

NB 8. REFERRAL TO THE FINANCE AND ECONOMIC RESILIENCY COMMITTEE TO DISCUSS NEXT STEPS TO ESTABLISH A MARINE PARK OR CONSERVATION AREA IN SOUTH BEACH.

Applicable Area:

MIAMI BEACH

COMMITTEE MEMORANDUM

TO: Finance and Economic Resiliency Committee Members

FROM: Eric Carpenter, City Manager

DATE: May 7, 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 the Finance and Economic Resilience Committee (FERC) discuss the potential creation of a marine park or conservation area which 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).

At the February 3, 2025 City Commission meeting, the Mayor and City Commission approved C4 AH, a referral to the Finance and Economic Resilience Committee (FERC), 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, Commissioners David Suarez, Tanya K. Bhatt and Joseph Magazine (Attachment E).

ANALYSIS

The City of Miami Beach is committed to the preservation, protection, and enhancement of 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 them 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. In addition, the Reefline project, funded by the 2022 Miami Beach General Obligation Bond for Art and Culture, will exist within the boundaries of the proposed marine park or conservation area and will require many of the same safety considerations. An operational plan should be developed in collaboration with the Reefline team that accounts for the support and life safety needs of both the marine park or conservation area and the Reefline.

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, construction and ongoing management. In order to complete the design and permitting phase, the Administration recommends that \$250,000 be prioritized in the FY 2026 budget process. Additional capital and operational fiscal estimates would need to be determined through the design and permitting process.

Does this Ordinance require a Business Impact Estimate? (FOR ORDINANCES ONLY)

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 the Committee discuss the financial commitment of the City to create of a marine park or conservation area. This would require \$250,000 in the FY 2026 budget process for the design and permitting phase. During this phase, the capital project estimate would be developed and a management plan to outline the oversight, operational, and enforcement requirements which is anticipated to have resource needs for many departments such as Ocean Rescue, Marine Patrol, Parks, and Environment & Sustainability.

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 K. Bhatt
Commissioner Joseph Magazine

Co-sponsor(s)

Condensed Title

Ref: FERC Next Steps to Establish Marine Park/Conservation Area in South Beach.
(Dominguez/Suarez/Bhatt/Magazine) EN

RESOLUTION NO. 2024-33137

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, DIRECTING THE CITY ADMINISTRATION TO PREPARE A LETTER TO COMMISSION ON OR BEFORE SEPTEMBER 30, 2024, DESCRIBING THE NECESSARY REGULATORY APPROVALS AND FEASIBILITY OF CREATING A MIAMI BEACH MARINE PARK OR MARINE CONSERVATION AREA FROM SOUTH POINTE PIER TO SIXTEENTH STREET.

WHEREAS, the Miami Beach shoreline just beyond the swimming buoys from South Pointe Pier to Sixteenth Street and extending for up to 1600 feet from the shore is home to nurse sharks, endangered green sea turtles, endangered queen conch, seahorses, endless schools of tropical fish, and an impressive mix of hard coral, some of which is endangered; and

WHEREAS, the Miami Herald recently featured a front-page story dedicated to this little-known ecosystem just off the City's shores. The article can be accessed at <https://ca.news.yahoo.com/underwater-jewel-lies-just-off-093000365.html>; and

WHEREAS, this rare and fragile component of the City's natural resources could become a valuable asset if protected with adequate safeguards and could attract residents and desirable ecotourists who could provide an economic boost as they stay in our hotels, eat in our restaurants, and charter dive shops in the area; and

WHEREAS, advertising billboard vessels as well as recreational boaters often traverse the area where this nascent reef and ecosystem exist, sometimes dragging anchors and sometimes endangering snorkelers and divers that the City wishes to encourage to visit and enjoy the reef; and

WHEREAS, the Mayor and City Commission desire for the City Administration to explore the regulatory approvals necessary, and the feasibility of, creating a Miami Beach Marine Park or Marine Conservation Area from South Pointe Pier to Sixteenth Street, with the understanding that the role of the City may be to advocate for such a park or conservation area with Miami-Dade County and State of Florida agencies.

NOW, THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, that the Mayor and City Commission hereby direct the City Administration to prepare a Letter to Commission on or before September 30, 2024, describing the necessary regulatory approvals and feasibility of creating a Miami Beach Marine Park or Marine Conservation Area from South Pointe Pier to Sixteenth Street.

PASSED and ADOPTED this 26 day of June, 2024.

ATTEST:

[Handwritten signature]

JUL - 3 2024

Rafael E. Granado, City Clerk

(sponsored by Commissioner Laura Dominguez, co-sponsored by Commissioner David Suarez)

Co-Sponsored by Commissioner Tanya K. Bhatt

[Handwritten signature: Steven Meiner]

Steven Meiner, Mayor

APPROVED AS TO FORM & LANGUAGE & FOR EXECUTION



[Handwritten signature]

City Attorney

6/10/2024

Date

Resolutions - C7 BE

MIAMI BEACH

COMMISSION MEMORANDUM

TO: Honorable Mayor and Members of the City Commission
FROM: City Attorney Ricardo J. Dopko

DATE: June 26, 2024

TITLE: A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, DIRECTING THE CITY ADMINISTRATION TO PREPARE A LETTER TO COMMISSION ON OR BEFORE SEPTEMBER 26, 2024, DESCRIBING THE NECESSARY REGULATORY APPROVALS AND FEASIBILITY OF CREATING A MIAMI BEACH MARINE PARK OR MARINE CONSERVATION AREA FROM SOUTH PONTE PIER TO SIXTEENTH STREET.

ANALYSIS

This Resolution is presented for consideration by the Mayor and City Commission by the sponsor, Commissioner Laura Dominguez. It is cosponsored by Commissioner David Suarez.

FISCAL IMPACT STATEMENT

N/A

Applicable Area

Citywide

Is this a "Residents Right to Know" item, pursuant to City Code Section 2-177? No Yes

Is this item related to a G.O. Bond Project? No Yes

No

No

Was this Agenda Item initially requested by a lobbyist which, as defined in Code Sec. 2-461, includes a principal engaged in lobbying? No

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

Department

City Attorney

City Attorney

Sponsor(s)

Commissioner Laura Dominguez

Cosponsor(s)

Commissioner David Suarez

MIAMI BEACH

OFFICE OF THE CITY MANAGER

LTC # 419-2024

LETTER TO COMMISSION

TO: Honorable Mayor Steven Meiner and Members of the City Commission
FROM: Eric Carpenter, City Manager *Eric Carpenter*
DATE: September 23, 2024
SUBJECT: UPDATE ON THE MIAMI BEACH MARINE PARK OR MARINE CONSERVATION AREA EXPLORATION

The purpose of this Letter to Commission (LTC) is to update the Mayor and City Commission on the coordination efforts to explore the feasibility of creating a Miami Beach Marine Park or Marine Conservation Area in South Beach and the necessary regulatory approvals.

On June 26, 2024, the Mayor and City Commission approved Resolution No. 2024-33137 directing the City Administration to prepare a Letter to Commission describing the necessary regulatory approvals and feasibility of creating a Miami Beach Marine Park or Marine Conservation Area from South Pointe Pier to Sixteenth Street (attached).

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, vibrant coral beaches, seagrass meadows, a variety of tropical fish, nurse sharks, endangered queen conch, seahorses, various hard corals and reef system. While there is an existing boating restricted area demarcated by existing buoys, the creation of a marine park or marine conservation area would need review, approval, and permitting from the environmental regulatory agencies.

Environmental Regulatory Background

The Environment & Sustainability Department reached out directly to regulatory agencies for further detailed information, specifically the Miami-Dade County Division of Environmental Resources Management (DERM), Florida Fish and Wildlife Conservation Commission (FWC), Florida Department of Environmental Protection (FDEP), U.S. Coast Guard (USCG), and U.S. Army Corps of Engineers (USACE) for regulatory feedback.

- DERM advised that a Class 1 Permit and application would be required for the proposed buoys to create a marine park. It's important to note that this would apply to any other proposed structures to assist with the creation of a marine park or similar conservation area. They would need assurance that the natural reefs would not be impacted by the park creation and operation. In addition, maintenance of the buoys or any piles proposed in proximity would be a condition of the Class 1 permit. Unless a structure is proposed, DERM would not be able to memorialize the area for a certain use.
- FWC did not express major concerns about a proposed marine park or similar area off the coast of Miami Beach and stated they would review the proposed Marine Park during the permitting process and provide feedback on any proposed structures associated with the Marine Park. It's important to note that FWC is a commenting agency for FDEP and provides comments to FDEP through the regulatory process on specific projects.

RESOLUTION NO. 2024-33137

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, DIRECTING THE CITY ADMINISTRATION TO PREPARE A LETTER TO COMMISSION ON OR BEFORE SEPTEMBER 30, 2024, DESCRIBING THE NECESSARY REGULATORY APPROVALS AND FEASIBILITY OF CREATING A MIAMI BEACH MARINE PARK OR MARINE CONSERVATION AREA FROM SOUTH PONTE PIER TO SIXTEENTH STREET.

WHEREAS, the Miami Beach shoreline just beyond the extending buoys from South Ponte Pier to Sixteenth Street and extending for up to 1600 feet from the shore is home to nurse sharks, endangered green sea turtles, endangered queen conch, sea turtles, endless schools of tropical fish, and an impressive mix of hard coral, some of which is endangered; and

WHEREAS, the Miami Herald recently featured a front-page story dedicated to this little-known ecosystem just off the City's shores. The article can be accessed at <https://www.miamiherald.com/news/local/community/miami-beach/article20240621.html> and

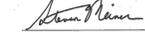
WHEREAS, this rare and fragile component of the City's natural resources could become a valuable asset if protected with adequate safeguards and could attract residents and desirable tourists who could provide an economic boost as they stay in our hotels, eat in our restaurants, and charter dive shops in the area; and

WHEREAS, advertising billboard vessels as well as recreational boaters often traverse the area where fish resource reef and ecosystems exist, sometimes dragging anchors and sometimes endangering snorkelers and divers that the City wishes to encourage to visit and enjoy the reef; and

WHEREAS, the Mayor and City Commission desire for the City Administration to explore the regulatory approvals necessary and the feasibility of creating a Miami Beach Marine Park or Marine Conservation Area from South Ponte Pier to Sixteenth Street, with the understanding that the role of the City may be to advocate for such a park or conservation area with Miami-Dade County and State of Florida agencies.

NOW, THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, that the Mayor and City Commission hereby direct the City Administration to prepare a Letter to Commission on or before September 30, 2024, describing the necessary regulatory approvals and feasibility of creating a Miami Beach Marine Park or Marine Conservation Area from South Ponte Pier to Sixteenth Street.

PASSED AND ADOPTED this 26th day of June 2024.

ATTEST: 
Steven Meiner, Mayor


Rafael E. Gonzalez, City Clerk
(sponsored by Commissioner Laura Dominguez,
co-sponsored by Commissioner David Suarez)
Co-Sponsored by Commissioner Tays K. Whit

APPROVED AS TO FORM & LANGUAGE
BY THE CITY CLERK

City Clerk  Date

Resolutions - CT BE

MIAMI BEACH

COMMISSION MEMORANDUM

TO: Honorable Mayor and Members of the City Commission
FROM: City Attorney Ricardo J. Dajaco

DATE: June 28, 2024

TITLE: A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, DIRECTING THE CITY ADMINISTRATION TO PREPARE A LETTER TO COMMISSION ON OR BEFORE SEPTEMBER 30, 2024, DESCRIBING THE NECESSARY REGULATORY APPROVALS AND FEASIBILITY OF CREATING A MIAMI BEACH MARINE PARK OR MARINE CONSERVATION AREA FROM SOUTH POINTE PIER TO SIXTEENTH STREET.

ANALYSIS

This Resolution is presented for consideration by the Mayor and City Commission by the sponsor, Commissioner Laura Dominguez. It is cosponsored by Commissioner David Suarez.

FISCAL IMPACT STATEMENT

N/A

Applicable Area

Citywide

Is this a "Standards Right to Know" item, pursuant to City Code Section 3-117?	Is this item related to a G.O. Bond Project?
No	No

No

Why this Agenda Item initially requested by a lobbyist which, as defined in Code Sec. 2-411, includes a principal engaged in lobbying? No

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

Department

City Attorney

Sponsored

Commissioner Laura Dominguez

Co-sponsors

Commissioner David Suarez

MIAMI BEACH

COMMISSION MEMORANDUM

TO: Honorable Mayor and Members of the City Commission
FROM: Commissioner Laura Dominguez
DATE: October 30, 2024
TITLE: REFERRAL TO THE PUBLIC SAFETY AND NEIGHBORHOOD QUALITY OF LIFE COMMITTEE TO DISCUSS NEXT STEPS TO ESTABLISH A MARINE PARK OR CONSERVATION AREA IN SOUTH BEACH.

RECOMMENDATION

BACKGROUND/HISTORY

Please refer a discussion to the Public Safety and Neighborhood Quality of Life Committee ("PSNQLC") to discuss next steps for assessing the feasibility, safety, and funding needs for the potential creation of the Marine Park Project.

On September 23, 2024, the City Administration promulgated an LTC, pursuant to direction contained in Resolution No. 2024-33137, addressing initial exploration of the feasibility for the potential creation of the Marine Park Project. Both the Resolution and the LTC are attached to this item.

I would like to discuss the LTC and potential next steps with my colleagues and the Administration.

ANALYSIS

FISCAL IMPACT STATEMENT

N/A

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

Applicable Area

Citywide

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): N/A

Department

Office of Commissioner Laura Dominguez

Sponsor(s)

Commissioner Laura Dominguez

Co-sponsor(s)

Commissioner David Suarez
Commissioner Tanya K. Bhatt
Commissioner Joseph Magazine

Condensed Title

Ref: PSNQLC - Establish Marine Park/Conservation Area in SOBE.
(Dominguez/Suarez/Bhatt/Magazine)

MIAMI BEACH

COMMITTEE MEMORANDUM

TO: Public Safety and Neighborhood Quality of Life Committee Members
FROM: Eric Carpenter, City Manager
DATE: December 2, 2024
TITLE: DISCUSS NEXT STEPS TO ESTABLISH A MARINE PARK OR CONSERVATION AREA IN SOUTH BEACH.

RECOMMENDATION

This item is presented to the members of the Public Safety and Quality of Life Committee for discussion and further direction. While waters off the Miami Beach Coast are home to a diverse marine ecosystem, the potential creation of a marine park or conservation area would require extensive environmental regulatory review and approval and sufficient funding for the design and permitting process as well as the operations and maintenance of the area. The Administration recommends that the Committee refer the item to the Finance and Economic Resilience Committee and the City Commission for \$250,000 be prioritized within the FY 2026 budget process.

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.

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 David Suarez (Attachment C).

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 habitat, a variety of tropical fish, nurse sharks, endangered queen conch, seahorses, various hard corals and reef system. 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 creation of a marine park or marine conservation area would need review, approval, and permitting from the environmental regulatory agencies 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/ 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 the 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.

Does this Ordinance require a Business Impact Estimate?

(FOR ORDINANCES ONLY)

The Business Impact Estimate (BIE) was published on .

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

FINANCIAL INFORMATION

CONCLUSION

This item is presented to the members of the Public Safety and Quality of Life Committee for discussion and further direction. While waters off the Miami Beach Coast are home to a diverse marine ecosystem, the potential creation of a marine park or conservation area would require extensive environmental regulatory review and approval and sufficient funding for the design and permitting process as well as the operations and maintenance of the area. The Administration recommends that the Committee refer the item to the Finance and Economic Resilience Committee and the City Commission for \$250,000 be prioritized within the FY 2026 budget process.

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

Co-sponsor(s)

Condensed Title

Discuss steps to establish Marine Park conservation area in South Beach. (Dominguez/Suarez)
EN

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)