



October 5, 2022

KIM HUGHES TRS HUGHES LAND HOLDING TRUST  
c/o Kim Hughes, Trustee  
22 Anacapa Street, #5  
Santa Barbara, California 93101

Re: Class I Permit Application CLI-2022-0424: KIM HUGHES TRS HUGHES LAND HOLDING TRUST – After-The-Fact Dock, Boatlift, and Mangrove Trimming located at 7111 Los Pinos Boulevard, Coral Gables, Miami-Dade County, Florida. (Folio No. 03-4132-021-1460)

Dear Mr. Hughes:

Please accept this letter in response to your submittal of a Class I permit application for the above referenced property. DERM staff has conducted a biological assessment and has the following recommendations to continue processing your permit application.

During the biological assessment, DERM staff documented an unauthorized floating work platform stored in tidal waters. The work platform cannot be stored in the water and must be removed and stored on the uplands when not in use upon receipt of this letter. **Failure to remove the floating platform from tidal waters upon receipt of this letter may result in enforcement action by DERM without further notice.**

Pursuant to the Warning Notice of Violation and Orders to Cease and Desist issued on April 22, 2022, you were given 30 days to correct the violation by submitting a complete Class I permit application for the dock, boatlift, mangrove trimming, and floating dock, or to remove the structures. During the biological assessment, staff documented that the unauthorized dock, boatlift, and floating dock remain on-site. DERM may be able to authorize the after-the-fact installation of the unpermitted structures in their current locations, provided all structures are within 25% width of the waterway (i.e. approximately 22.5 feet waterward of the Mean High Water Line). The sketches submitted do not contain enough information for staff to evaluate the scope of work. In addition, the floating dock is located in an area without adequate water depth and cannot be approved in its current location. Please make the following corrections to any future sketches. Please note, DERM recommends that corrections to sketches be provided for review and approval before signed and sealed plans are submitted. Alternatively, the structures can be removed. **Failure to submit all items necessary to complete your application or to remove the structure(s) within 30 days of receipt of this letter may result in enforcement action by DERM without further notice.**

- Page 3, Depict and label the floating dock as “unauthorized to be removed” or “after-the-fact to remain” clarify the use of the dock if proposed to remain.
- Page 3, Include dimensions of all structures.
- Page 3, Include setbacks from the property lines to all proposed structures.
- Page 3, Include the total square footage of the dock overwater.
- Page 3: Include the Mean High Water Line and the waterward distance of the dock and boatlift as measured from the Mean High Water Line.
- Include cross sections of all proposed structures.
- Include dimensions of the after-the-fact mangrove trimming and setbacks from the property lines.
- Include a cross section of the after-the-fact mangrove trimming.
- DERM documented mangroves prop roots in the slip area created by the dock, clarify if any additional trimming is proposed or if railing will be added to preclude mooring in this area.

Mitigation is also required for all impacts to mangroves, and is based on the square footage of mangrove foliage removed. Mangrove seedlings are typically planted on-site to offset impacts to resources and to create new habitat. However, due to existing site conditions, mitigation can be satisfied in the form of an off-site project or as a contribution to the Biscayne Bay Environmental Enhancement Trust Fund (BBEETF) in an amount to be determined.

Please note that on any given day, several projects are submitted and placed in a review queue for each project manager based upon the order in which they are received. Depending on queue order and workload, it can take several days for a reviewer to begin the review. Once the review is completed, and assuming the project is approvable, there are specific actions that must be taken prior to issuance of the Class I permit. While every effort is made to expedite all reviews, submittal quality is the most significant factor dictating how quickly a project is approved. The most common deficiency is incomplete or inaccurate sketches or plans. The best way to ensure the timely processing of your Class I permit application is to carefully review the Completeness Summary, including any listed sketch corrections, and submit a complete response. **Incomplete submittals will result in additional requests for information, potentially significantly delaying the processing of the Class I permit application.**

Pursuant to Section 125.022, Florida Statutes, within 30 days of the date of this letter, you are required to submit the information and items requested in the attached Completeness Summary Checklist to complete your Class I permit application.

For Class I permits that first require a quasi-judicial public hearing, the public hearing application is deemed complete when all information and items needed for that public hearing application have been submitted to DERM; this includes, but is not limited to, those items specifically identified in Section 24-48.2(II)(B) of the Code of Miami-Dade County.

For issuance of the Class I permit, regardless of whether a quasi-judicial public hearing is required, the permit application will be deemed complete when all information and items, including but not limited to those items specifically identified in Section 24-48.2 and Section 24-48.5 of the Code of Miami-Dade County, have been submitted to DERM.

If the information and items requested in the attached Completeness Summary Checklist are not provided within 30 days of this letter and the application remains incomplete, this application may be denied without prejudice in accordance with Section 125.022, Florida Statutes. If additional time is necessary, please submit a written request for an extension of time.

Attached please find a Completeness Summary detailing items required in order to complete your Class I Permit Application Package, and a State and Federal Delegated Review Checklist containing additional information and indicating additional items to be submitted prior to Class I permit issuance. If you have any questions concerning the above referenced application, please contact me at (305) 372-6579 or [juliet.ruggiero@miamidade.gov](mailto:juliet.ruggiero@miamidade.gov).

Sincerely,

A handwritten signature in cursive script that reads "Juliet Ruggiero".

Juliet A. Ruggiero, Biologist I  
Coastal Resources Section  
Division of Environmental Resources Management (DERM)

cc: Dock and Marine Construction – Authorized Permit Agent ([glarson@dockandmarine.net](mailto:glarson@dockandmarine.net))  
Jon Pempek – U.S. Army Corps of Engineers ([Jonathan.C.Pempek@usace.army.mil](mailto:Jonathan.C.Pempek@usace.army.mil))

**COMPLETENESS SUMMARY**  
**COASTAL CONSTRUCTION PERMIT APPLICATION**  
**PROJECT NO. CLI-2022-0424**

**PROJECT NAME:** KIM HUGHES TRS HUGHES LAND HOLDING TRUST

**PROJECT ADDRESS:** 7111 Los Pinos Boulevard, Coral Gables, Florida 93101

**DATE:** October 5, 2022

**PROJECT MANAGER:** Juliet Ruggiero

**THE FOLLOWING DOCUMENTS SHALL BE SUBMITTED TO CONTINUE PROCESSING YOUR PERMIT APPLICATION:**

- A complete set of revised sketches as described in the Completeness Summary Cover Letter.

**THE FOLLOWING ARE REQUIRED TO BE SUBMITTED TO COMPLETE THE APPLICATION PRIOR TO PERMIT ISSUANCE:**

- A set of plans signed and sealed by a Florida Licensed Professional Engineer.
- Structural and zoning approvals from the City of Coral Gables.
- Permit fee in the amount of \$1,440.00.
- Miami-Dade County surcharge fee in the amount of \$108.00.
- A contribution to the Biscayne Bay Environmental Enhancement Trust Fund in an amount to be determined.

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**STATE AND FEDERAL CHECKLIST**

**FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION (FDEP)**

DERM has been delegated the authority to review the proposed project and grant proprietary authorization for the use of sovereign submerged lands pursuant to an operating agreement between DERM and the FDEP.

Not applicable – City of Coral Gables

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**UNITED STATES ARMY CORPS OF ENGINEERS (USACE)**

DERM has been authorized to administer the programmatic general permit SAJ-42 in conjunction with the issuance of a Class I permit pursuant to an operating agreement with the United States Army Corps of Engineers.

DERM has reviewed the proposed work and determined that the project does not qualify for the Federal general permit (SAJ-42). Direct approval or exemption from the USACE may be required for the proposed work. Please contact the USACE at (305) 526-7181 for more information.