8300

EXISTING CONDITIONS

SCALE : AS SHOWN
SHEET NO.

S-2



EXISTING CONDITIONS

GROVE HARBOR
MARINA MED-MOOR
EXPANSION PROJECT

Coconut Grove, Florida

CLIENT:
Mr. Alan Lima
GROVE HARBOUR MARINA &
MARKET PLACE, LLC
2640 S. Bayshore Drive
Miami, Florida 33133

ENVIRONMENTAL CONSULTANT:
OCEAN
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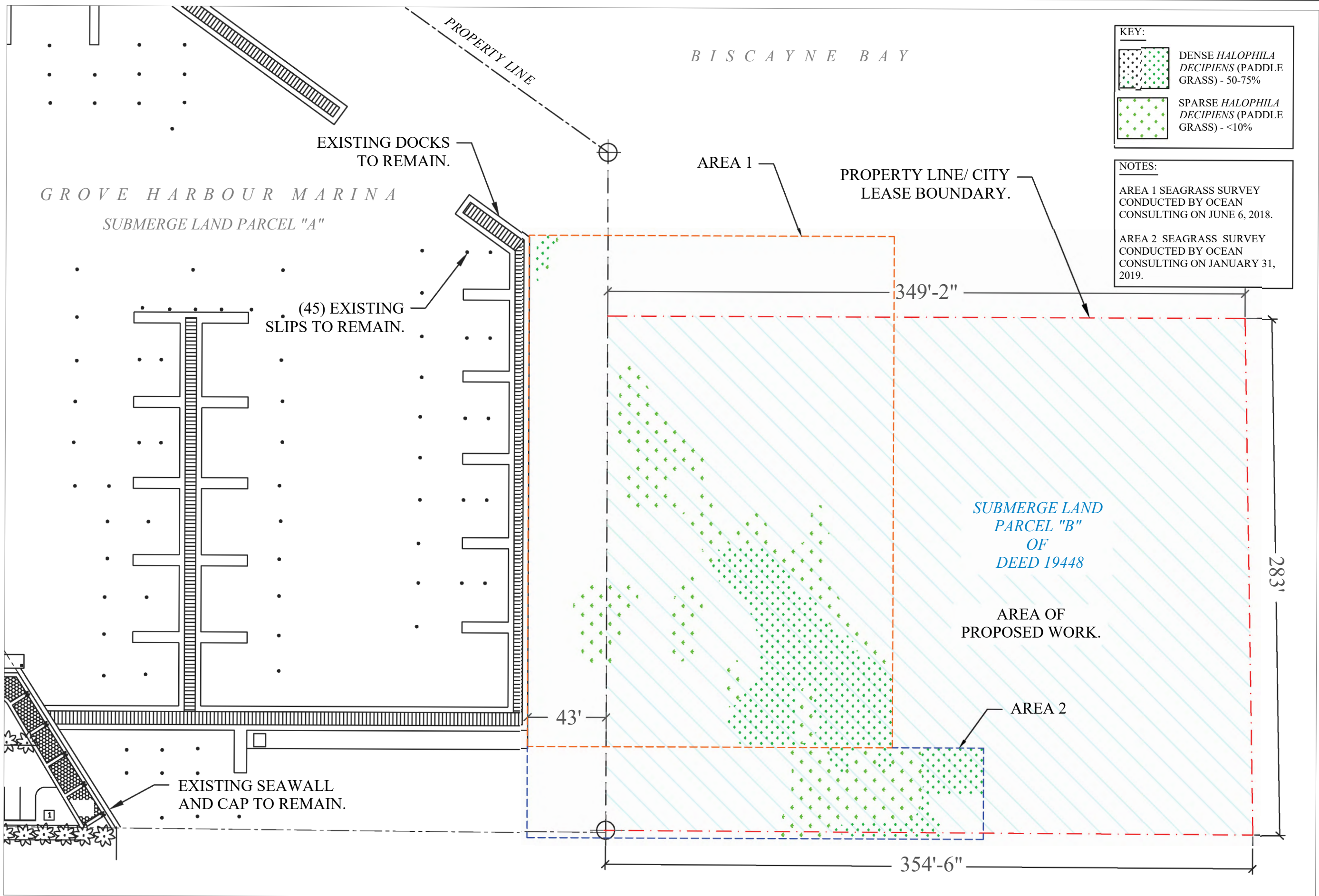
Issue #	Issue Date
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PROJECT: 18-8300

MARINE RESOURCE
MAP.

SCALE : AS SHOWN
SHEET NO.

S-2.1



GROVE HARBOR
MARINA MED-MOOR
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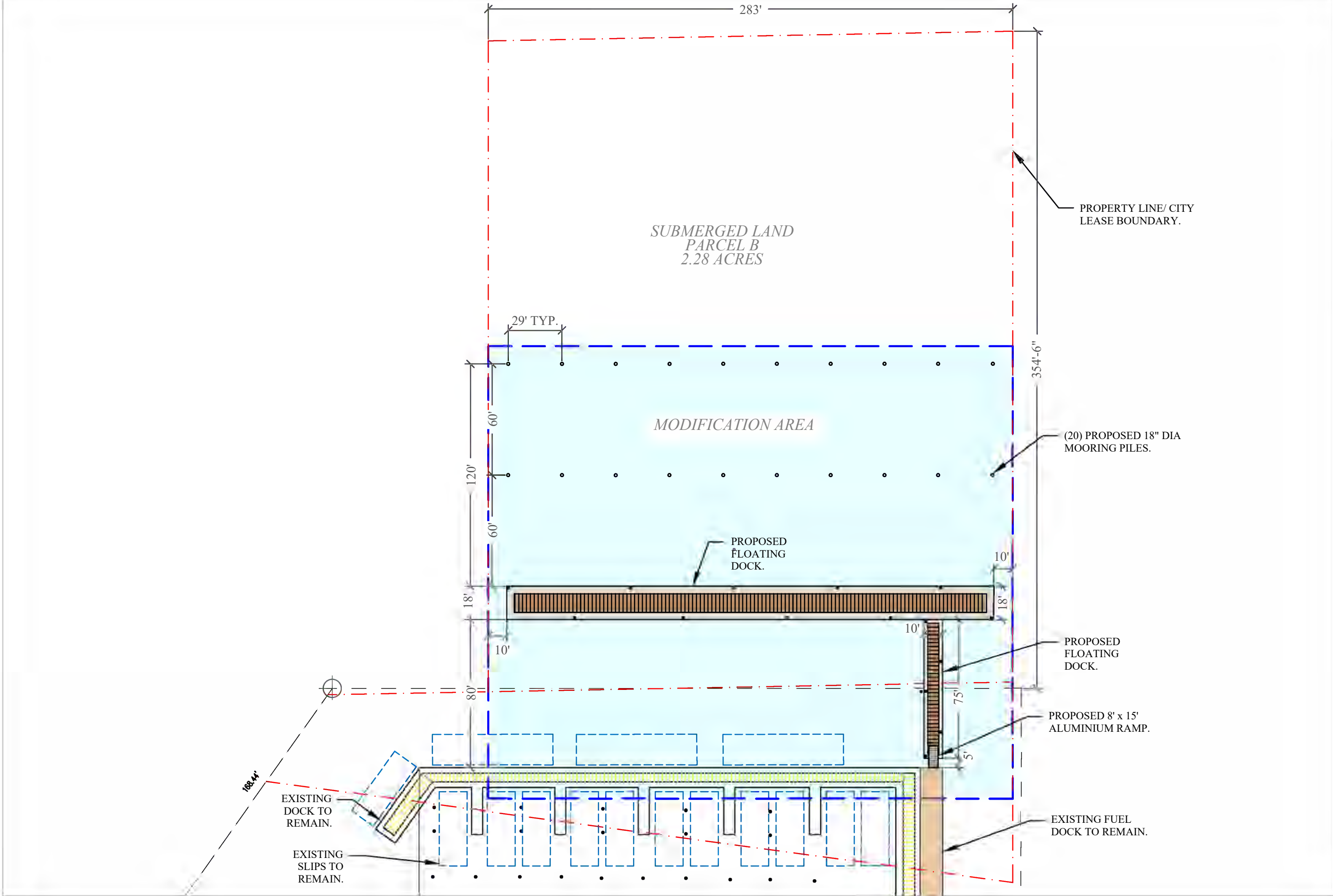
Issue #	Issue Date
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PROJECT: 18-8300

PROPOSED CONDITIONS
-ZOOM OUT-

SCALE : AS SHOWN
SHEET NO.

S-3



PROPOSED CONDITIONS

NOTE:
ALL EXISTING MARINA
STRUCTURES & SLIPS TO REMAIN.

TOTAL SLIPS.
(9) 100' VESSELS
(9) 35' TENDERS

GROVE HARBOR MARINA MED-MOOR EXPANSION PROJECT

Coconut Grove, Florida

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PERMIT DRAWINGS

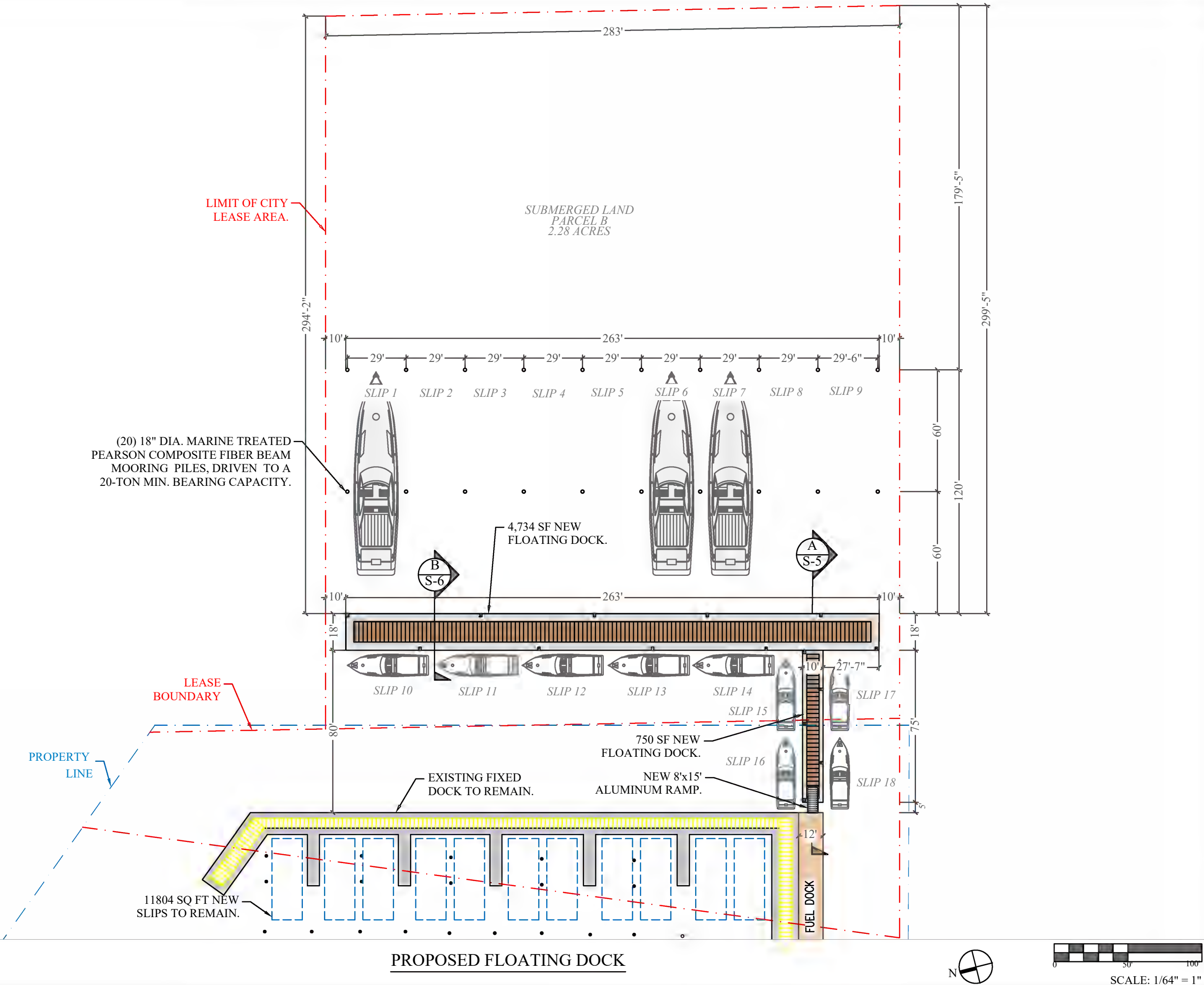
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PROJECT: 18-8300

PROPOSED CONDITIONS

SCALE : AS SHOWN
SHEET NO.

S-4



GROVE HARBOR
MARINA MED-MOOR
EXPANSION PROJECT

Coconut Grove, Florida

CLIENT:

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PERMIT DRAWINGS

Issue # Issue Date

- | | |
|---|------------------|
| ① | January 28, 2019 |
| ② | June 17, 2019 |

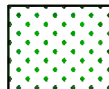
PROJECT: 18-8300

PROPOSED CONDITIONS
W/ SEAGRASS IMPACT
OVERLAY.

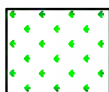
SCALE : AS SHOWN
SHEET NO.

S-4.1

KEY:

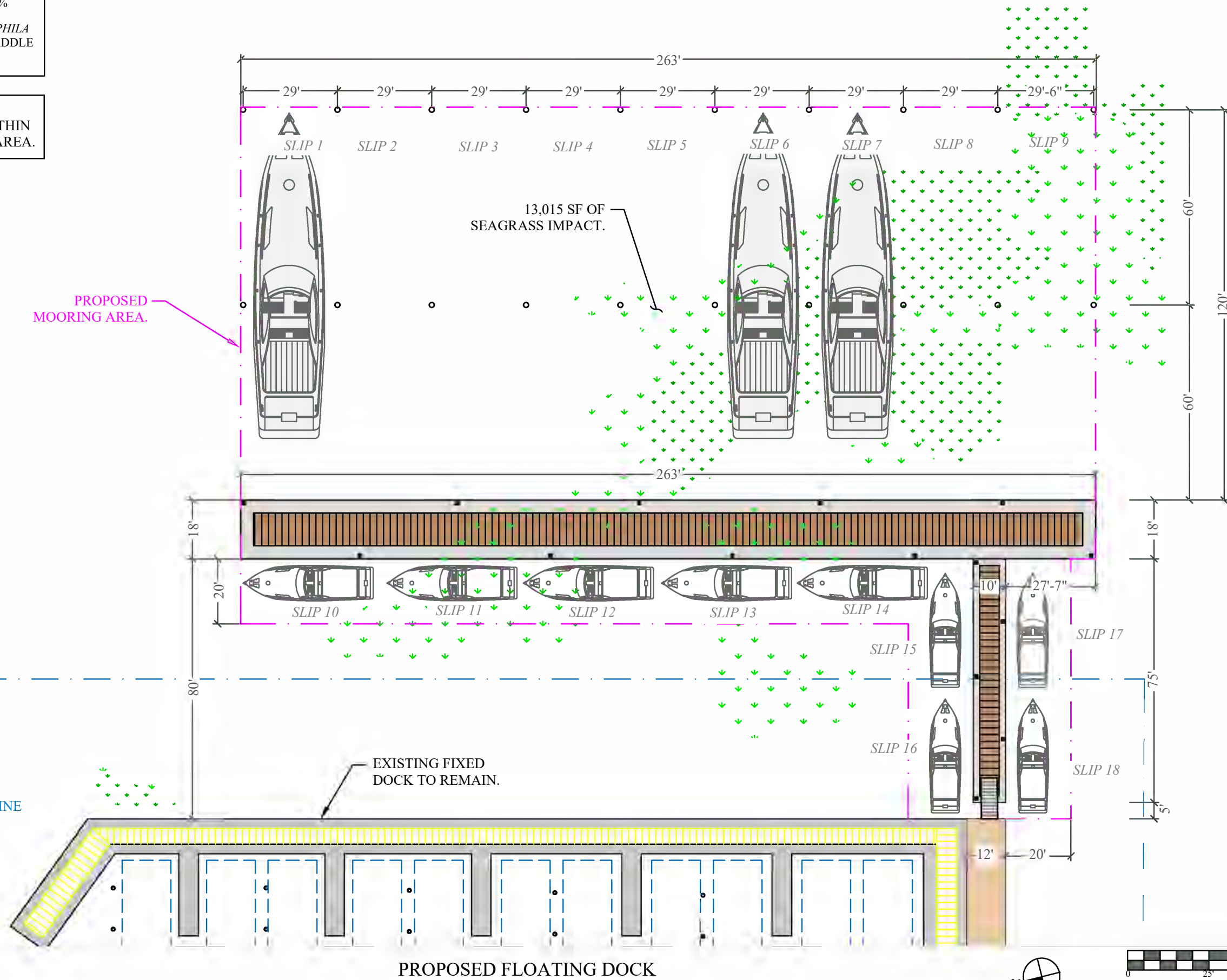


DENSE *HALOPHILA*
DECIPIENS (PADDLE
GRASS) - 50-75%



SPARSE *HALOPHILA*
DECIPIENS (PADDLE
GRASS) - <10%

NOTE: TOTAL 13,015 SF
SEAGRASS IMPACT WITHIN
PROPOSED MOORING AREA.



GROVE HARBOR
MARINA MED-MOOR
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Coconut Grove, Florida

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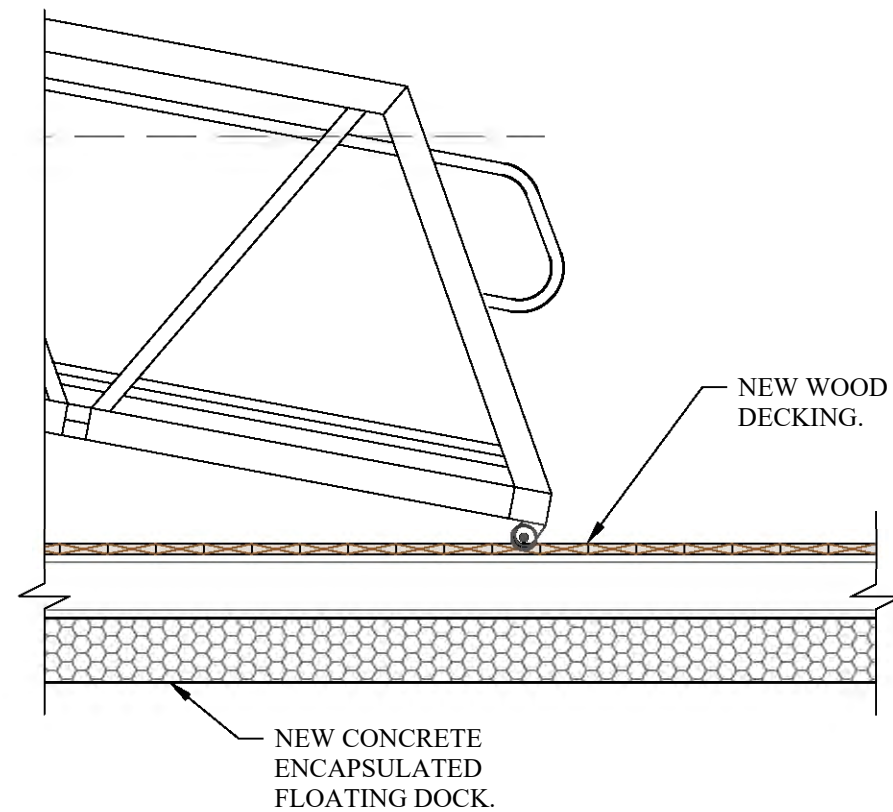
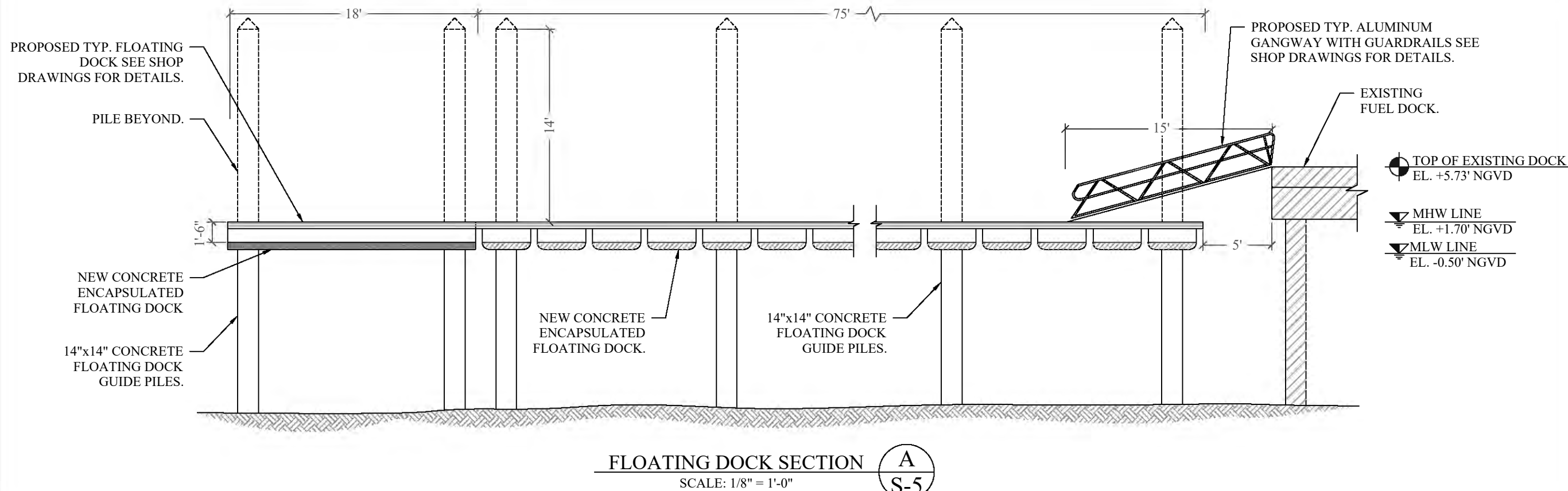
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PROJECT: 18-8300

TYPICAL ALUMINIUM
GRANGWAY SECTION

SCALE : AS SHOWN
SHEET NO.

S-5



FLOATING DOCK CONNECTION DETAIL 1
SCALE: 1/2" = 1'-0" S-5

(6) 1/2" DIA., 5 1/2" LONG S.S. WEDGE ANCHORS
REQUIRED WITH 7" MINIMUM ALLOWABLE
SPACING AND EDGE DISTANCE.

CONCRETE DOCK.

UPLANDS

DOCK CONNECTION DETAIL 2
SCALE: 1/2" = 1'-0" S-5

GROVE HARBOR
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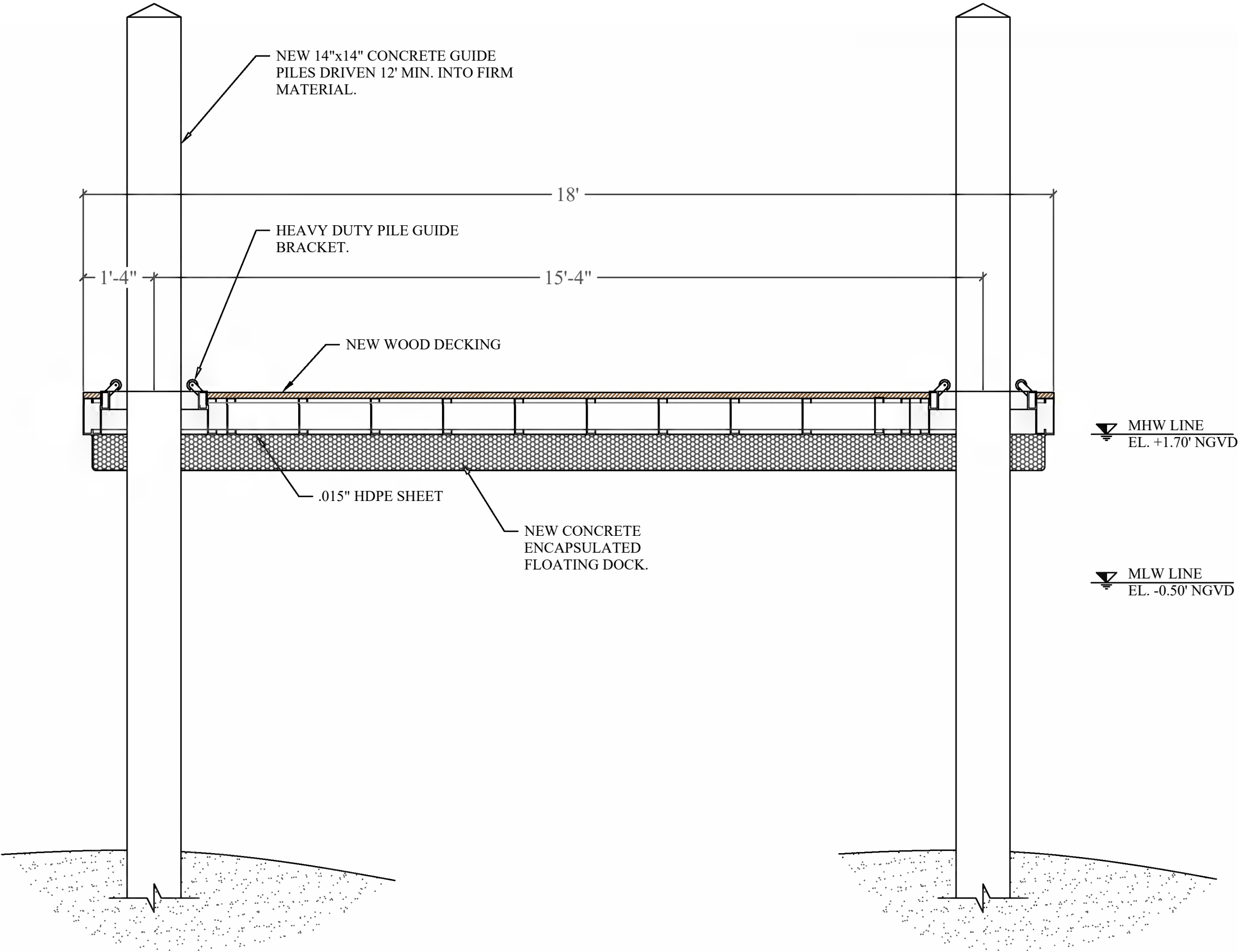
PERMIT DRAWINGS

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PROJECT: 18-8300

TYPICAL FLOATING
DOCK SECTION

SCALE : AS SHOWN
SHEET NO.



TYP. FLOATING DOCK SECTION **B**
SCALE: 1/2" = 1'-0" **S-6**

GROVE HARBOUR MARINA
SUBMERGE LAND PARCEL "A"

EXISTING DOCK

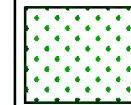
AREA 1

MOORED YACHT

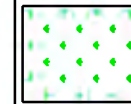
PROPERTY LINE

AREA 1 SURVEYED JUNE 6 2018

KEY:



DENSE *HALOPHILA DECIPENS* (PADDLE GRASS) - 50-75%



SPARSE *HALOPHILA DECIPiens* (PADDLE GRASS) - <10%

NOTES:

AREA 1 MARINE RESOURCE SURVEY CONDUCTED BY OCEAN CONSULTING ON JUNE 6, 2018.

AREA 2 MARINE RESOURCE SURVEY CONDUCTED BY OCEAN CONSULTING ON JANUARY 31, 2019.



AREA 1: MODERATELY DENSE PADDLE GRASS



AREA 2: DENSE PADDLE GRASS

AREA 2

AREA 2 SURVEYED JANUARY 30 2019

MARINE RESOURCE SURVEY

GROVE HARBOR
MARINA MED-MOOR
EXPANSION PROJECT

Coconut Grove, Florida

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CONTRACTOR:

PROJECT ENGINEER:

DYNAMIC ENGINEERING
SOLUTIONS, INC.

950 N. Federal Highway, Suite 212
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SEAL / SIGNATURE / DATE

John Omslaer
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PERMIT DRAWINGS

Issue #	Issue Date
①	January 28, 2019
②	January 31, 2019

PROJECT: 18-8300

MARINE RESOURCE
DISTRIBUTION MAP

SCALE : AS SHOWN
SHEET NO.

MR