

# MIAMI BEACH

## COMMISSION MEMORANDUM

TO: Honorable Mayor and Members of the City Commission

FROM: Eric Carpenter, City Manager

DATE: February 3, 2025

TITLE: REFERRAL TO THE FINANCE AND ECONOMIC RESILIENCY COMMITTEE TO DISCUSS NEXT STEPS TO ESTABLISH A MARINE PARK OR CONSERVATION AREA IN SOUTH BEACH.

### **RECOMMENDATION**

The Administration recommends referring this item to the Finance and Economic Resilience Committee (FERC) as the potential creation of a marine park or conservation area would require extensive environmental regulatory review and approval. While waters off the Miami Beach Coast are home to a diverse marine ecosystem, sufficient funding for the design and permitting process, capital construction, and operations and enforcement of the area will be required. The Administration recommends that \$250,000 be prioritized in the FY 2026 budget process for the design and permitting phase.

### **BACKGROUND/HISTORY**

At the June 26, 2024 City Commission meeting, item C7 BE Resolution No. 2024-33137 (Attachment A) was approved directing the Administration to prepare a Letter to Commission describing the necessary regulatory approvals and explore the feasibility of creating a Miami Beach Marine Park or Marine Conservation Area from South Pointe Pier to Sixteenth Street. The item was sponsored by Commissioner Laura Dominguez and co-sponsored by Commissioners David Suarez, and Tanya K. Bhatt.

On September 23, 2024, the City Administration provided Letter to Commission, LTC # 419-2024, (Attachment B) detailing the environmental regulatory approvals that would be required for the potential creation of the project.

At the October 30, 2024 City Commission meeting, the Mayor and City Commission approved C4 AI, a referral to the Public Safety and Quality of Life Committee (PSNQLC), to discuss the next steps for assessing the feasibility, safety, and funding needs for the potential creation of a marine park or conservation area in South Beach, sponsored by Commissioners Laura Dominguez and co-sponsored by Commissioners David Suarez, Tanya K. Bhatt and Joseph Magazine (Attachment C).

At the December 13, 2024 PSNQLC, the Committee provided a favorable recommendation to transmit this item to Commission for a referral to the Finance and Economic Resilience Committee (FERC) to discuss next steps to establish a Marine Park or Conservation Area in South Beach. The item is sponsored by Commissioners Laura Dominguez and co-sponsored by Commissioners David Suarez, Tanya K. Bhatt and Joseph Magazine (Attachment D).

### **ANALYSIS**

The City of Miami Beach is committed to the preservation, protection, and enhancement of our natural resources. The waters off the Miami Beach coast are home to a diverse marine ecosystem consisting of endangered sea turtles utilizing our beaches as nesting habitats, a variety of tropical fish, nurse sharks, endangered queen conch, seahorses, various hard corals, and reef systems. Community advocates have highlighted the desire to protect these environmental resources through the creation of a marine park or a marine conservation area. While there is an existing boating-restricted area demarcated by current buoys, the creation of a marine park or marine conservation area may cover a new large 16-block area currently utilized by boaters. The area would need review, approval, and permitting from the environmental regulatory agencies, capital funding, and operational and enforcement support as detailed in Attachment B.

### Design and Permitting

Due to the environmental agencies' collective requirement for comprehensive plans detailing the marine park or conservation area design, a consultant familiar with marine and coastal engineering and permitting would need to be engaged to develop the plans and navigate the environmental permitting process. It is estimated that engaging a marine and coastal environmental consultant may cost up to \$250,000 for design and permitting of the project. The cost of construction will vary based on the amount of structures such as swim and mooring buoys proposed to be installed, and the scope of the selected consultant would include construction estimates at several points during the design process.

### Operations/Enforcement

Enforcement and swimmer/ diver safety are critical aspects of managing a marine park or conservation area as regulations ensure the objectives of the area are met. Enforcement of the area would require coordination across multiple departments and divisions, such as Marine Patrol, Ocean Rescue, and Parks & Recreation. To assist with the operation and enforcement, it's recommended that the following measures be established:

- Clear boundaries for the park or conservation area
- Specify any zoning and/or usage restrictions
- A penalty system for violations

The proposed area is highly trafficked by vessels making staffing enhancements crucial to park operations and enforcement. A preliminary scoping meeting was held with departments and funding needs were identified for enforcement including staff salaries, patrol equipment, and operational costs. Per conversations with Marine Patrol, a minimum of one (1) vessel and associated staff would be required seven (7) days a week during daytime hours to monitor and enforce the park. Ocean Rescue advised they would require two additional boats and personal watercrafts, and additional staffing to address the area. Moreover, enhanced staffing for these departments would be needed to address parkgoers entering the marine park from the beachside and from the oceanside. It's important to note that the above staffing and vessel requirements could change depending on the size of the park. In addition, an educational period, including staff and local stakeholder training, would be required to learn and convey the rules of the park.

An element of the design process would need to include a minimum of a five- or ten-year operational plan for the park to include maintenance requirements and associated costs. Yearly funds would need to be set aside in the budget process for marker/buoy inspections and perpetual maintenance including repair/replacement of any damaged structures.

Engagement with the community will be needed to provide education and awareness. This is important for local support and voluntary compliance, and public feedback which could aid in the design and permitting process.

### **FISCAL IMPACT STATEMENT**

As a capital project, the marine park would require design, permitting, and construction. Administration recommends that \$250,000 be prioritized in the FY 2026 budget process for the

design and permitting phase. As an operational park, it would need and operational, maintenance and enforcement planning.

**Does this Ordinance require a Business Impact Estimate?**

(FOR ORDINANCES ONLY)

If applicable, the Business Impact Estimate (BIE) was published on:

See BIE at: <https://www.miamibeachfl.gov/city-hall/city-clerk/meeting-notice/>

**FINANCIAL INFORMATION**

**CONCLUSION**

The Administration recommends referring this item to the Finance and Economic Resilience Committee (FERC) as the potential creation of a marine park or conservation area would require extensive environmental regulatory review and approval. While waters off the Miami Beach Coast are home to a diverse marine ecosystem, sufficient funding for the design and permitting process, capital construction, and operations and enforcement of the area will be required. The Administration recommends that \$250,000 be prioritized in the FY 2026 budget process for the design and permitting phase.

**Applicable Area**

South Beach

**Is this a “Residents Right to Know” item, pursuant to City Code Section 2-17?**

Yes

**Is this item related to a G.O. Bond Project?**

No

**Was this Agenda Item initially requested by a lobbyist which, as defined in Code Sec. 2-481, includes a principal engaged in lobbying?** No

If so, specify the name of lobbyist(s) and principal(s):

**Department**

Environment and Sustainability

**Sponsor(s)**

Commissioner Laura Dominguez  
Commissioner David Suarez  
Commissioner Tanya Bhatt  
Commissioner Joe Magazine

**Co-sponsor(s)**

**Condensed Title**

Ref: FERC - Next Steps to Establish Marine Park/Conservation Area in S Beach.  
(LD/DS/TB/JM) EN

**Previous Action (For City Clerk Use Only)**