

A photograph of a town council meeting in progress. Several people are seated at a long wooden table, looking at documents or laptops. In the background, there is a large sign for 'Cutler Bay Florida' featuring a seagull and a sun. An American flag is also visible. The image is dimmed to allow for text overlay.

TOWN COUNCIL WORKSHOP

16-ACRE LEGACY PARK & MUNICIPAL COMPLEX
DESIGN REVIEW CONTINUATION

THURSDAY, JUNE 13, 2024

RECAP FROM LAST TOWN COUNCIL WORKSHOP

HELD ON MAY 15, 2024

- ZOOM/FACEBOOK VIDEO STREAM
- PRESS RELEASE (CUTLERBAY-FL.GOV/NEWS)
- PRESS RELEASE SOCIAL MEDIA (FACEBOOK, INSTAGRAM, TWITTER, NEXTDOOR, LINKEDIN)
- YOUTUBE VIDEO STREAM REPOST

OVER 10,000 VIEWS

TODAY'S AGENDA

1 Project Overview / Review

2 Park Elements

3 Community Center/Pool

4 Town Hall

5 Police Station

6 Pedestrian and Vehicle Access Points

- Pedestrian connections
- Public Transportation
- Existing Road Improvements

7 Brownfield Update

8 Potential Grants

- EPA Brownfield
- FEMA Hazard Mitigation
- State Appropriations
- Federal Appropriations

9 Financial Update

- Project Approach
- Design Assist Process
- Cost Savings Approach
- Value Engineering

10 Next Steps

11 Questions

PROJECT OVERVIEW / REVIEW

1

MASTER PLAN (ADOPTED VIA RESOLUTION #23-68)

CUTLER BAY LEGACY PARK ILLUSTRATIVE MASTER PLAN

LEGEND

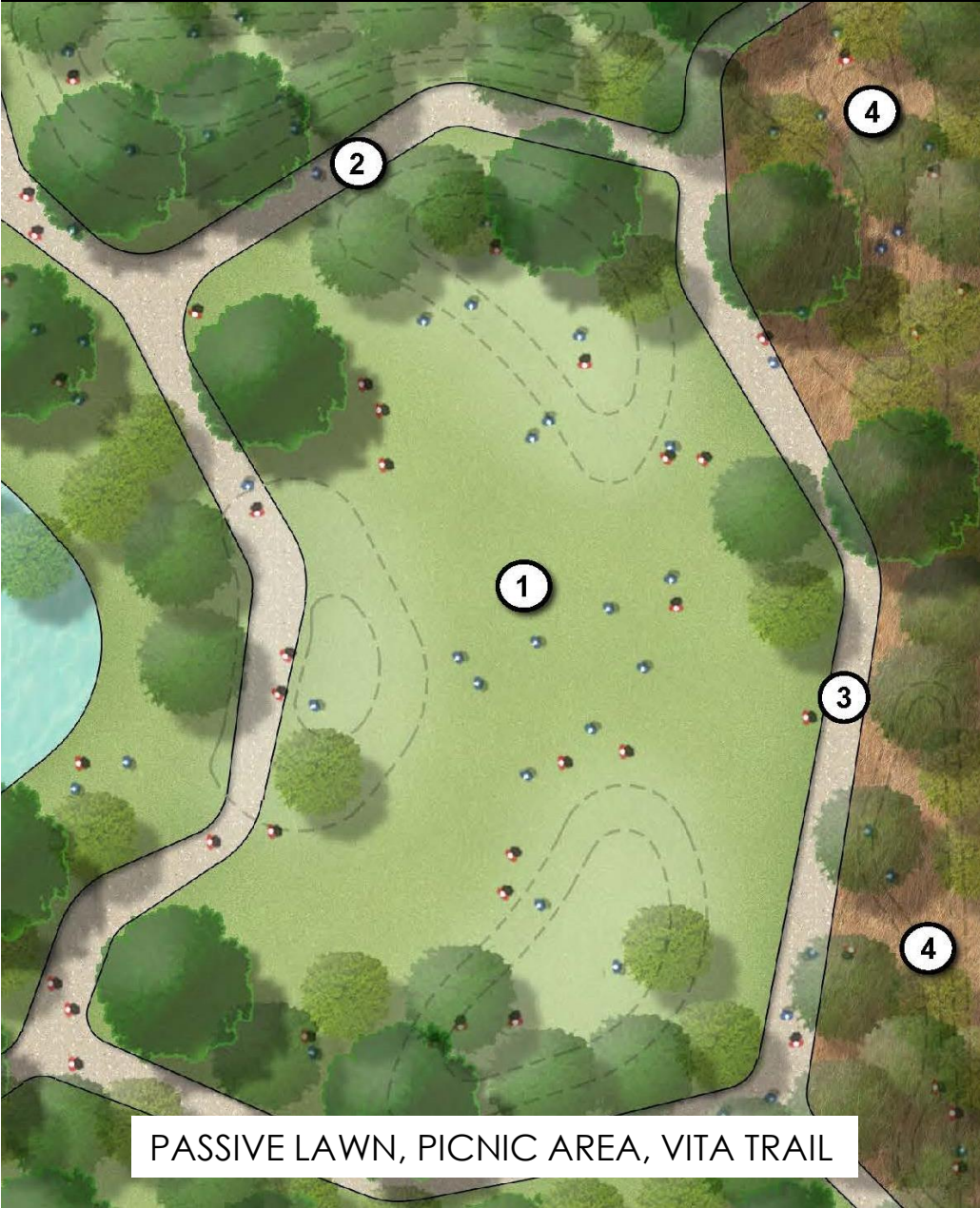
- | | | | |
|-------------------------|-----------------------------|-----------------------|-----------------------------|
| ① WETLAND (HEAD WATERS) | ⑧ COMMUNITY CENTER ARRIVAL | ⑮ "TOT LOT" PLAY AREA | ⑳ STAGE / EVENT PAVILION |
| ② WATER FEATURE | ⑨ SWIMMING POOL DECK | ⑯ FOOD TRUCK STAGING | ㉑ OPEN LAWN |
| ③ LEGACY PARK SIGNAGE | ⑩ COMMUNITY CENTER | ⑰ WETLAND SYSTEM | ㉒ PICNIC AREA |
| ④ OLD CUTLER ROAD TRAIL | ⑪ POOL FACILITY | ⑱ WETLAND BOARDWALK | ㉓ EARTH BERMING |
| ⑤ TOWN HALL | ⑫ TERRACE | ⑲ WETLAND LOOKOUTS | ㉔ MARKET / EVENT SPACE |
| ⑥ POLICE STATION | ⑬ BERMED AMPHITHEATER | ⑳ GOLF CART PARKING | ㉕ VITA TRAIL |
| ⑦ PARKING GARAGE | ⑭ INTERACTIVE WATER FEATURE | ㉑ POND | ㉖ EXISTING PUBLIX AND SHOPS |



PARK ELEMENTS

2

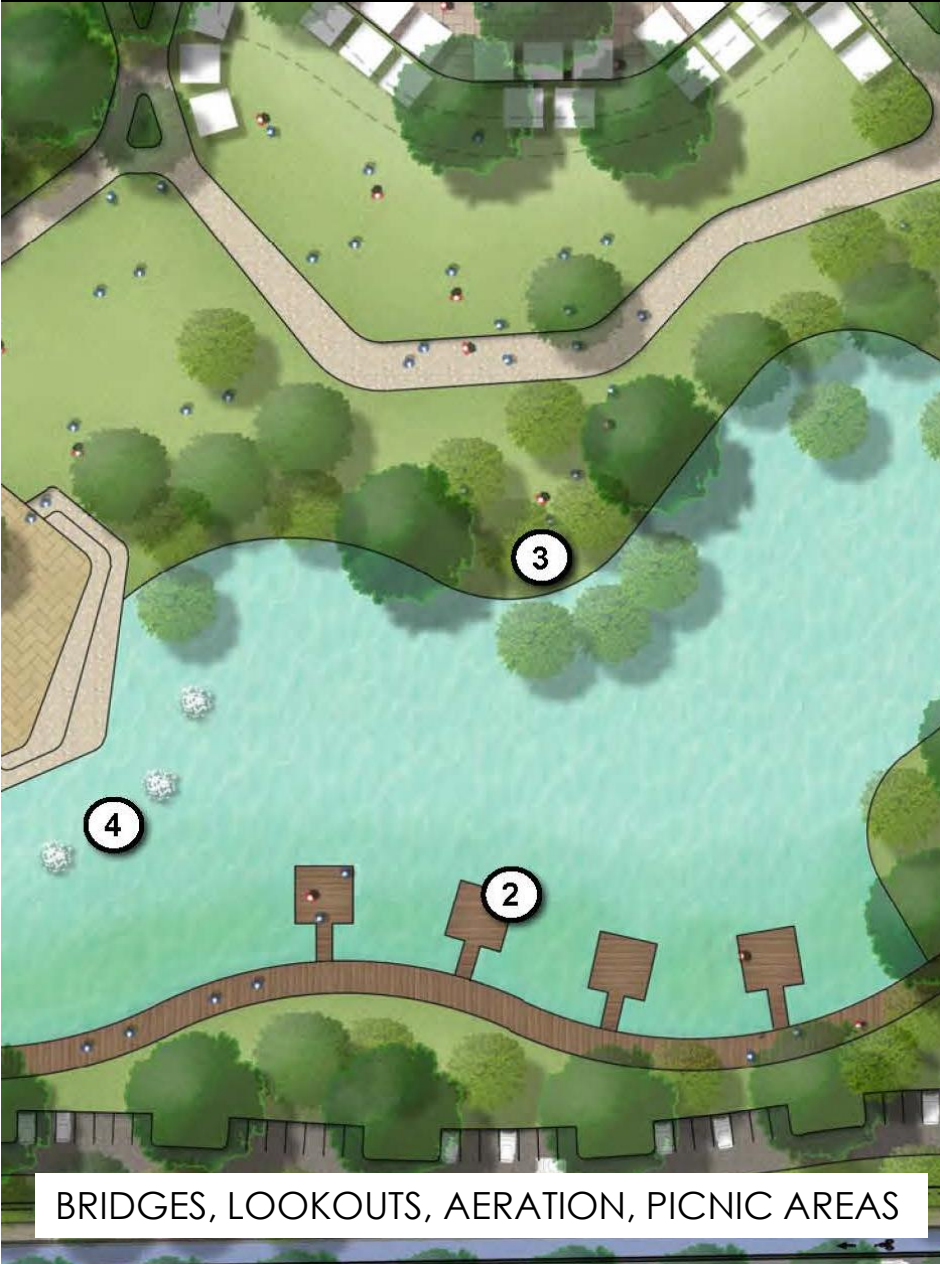
OPEN SPACE



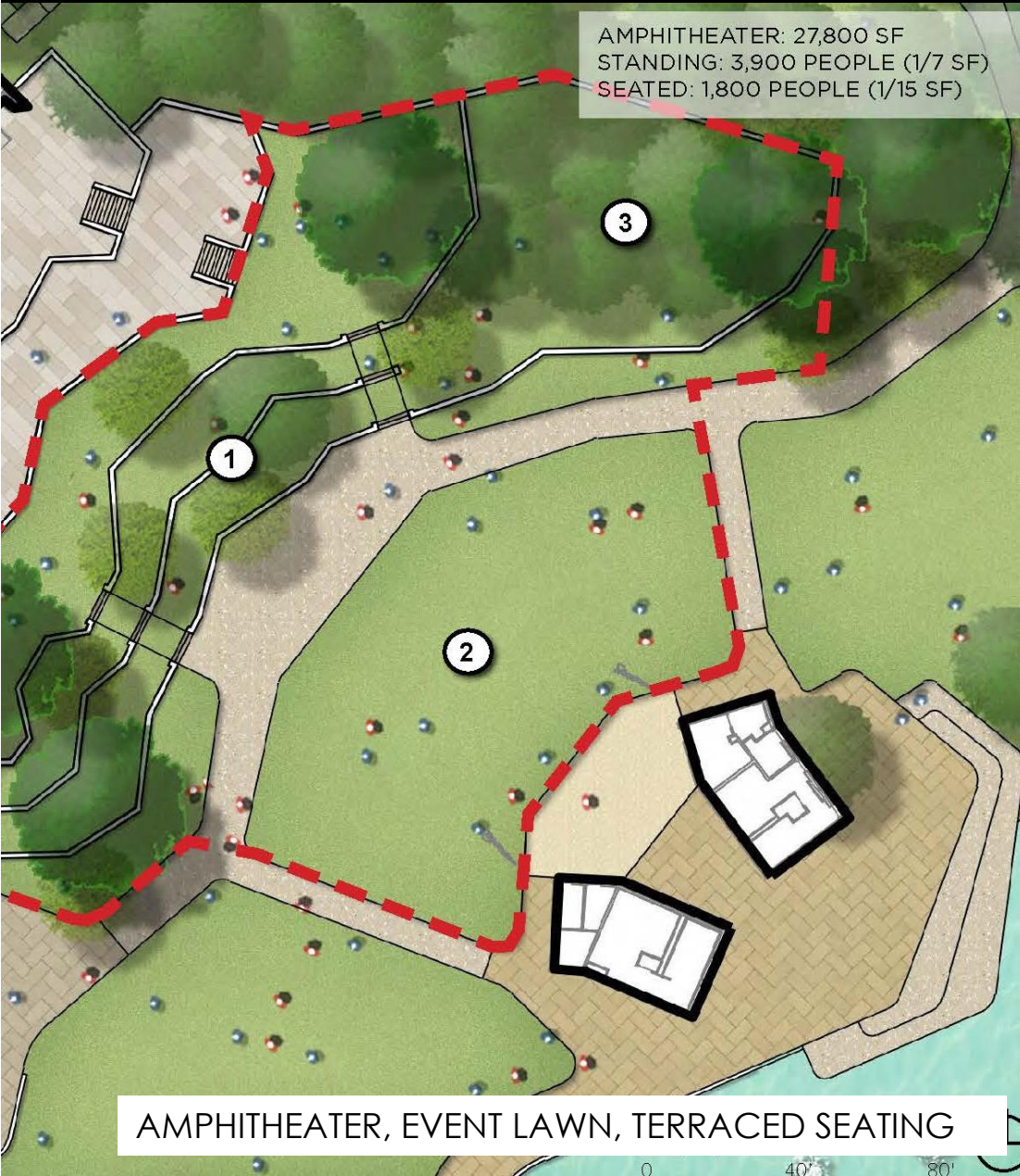
PASSIVE LAWN, PICNIC AREA, VITA TRAIL



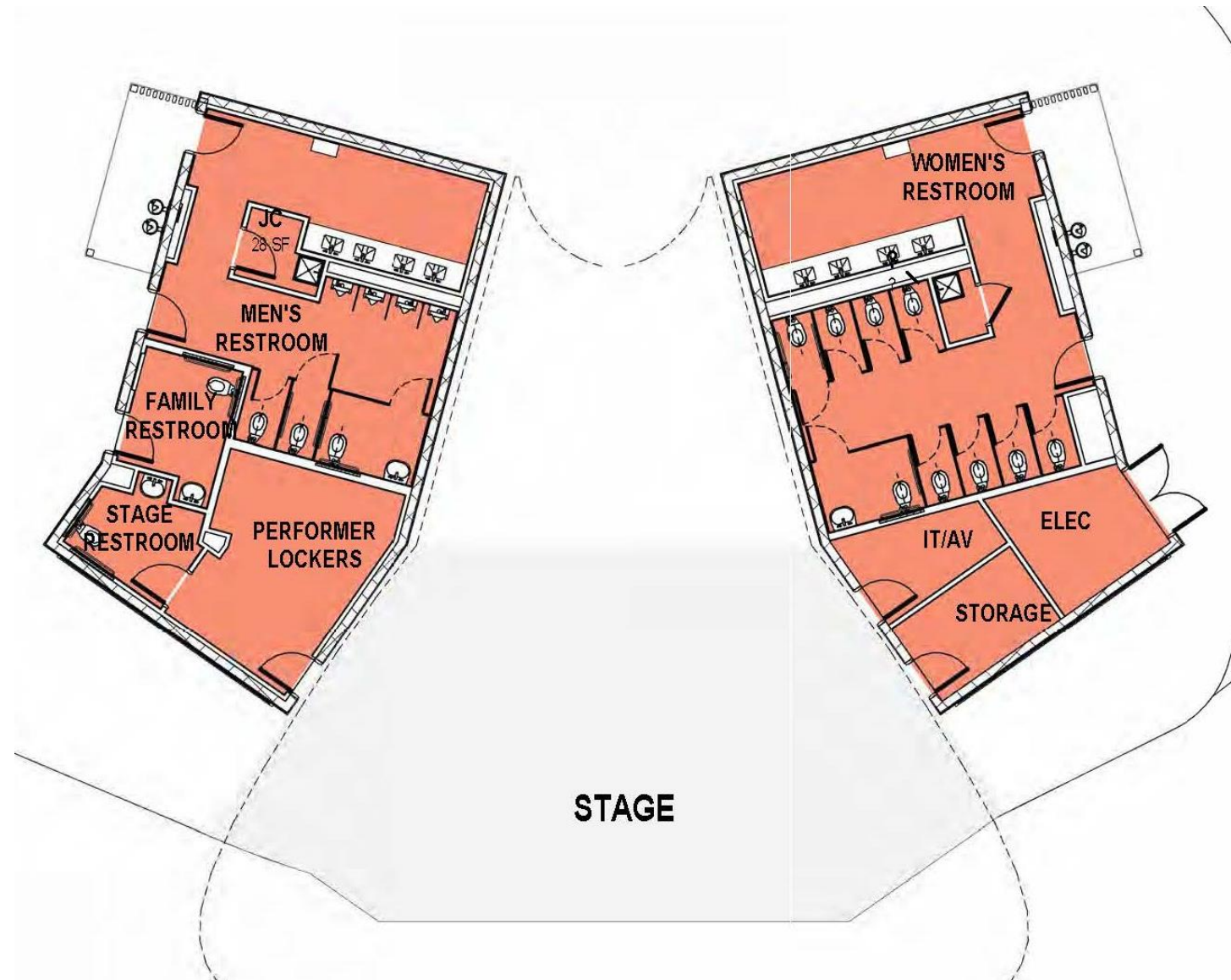
LAKE



PAVILION (LAWN)



AMPHITHEATER



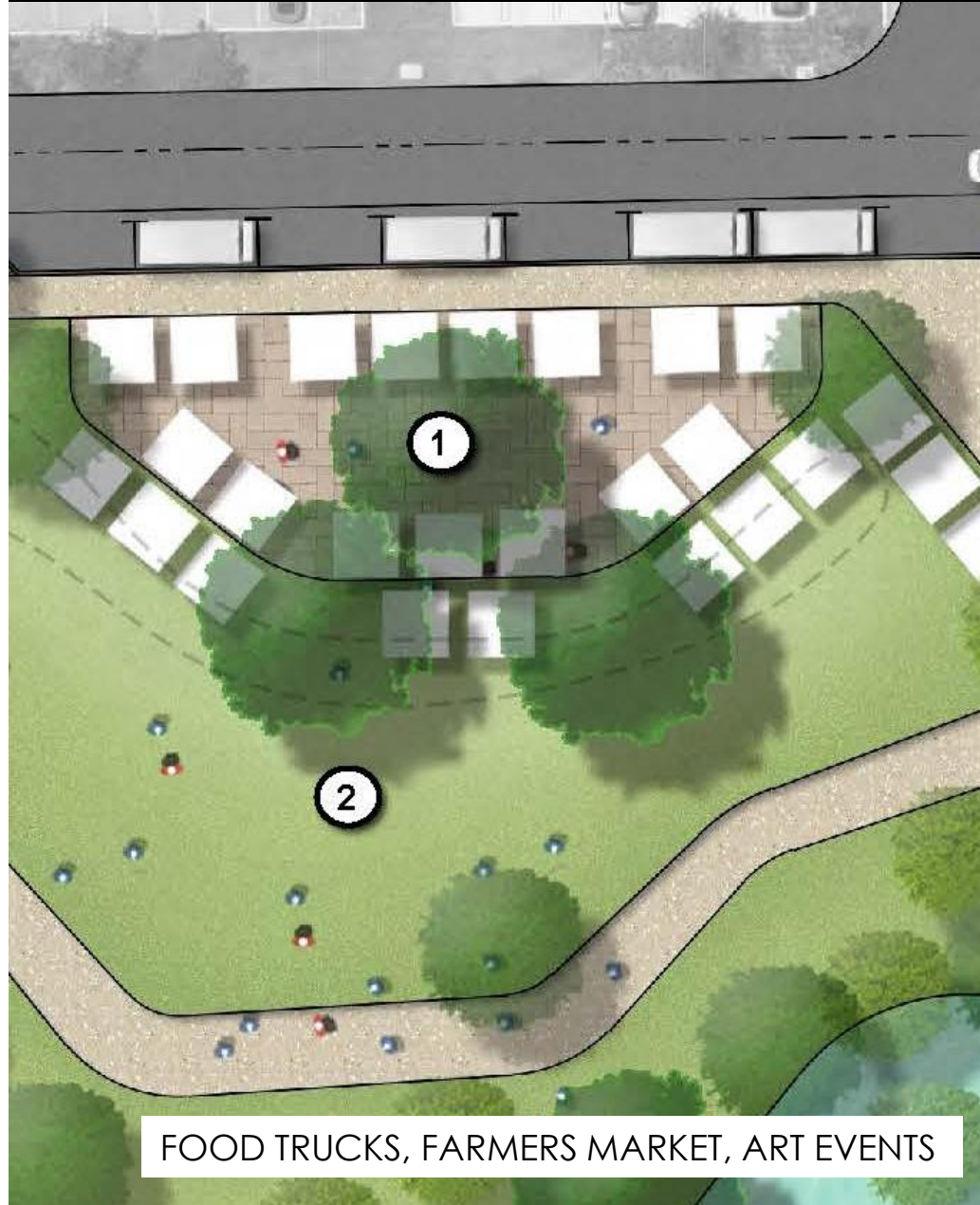
PLAYGROUND & SPLASH PAD



INTERACTIVE WATER FEATURE, PLAYGROUND



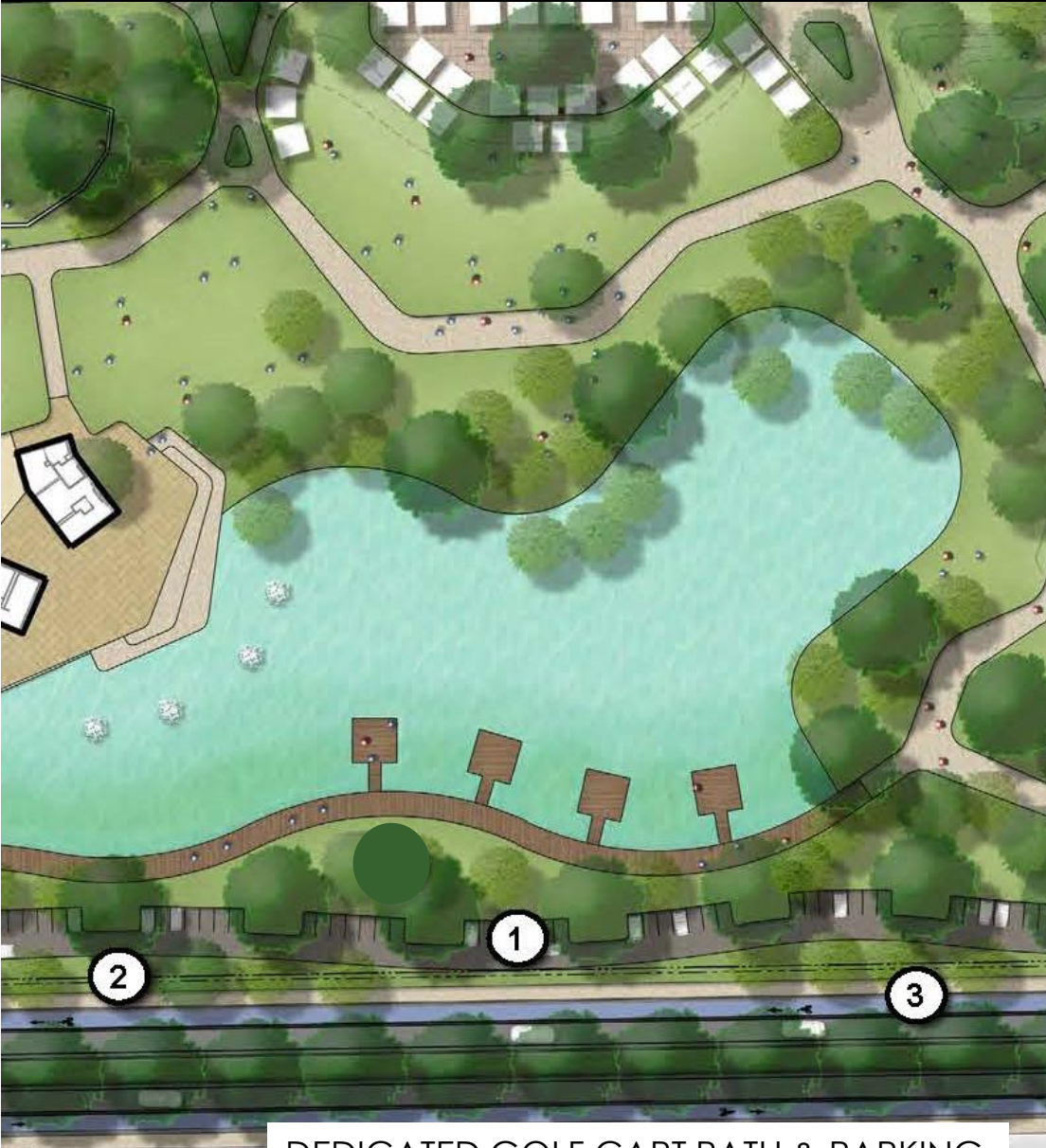
MARKET & EVENT PLAZA



FOOD TRUCKS, FARMERS MARKET, ART EVENTS



GOLF CART PARKING



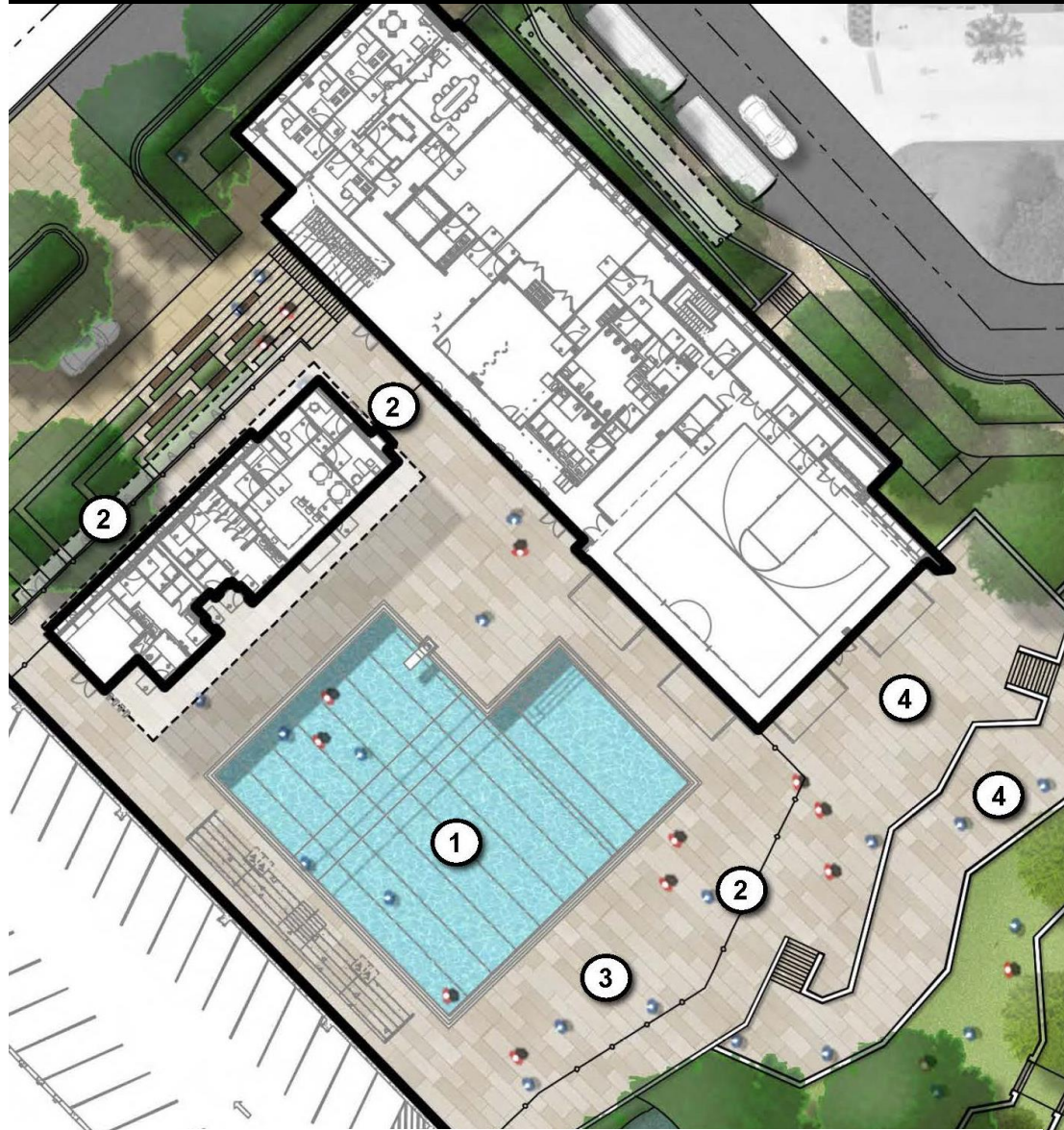
DEDICATED GOLF CART PATH & PARKING



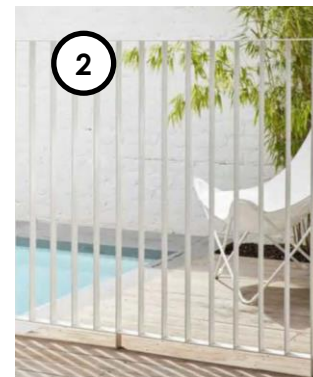
COMMUNITY CENTER & POOL

3

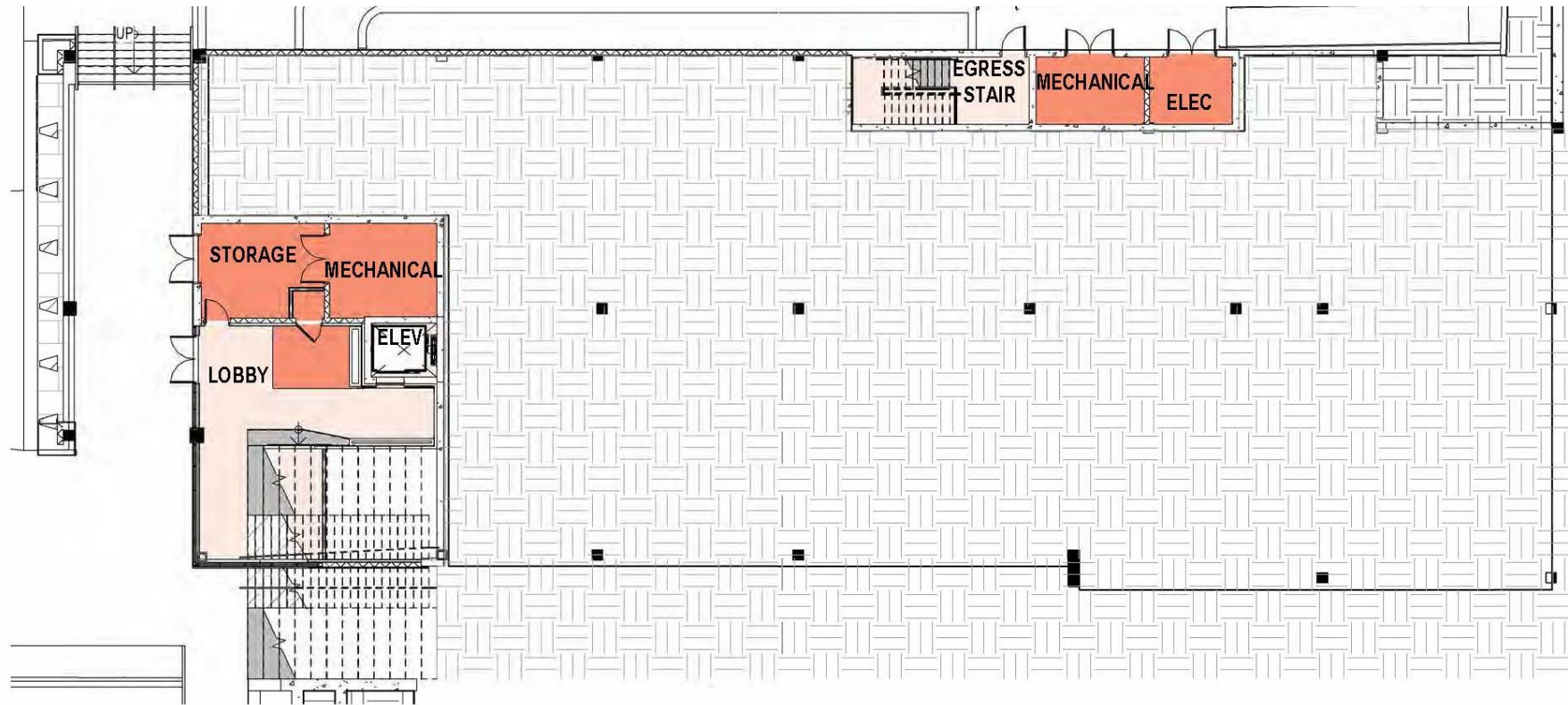
COMMUNITY CENTER & POOL



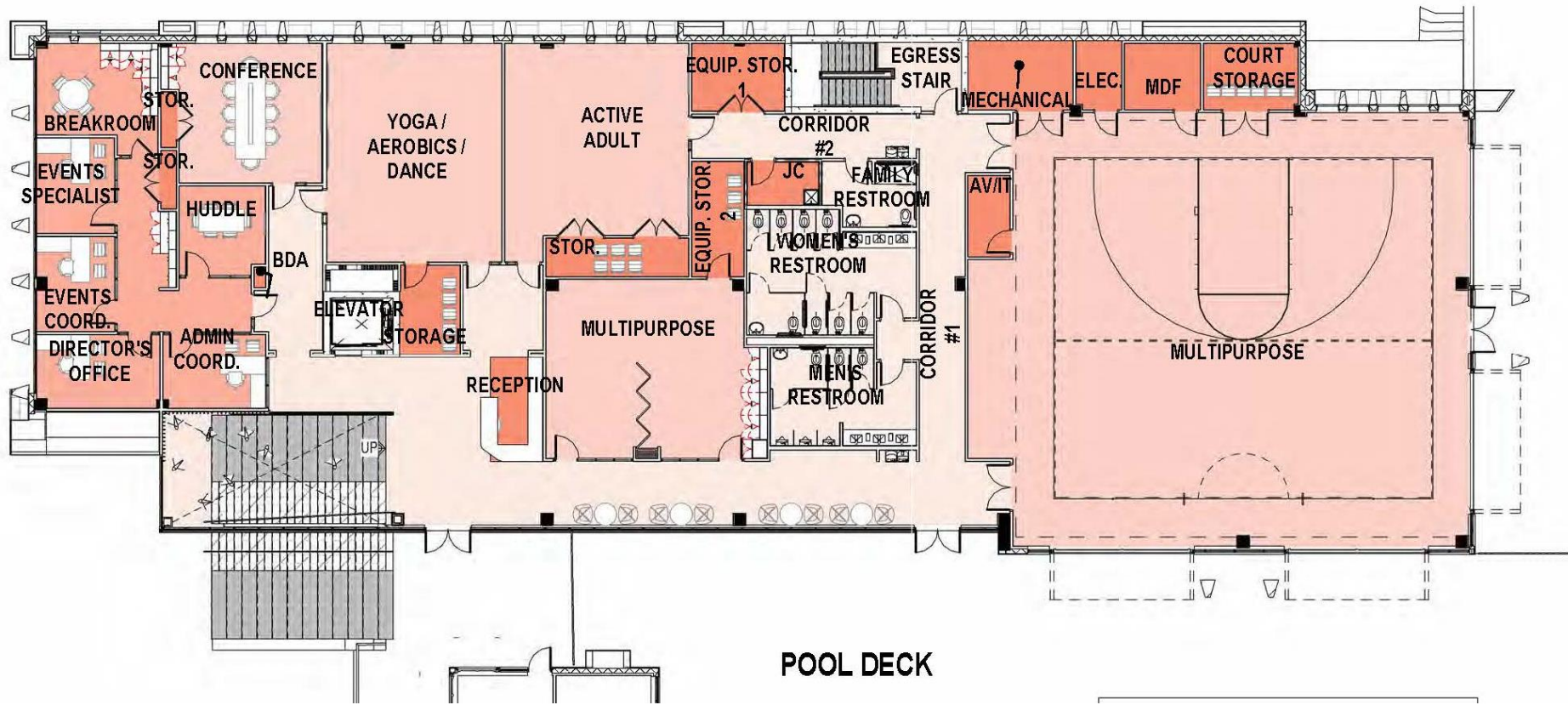
COMMUNITY POOL, EVENT SEATING, SAFETY FENCE



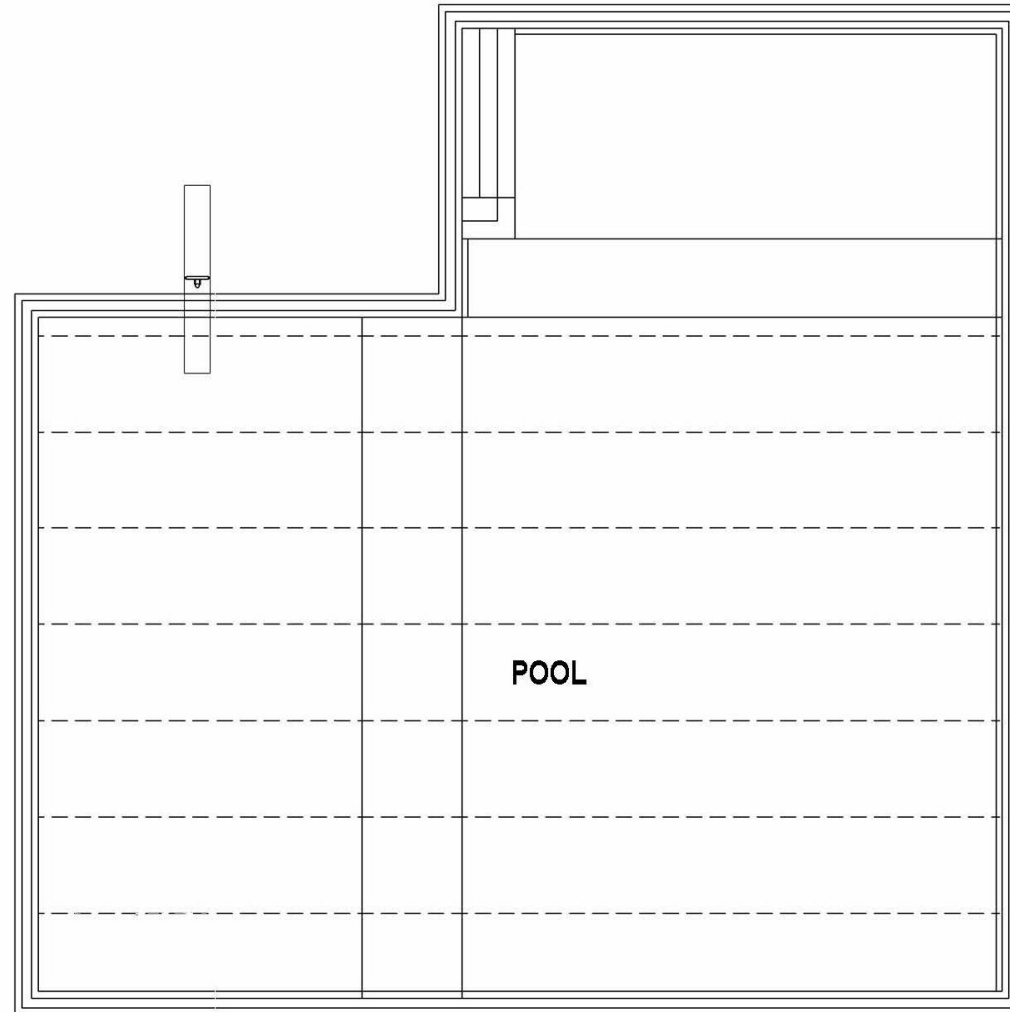
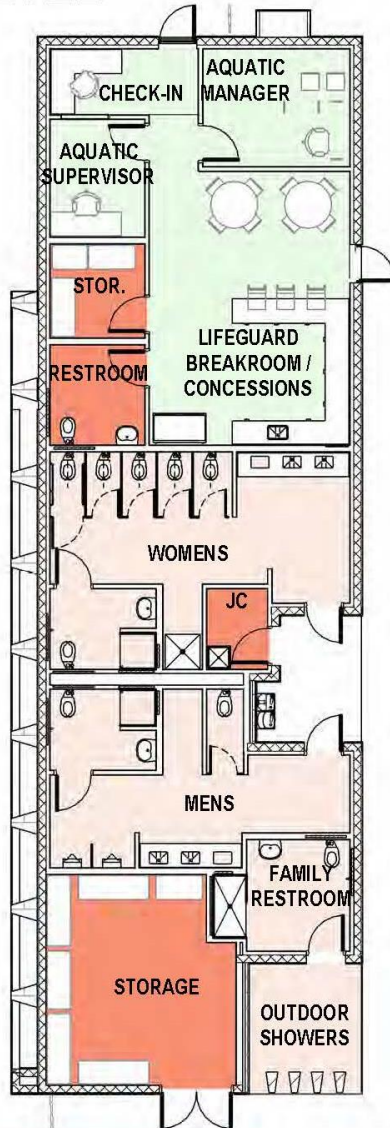
COMMUNITY CENTER – LEVEL 1



COMMUNITY CENTER – LEVEL 2



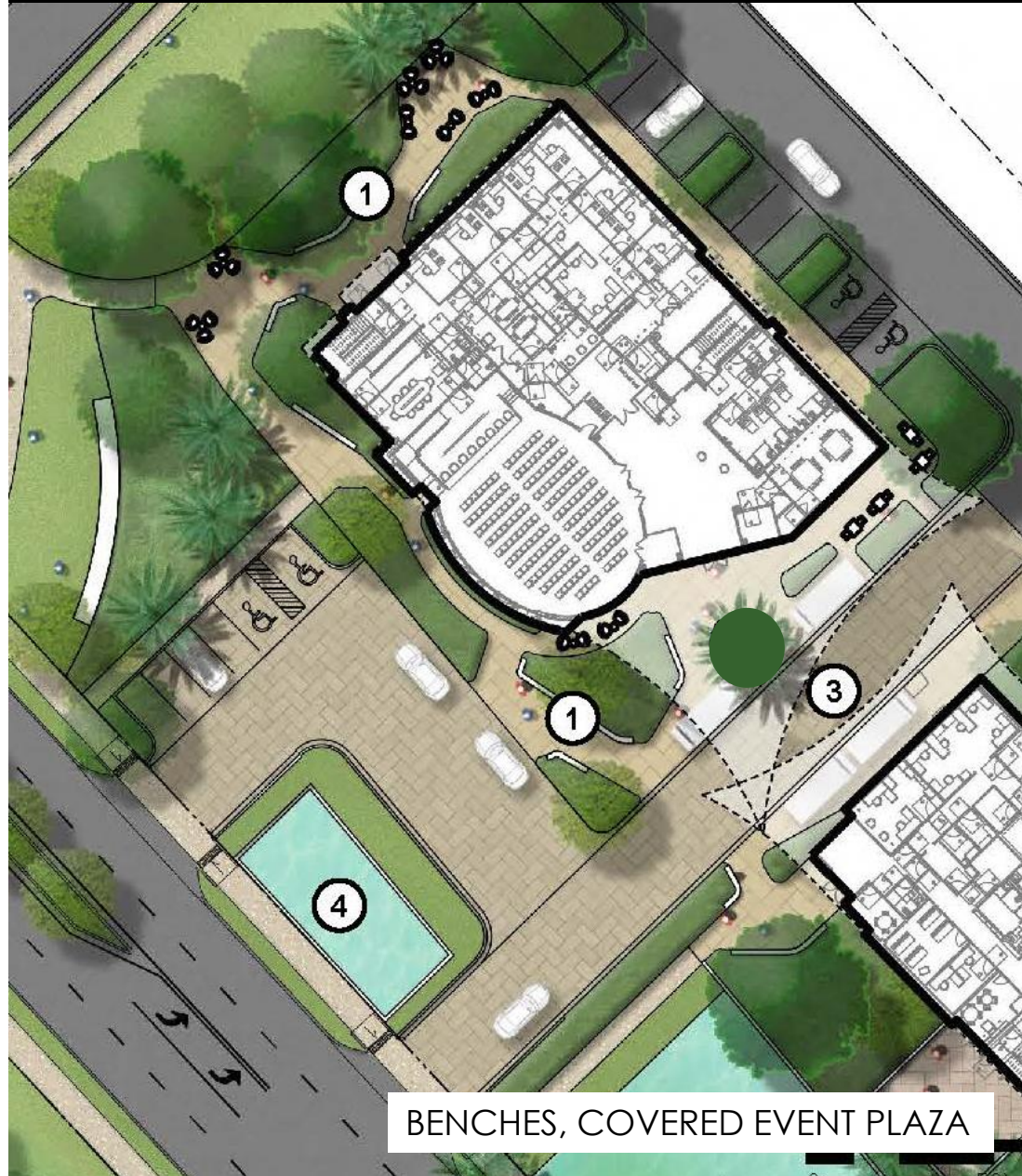
COMMUNITY CENTER – POOL



TOWN HALL

4

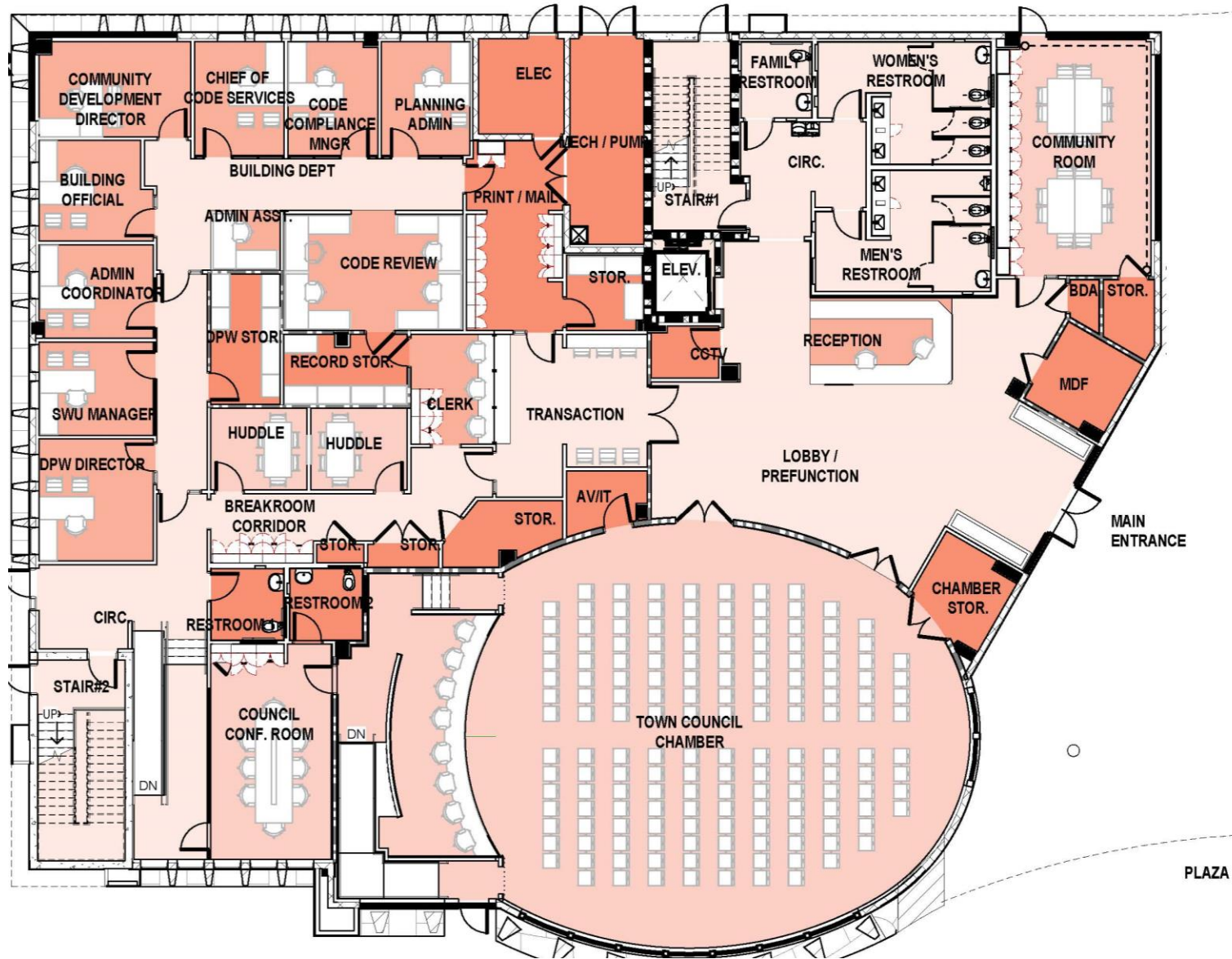
TOWN HALL & PLAZA



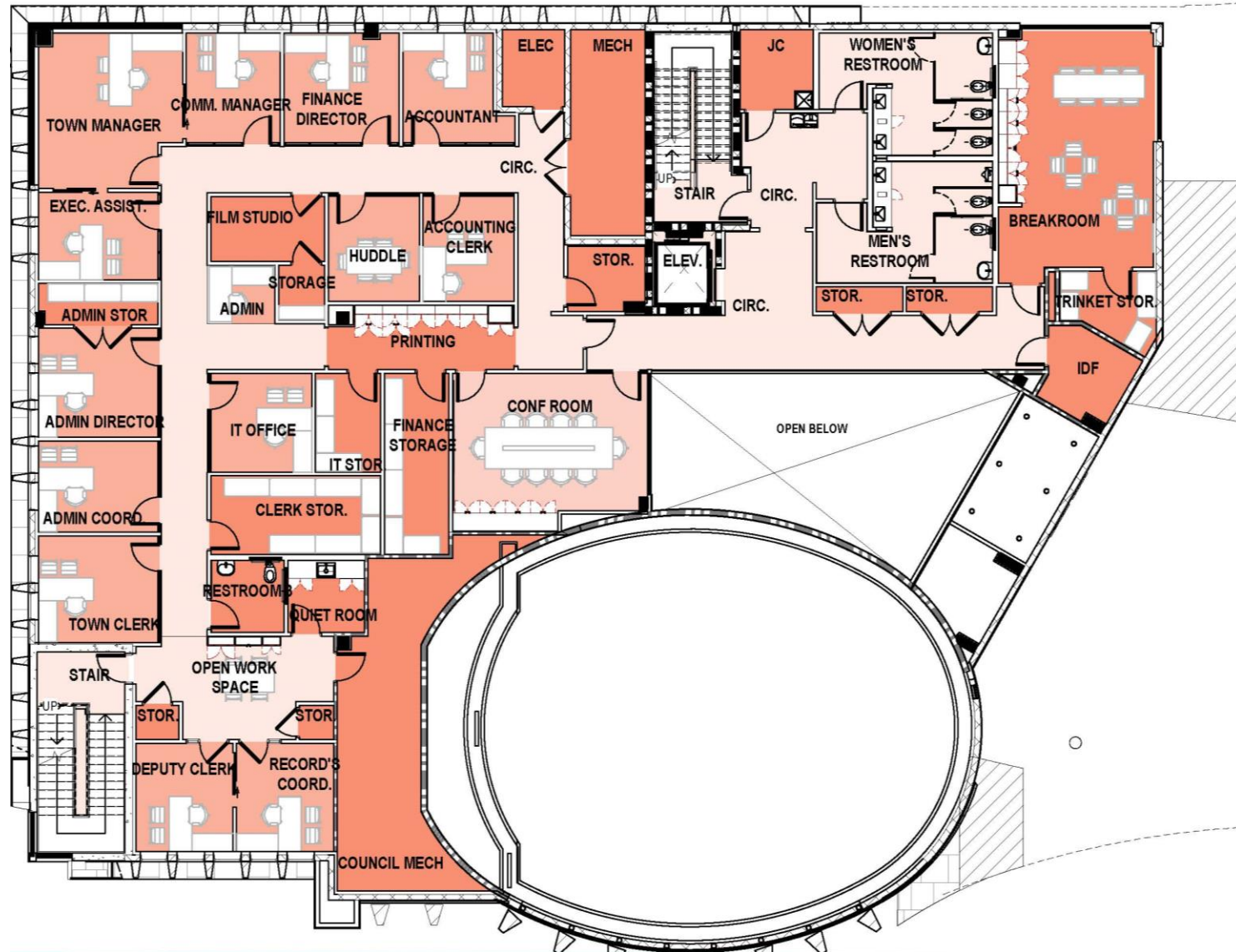
BENCHES, COVERED EVENT PLAZA



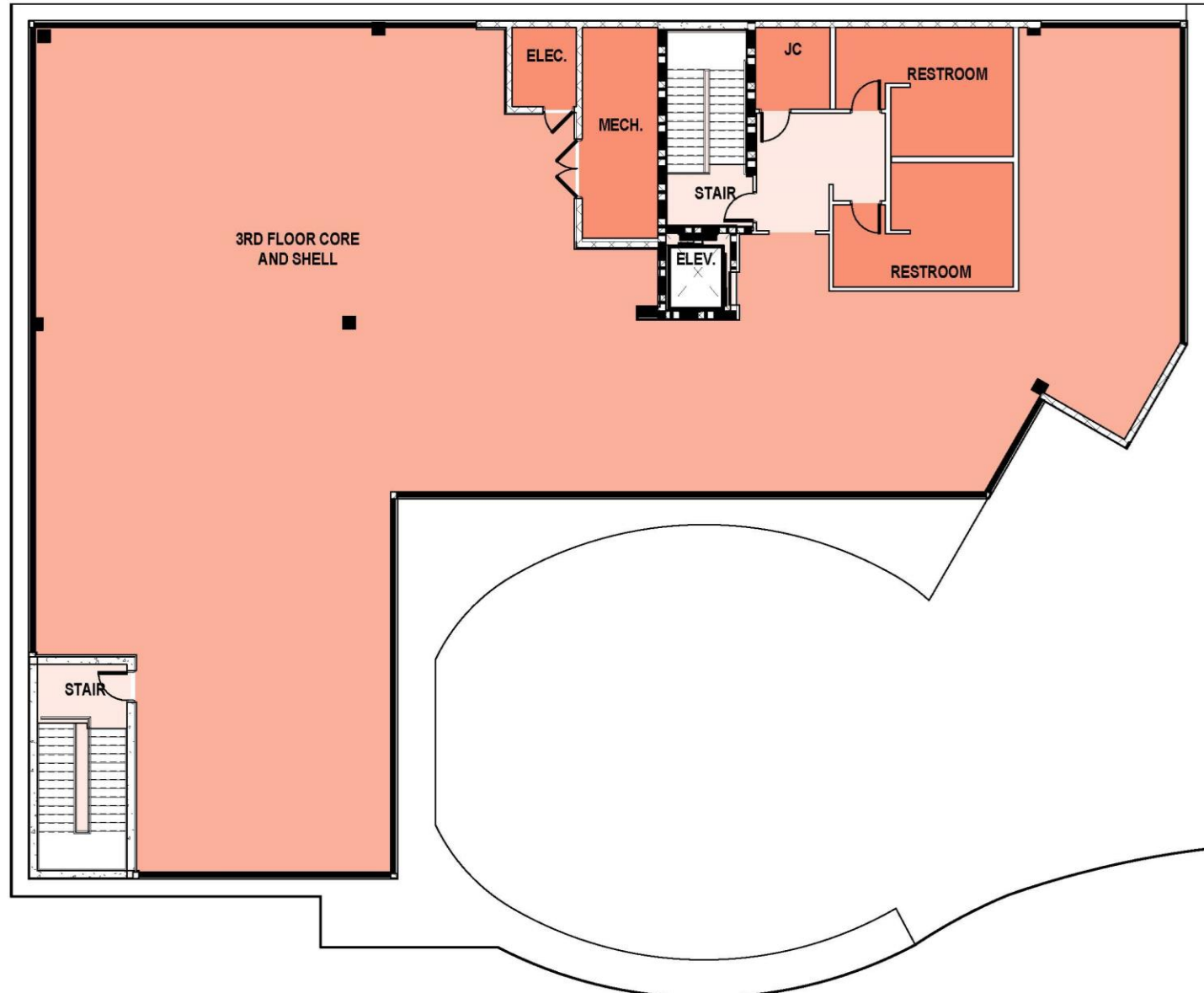
TOWN HALL – LEVEL 1



TOWN HALL – LEVEL 2



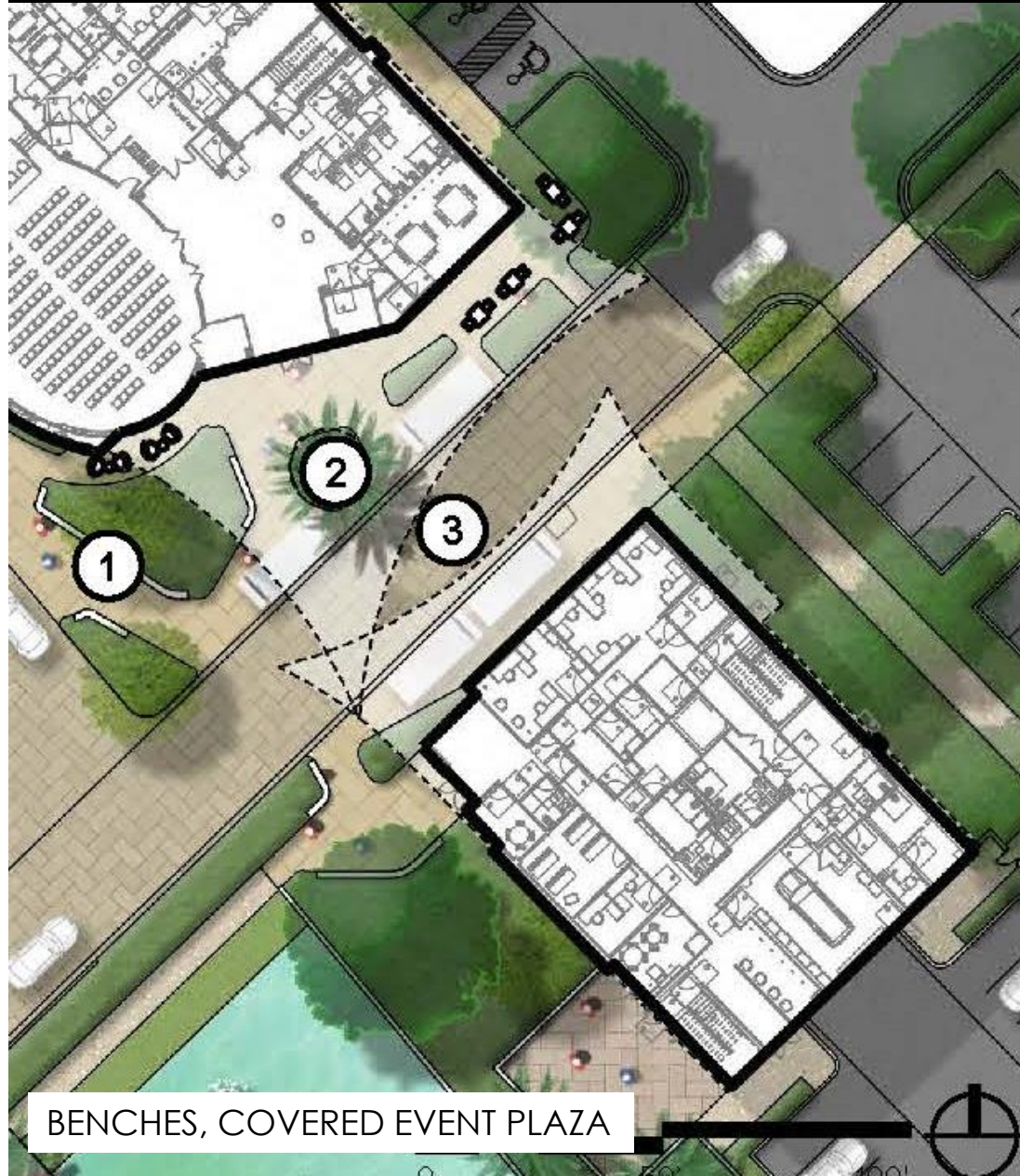
TOWN HALL – LEVEL 3 (FUTURE EXPANSION)



POLICE STATION

5

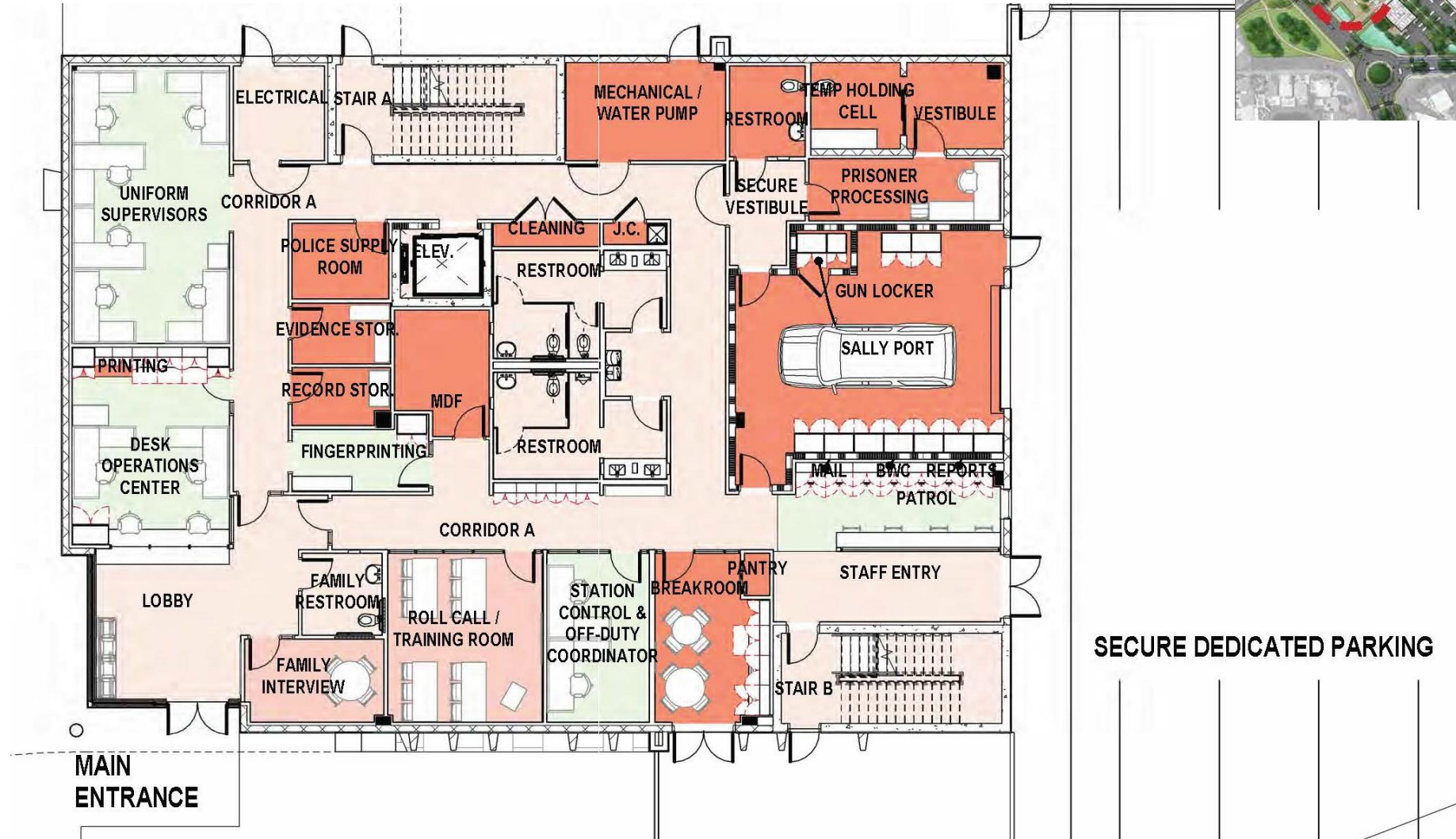
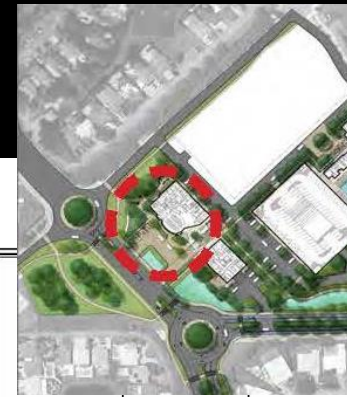
POLICE STATION & PLAZA



BENCHES, COVERED EVENT PLAZA

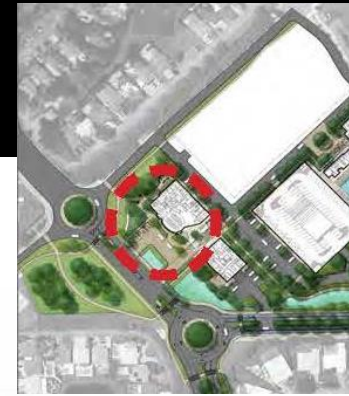


POLICE STATION – LEVEL 1



SECURE DEDICATED PARKING

POLICE STATION – LEVEL 2



PEDESTRIAN & VEHICULAR ACCESS POINTS

6

CONNECTIONS & ACCESS

LEGEND

- VEHICULAR CIRCULATION
- PEDESTRIAN CIRCULATION
- BIKE LANE
- GOLF CART PATH
- VEHICULAR STAGE ACCESS
- OFF-SITE PEDESTRIAN CONNECTION
- AREA OF INTEREST

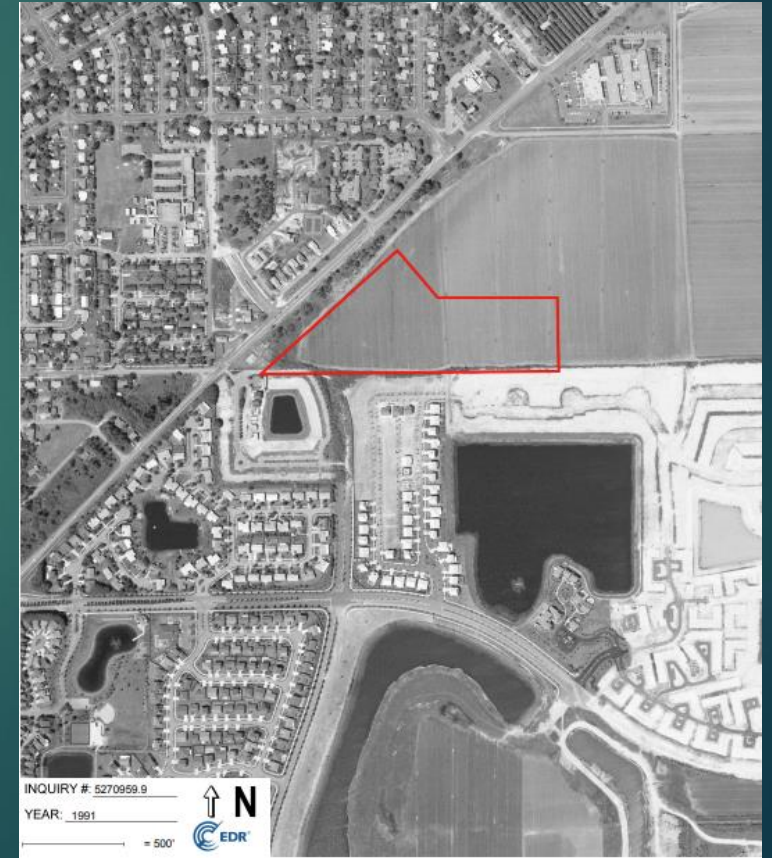


BROWNFIELD UPDATE

7

Brief Regulatory History of Legacy Park Site

- ▶ Review of historical aerials reflects agricultural use from 1938 through approximately 2010



Brief Regulatory History of Legacy Park Site

- ▶ July 23, 2021 – Kimley Horn files a Sampling and Analysis Plan with Miami-Dade County to begin process of regulatory collaboration in support of obtaining necessary approvals for remediation, soil management, stormwater drainage, construction dewatering, and vertical construction
 - ▶ Plan includes reference to a Phase I Environmental Site Assessment (“ESA”) Report dated May 2019 and a Phase II ESA Report dated October 19, prepared by the Town’s consultant, Properties Environmental Assessment & Remediation, Inc. (“PEAR”).
 - ▶ The Phase II ESA Report is included in the Appendix; the Phase I ESA Report is not.
 - ▶ PEAR testing – which was limited – documented arsenic in soil and groundwater above applicable standards but no other contaminants of concern
 - ▶ Kimley Horn Sampling and Analysis Plan expanded sampling by increasing contaminant of concern and number of soil and groundwater samples

Brief Regulatory History of Legacy Park Site

- ▶ September 27, 2021 – Miami-Dade County DERM respond to Kimley Horn Sampling and Analysis Plan and directs even more expanded investigation due to former agricultural use (citrus grove) with Miami-Dade County to begin process of regulatory collaboration in support of obtaining necessary approvals for remediation, soil management, stormwater drainage, construction dewatering, and vertical construction
 - ▶ Plan includes a Phase I Environmental Site Assessment (“ESA”) Report dated May 2019 and Phase II ESA Report dated October 19, prepared by the Town’s consultant, Properties Environmental Assessment & Remediation, Inc. (“PEAR”)
 - ▶ PEAR testing – which was limited – documented arsenic in soil and groundwater above applicable standards but no other contaminants of concern
 - ▶ Kimley Horn Sampling and Analysis Plan expanded sampling by increasing contaminant of concern and number of soil and groundwater samples

OFFICIAL FILE COPY
CLERK OF THE BOARD
OF COUNTY COMMISSIONERS
MIAMI-DADE COUNTY, FLORIDA

BEFORE MIAMI-DADE COUNTY
A POLITICAL SUBDIVISION OF THE STATE OF FLORIDA

IN RE: **Publix Super Markets, Inc. and the Town of Cutler Bay, Florida
Cutler Bay Civic and Resiliency Enhancement ("CARE") Site
20951 Old Cutler Road, Cutler Bay, Florida 33189
Folio Nos. 36-6009-006-0012, 36-6009-006-0011, 36-6009-005-0010, 36-
6009-005-0015 and a Portion of Folio No. 36-6009-006-0010
Cutler Bay Civic and Resiliency Enhancement Zone
Brownfield Area ID: BF132002000
Brownfield Site ID: BF132002001
DERM File Nos.: UT-7288 and HWR-1158/F-NA**

**FIRST AMENDMENT TO
BROWNFIELD SITE REHABILITATION AGREEMENT**

WHEREAS, Miami-Dade County ("MDC") and Publix Super Markets, Inc. ("Publix"), hereinafter the Person Responsible For Brownfield Site Rehabilitation ("PRFBSR") (collectively referred to as the "parties"), entered into the Brownfield Site Rehabilitation Agreement (the "BSRA") on December 29, 2020, attached hereto as **Exhibit A**;

WHEREAS, pursuant to paragraph 23 of the BSRA, the BSRA may be amended if the amendment is reduced to writing, duly signed by MDC and PRFBSR, and attached to the original BSRA;

WHEREAS, MDC and PRFBSR seek to amend the BSRA to update certain provisions and Attachments of the BSRA, add parcels to the brownfield site, add a PRFBSR to the BSRA, and appoint a second advisory committee for the parcels owned by the additional PRFBSR, as set forth below; and

NOW, THEREFORE, MDC and PRFBSR agree as follows:


1. The BSRA is hereby amended to:
 - a. Change of the name of the Brownfield Site to the Cutler Bay Civic and Resiliency Enhancement ("CARE") Site;
 - b. Add the Town of Cutler Bay, Florida (the "Town"), as a PRFBSR to the BSRA. All references to Publix as the PRFBSR in the original BSRA shall now refer to both Publix and the Town as PRFBSRs under the 1st Amendment to BSRA;
 - c. Add the parcels identified by folio numbers 36-6009-006-0011 and 36-6009-005-0015 as additional property to the BSRA;

{00048955.DOCX. 1 }


Publix Super Markets, Inc. and Town of Cutler Bay 1st Amendment to Brownfield Site Rehabilitation Agreement; Brownfield Site ID # BF132002001

PRFBSR: TOWN OF CUTLER BAY


By: THE TOWN OF CUTLER BAY,
FLORIDA, a Florida municipal
corporation

By: 
Rafael G. Casals, ICMA-CM, CFM
Town Manager

Attest:

By: 
Mauricio Melinu
Town Clerk

Approved as to form and legal sufficiency:

By: 
Weiss Serota Helfman Cole & Bierman, P.L.
Town Attorney

Date: December 16, 2021

Address: Town of Cutler Bay
10720 Caribbean Blvd., Suite 105
Cutler Bay, FL 33189

Phone: (305) 234-4262

SIGNATURES CONTINUE ON NEXT PAGE

- Town executes/enters into a BSRA on December 16, 2021
- Liability protection immediately attaches
- Town is qualified to pursue Voluntary Cleanup Tax Credits



FLORIDA DEPARTMENT OF Environmental Protection

Bob Martinez Center
2600 Blair Stone Road
Tallahassee, FL 32399-2400

Ron DeSantis
Governor

Jeanette Nuñez
Lt. Governor

Shawn Hamilton
Secretary

BY ELECTRONIC MAIL
(RCasals@cutlerbay-fl.gov)

April 14, 2022

Town of Cutler Bay, Florida
Mr. Rafael Casals
10720 Caribbean Boulevard, Suite 105
Cutler Bay, Florida 33189

RE: Voluntary Cleanup Tax Credits
DEP VCTC Application # 1520B
Site Identification # BF132002001
(Cutler Bay Civic and Resiliency Enhancement Site)

Dear Mr. Casals:

The Florida Department of Environmental Protection (the Department) has completed its review of the referenced Voluntary Cleanup Tax Credit (VCTC) application package submitted pursuant to Section 376.30781, Florida Statutes (F.S.), and the rules promulgated thereunder in Chapter 62-788, Florida Administrative Code (F.A.C.). The Department has determined that the Town of Cutler Bay is eligible to receive tax credits as detailed below:

Costs integral to site rehabilitation: \$58,683.40

50% tax credit for site rehabilitation: \$29,341.70

Total tax credit awarded: \$29,341.70

However, due to an exhaustion of the current year's annual tax credit authorization, your tax credit certificate will be issued in first-come, first-served order, based on the date the application was determined complete, when a sufficient authorization, if any, is available.

The Department may revoke or modify this written decision granting eligibility for tax credits under Section 376.30781, F.S., if it is discovered that the tax credit applicant submitted any false statement, representation, or certification in any application, record, report, plan, or other document filed in an attempt to receive tax credits. If the Department modifies or revises this order, it shall immediately notify the Department of Revenue.



FLORIDA DEPARTMENT OF Environmental Protection

Bob Martinez Center
2600 Blair Stone Road
Tallahassee, FL 32399-2400

Ron DeSantis
Governor

Jeanette Nuñez
Lt. Governor

Shawn Hamilton
Secretary

BY ELECTRONIC MAIL
(RCasals@cutlerbay-fl.gov)

April 25, 2023

Town of Cutler Bay, Florida
Mr. Rafael Casals
10720 Caribbean Boulevard, Suite 105
Cutler Bay, Florida 33189

RE: Voluntary Cleanup Tax Credits
DEP VCTC Application # 1715B
Site Identification # BF132002001
(Cutler Bay Civic and Resiliency Enhancement Site)

Dear Mr. Casals:

The Florida Department of Environmental Protection (the Department) has completed its review of the referenced Voluntary Cleanup Tax Credit (VCTC) application package submitted pursuant to Section 376.30781, Florida Statutes (F.S.), and the rules promulgated thereunder in Chapter 62-788, Florida Administrative Code (F.A.C.). The Department has determined that the Town of Cutler Bay is eligible to receive tax credits as detailed below:

Costs integral to site rehabilitation: \$260,443.99

50% tax credit for site rehabilitation costs: \$130,222.00

Eligible costs for the Health Care Facility/Health Care Provider (HC) bonus from all VCTC applications for the referenced Site: \$319,127.39*

25% tax credit for HC bonus (maximum allowed \$500,000): \$51,000.00



FLORIDA DEPARTMENT OF Environmental Protection

Bob Martinez Center
2600 Blair Stone Road
Tallahassee, FL 32399-2400

Ron DeSantis
Governor

Jeanette Nuñez
Lt. Governor

Shawn Hamilton
Secretary

BY ELECTRONIC MAIL
(RCasals@cutlerbay-fl.gov)

March 22, 2024

Town of Cutler Bay
Mr. Rafael Casals
10720 Caribbean Boulevard, Suite 105
Cutler Bay, Florida 33189

RE: Voluntary Cleanup Tax Credits
DEP VCTC Application # 1864B
Site Identification # BF132002001
(Cutler Bay Civic and Resiliency Enhancement Site)

Dear Mr. Casals:

The Florida Department of Environmental Protection (the Department) has completed its review of the referenced Voluntary Cleanup Tax Credit (VCTC) application package submitted pursuant to Section 376.30781, Florida Statutes (F.S.), and the rules promulgated thereunder in Chapter 62-788, Florida Administrative Code (F.A.C.). The Department has determined that the Town of Cutler Bay is eligible to receive tax credits as detailed below:

Costs integral to site rehabilitation: \$113,535.99

50% tax credit for site rehabilitation: \$56,768.00

Total tax credit awarded: \$56,768.00

However, due to an exhaustion of the current year's annual tax credit authorization, your tax credit certificate will be issued in first-come, first-served order, based on the date the application was determined complete, when a sufficient authorization, if any, is available.

The Department may revoke or modify this written decision granting eligibility for tax credits under Section 376.30781, F.S., if it is discovered that the tax credit applicant submitted any false statement, representation, or certification in any application, record, report, plan, or other document filed in an attempt to receive tax credits. If the Department modifies or revises this order, it shall immediately notify the Department of Revenue.

Voluntary Cleanup Tax Credit Certificate

E102088

This certificate is issued pursuant to Section 376.30781, Florida Statutes (F.S.), to Town of Cutler Bay, Florida, # 02-0766891, in the amount of \$29,341.70, to be applied toward Corporate Income Tax pursuant to s. 220.1845, F.S.

Tax credit certificates are transferable pursuant to Section 220.1845, F.S. A tax credit certificate holder seeking to transfer the certificate to one or more individuals or entities shall submit the original certificate to the Department's Division of Waste Management in Tallahassee along with a signed and notarized letter authorizing the transfer. The letter shall state the name, address, telephone number, and FEID of each transferee, and it shall indicate the portion (in whole or in units of no less than 25%) to be transferred. Such transferred credits may not be transferred again, although they may succeed to a surviving or acquiring entity after merger or acquisition.

Certificate Number: 1569
FDEP Fiscal Year Issued: 2023-2024
Calendar Year: 2021
Site Type: BF
FDEP Facility ID#: BF132002001
VCTC Application #: 1520B

Digitally signed by
Tim J. Bahr
Date: 2023.07.10
15:21:11 -0400
Issued By: Tim J. Bahr
(Authorized FDEP signature)

Voluntary Cleanup Tax Credit Certificate

E102286

This certificate is issued pursuant to Section 376.30781, Florida Statutes (F.S.), to Town of Cutler Bay, Florida, # 02-0768791, in the amount of \$181,222.00, to be applied toward Corporate Income Tax pursuant to s. 220.1845, F.S.

Tax credit certificates are transferable pursuant to Section 220.1845, F.S. A tax credit certificate holder seeking to transfer the certificate to one or more individuals or entities shall submit the original certificate to the Department's Division of Waste Management in Tallahassee along with a signed and notarized letter authorizing the transfer. The letter shall state the name, address, telephone number, and FEID of each transferee, and it shall indicate the portion (in whole or in units of no less than 25%) to be transferred. Such transferred credits may not be transferred again, although they may succeed to a surviving or acquiring entity after merger or acquisition.

Certificate Number: 1267
FDEP Fiscal Year Issued: 2023-2024
Calendar Year: 2022
Site Type: BF
FDEP Facility ID#: BF132002001
VCTC Application #: 1715B

Digitally signed by
Tim Bahr
Date: 2023.08.01
10:15:43 -04'00'
Issued By: Tim Bahr
(Authorized FDEP signature)

February 21, 2022

Site Assessment Report/ Natural Attenuation Monitoring Proposal

Proposed Cutler Bay Redevelopment Property (+/- 16 acres)
Old Cutler Road & SW 212th Street
Miami-Dade County Folio Numbers
(36-6009-006-0011 & 36-6009-005-0015)
Cutler Bay, Miami-Dade County, Florida
Part of the Cutler Bay Civic and Resiliency (“CARE”) Site
Brownfield Area ID: BF132002000
Brownfield Site ID: BF132002001
DERM File No: HWR-1158

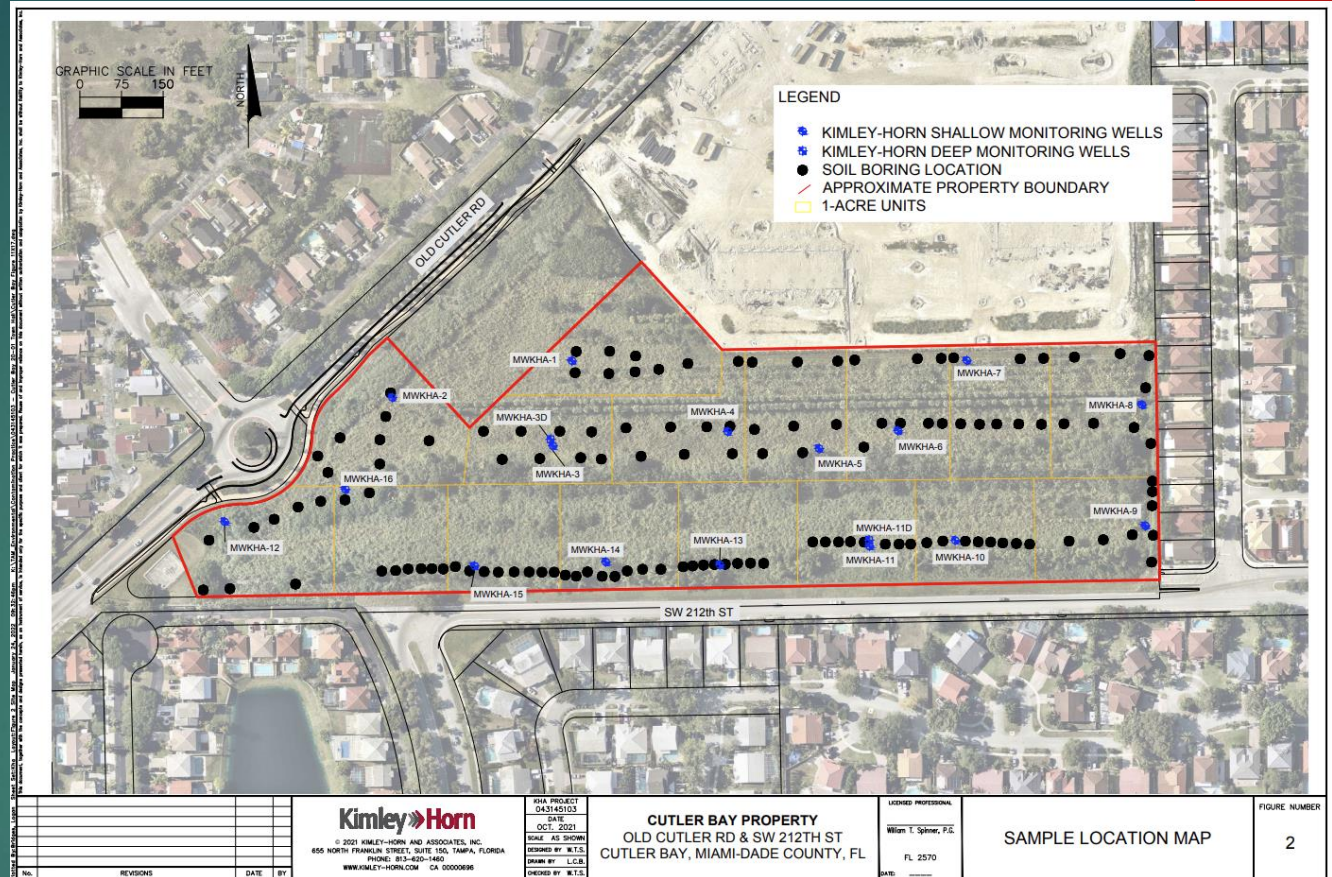
Prepared for:

Town of Cutler Bay
10720 Caribbean Blvd., Suite 105
Miami, Florida 33189

Prepared by:

Kimley-Horn and Associates
655 North Franklin Street, Suite 150
Tampa, FL 33602

© Kimley-Horn and Associates, Inc. 2022
Project No. 043145103



Findings

- Arsenic detected in shallow soils (down to 2' below land surface)
- Arsenic, iron, and manganese identified in shallow groundwater (down to 15' below land surface)
- No herbicides or pesticides detected in soil or groundwater
- Continue to assess groundwater

Recommendations

- Fence off site
- Continue to assess groundwater
- Prepare Soil Management Plan
- Prepare Construction Dewatering Plan
- Analyze stormwater drainage design relative to contaminated media

Brief Regulatory History of Legacy Park Site

- ▶ September 20, 2022 – Kimley Horn files additional soil and groundwater data
 - ▶ 27 additional soil borings
 - ▶ 7 additional wells
 - ▶ Submittal also included the May 2019 PEAR Phase I ESA Report
- ▶ October 12, 2022 – Miami-Dade County DERM requires more data
- ▶ November 2022 – Town completes construction of perimeter fencing to prevent unauthorized access by public
- ▶ January 31, 2023 – Town and Town's consultant and counsel meet with DERM to discuss scope of contamination investigation, options for soil and groundwater remediation, and guidance for obtaining construction approvals

Brief Regulatory History of Legacy Park Site



Department of Regulatory and Economic Resources
Environmental Resources Management
701 NW 1st Court, 4th Floor
Miami, Florida 33136-3912
T 305-372-6700 F 305-372-6982
miamidade.gov

March 10, 2023

VIA ELECTRONIC MAIL: rcasals@cutlerbay-fl.gov
Paper copy will not follow by regular mail

Mr. Rafael G. Casals, Town Manager
Town of Cutler Bay
10720 Caribbean Blvd. Ste. 105
Miami, FL 33189

Re: Response to DERM Comments/Interim Engineering Control Plan and Interim Engineering Control and Maintenance Plan dated March 6, 2023, prepared by Kinley-Horn and Associates (Kinley-Horn) for the Proposed Cutler Bay Redevelopment Sub parcel (Folio# 36-6009-006-0011 and 36-6009-005-0015) of the Cutler Bay Civic and Resiliency Enhancement ("CARE") Brownfield Site (HWR-11158/F-NA;UT-7288/F-NA/BF Site ID#132002000 and 132002001) located at, near, or in the vicinity of 20951 Old Cutler Road, Cutler Bay, Miami-Dade County, Florida (Folio# 36-6009-006-0011, -0012, Portions of 36-6009-006-0010 and 36-6009-005-0010, -0015).

Dear Mr. Casals:

The Department of Regulatory and Economic Resources-Division of Environmental Resources Management (DERM) has reviewed the above-referenced documents received March 6, 2022 and March 8, 2023, respectively and offers the following comments:

1. DERM has found the Interim Engineering Control Plan implementation to be complete. The referenced report has been placed on file with other information pertinent to the site.
2. DERM finds that the proposed interim engineering control and maintenance plan is approvable. Be advised that the proposed maintenance shall be conducted and documented in the quarterly inspection report as specified. The documentation shall be maintained and available for DERM's review upon request.

Note that any portion of the site to be sold, transferred or dedicated (including for public right-of-way) shall be identified, and the receiving entity must be made aware of the contamination and accept any conveyance. If soil contamination, groundwater contamination, solid waste and/or methane is to be addressed via a No Further Action with Conditions (see Institutional Control Guidance at <https://www.miamidade.gov/environment/library/instructions/risk-based-corrective-action.pdf> and <https://floridadep.gov/waste/waste/content/institutional-controls-procedures-guidance>), each individual property owner will have to execute a restrictive covenant and each receiving entity must accept all applicable restrictions and responsibilities that are required following transfer of ownership. Please note that nothing stated herein may be interpreted to limit or restrict an engineer's or other professional's responsibility to prepare plans accurately and completely for proposed rights-of-way as well as any other projects or plans. For proposed dedications, any soil, groundwater or surface water contaminants or solid waste and/or methane must be disclosed to the receiving County or Municipality applicable department at the earliest stage possible; the presence of any such contamination and/or solid waste and/or methane impacts or a delay in disclosure of such contamination or impacts could result in the County declining to accept the proposed dedication, the need for the developer to reconfigure or change previously approved site plans, or other changes to the proposed development.

Any person aggrieved by any action or decision of the DERM Director may appeal said action or decision to the Environmental Quality Control Board (EQCB) by filing a written notice of appeal along with submittal of the applicable fee, to the Code Coordination and Public Hearings Section of DERM within fifteen (15) days of the date of the action or decision by DERM.

- ▶ March 10, 2023 – Miami-Dade County DERM approves completion of construction of perimeter fencing as engineering control to prevent unauthorized access by public
- ▶ January 31, 2023 – Town and Town's consultant and counsel meet with DERM to discuss scope of contamination investigation, options for soil and groundwater remediation, and guidance for obtaining construction approvals

September 27, 2023

Site Assessment Report Addendum/ Background Study

Proposed Cutler Bay Redevelopment Property (+/- 16 acres)
Old Cutler Road & SW 212th Street
Miami-Dade County Folio Numbers
(36-6009-006-0011 & 36-6009-005-0015)
Cutler Bay, Miami-Dade County, Florida
Part of the Cutler Bay Civic and Resiliency ("CARE") Site
Brownfield Area ID: BF132002000
Brownfield Site ID: BF132002001
DERM File No: HWR-1158

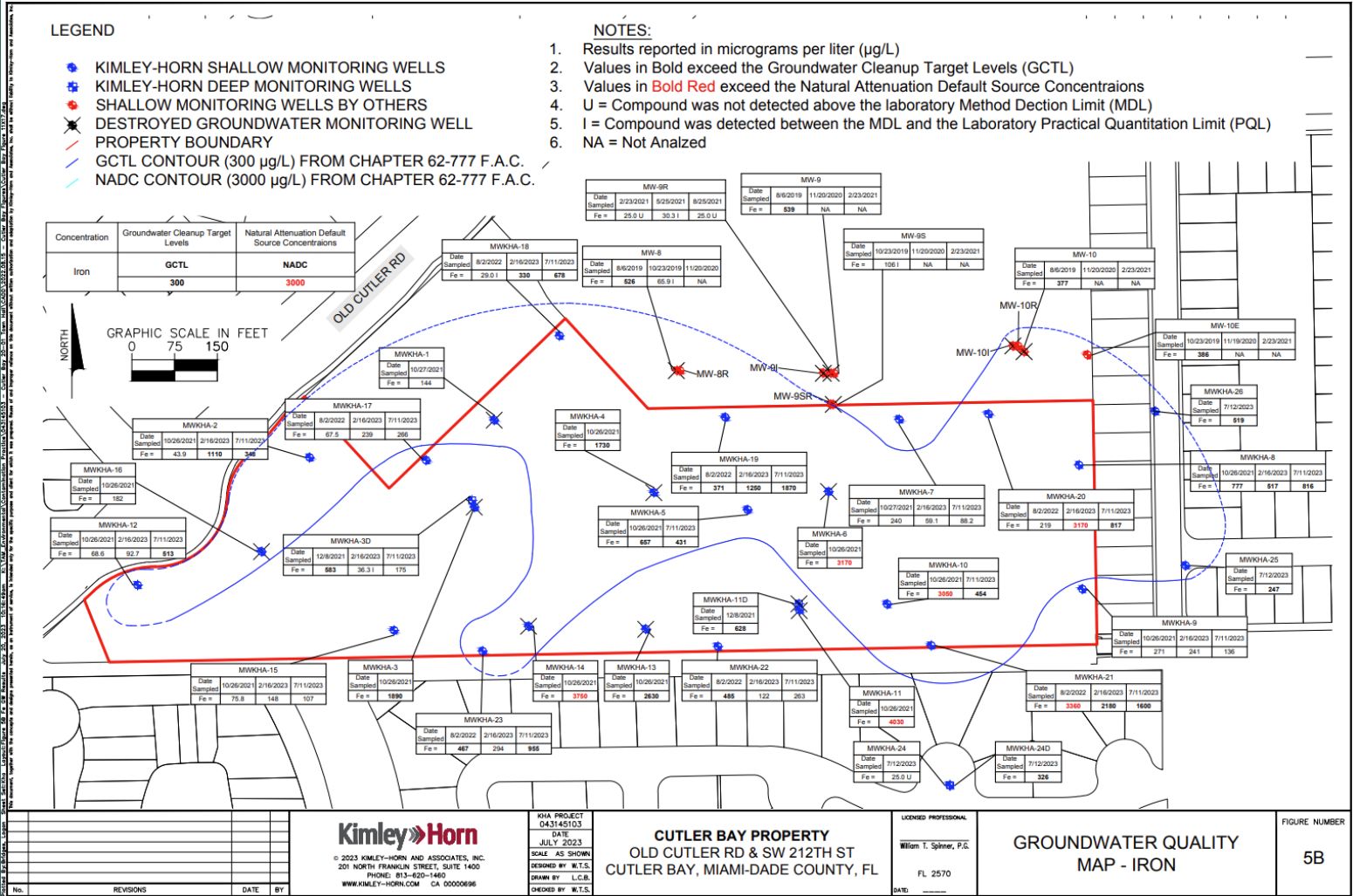
Prepared on Behalf of:

Town of Cutler Bay
10720 Caribbean Blvd., Suite 105
Miami, Florida 33189

Prepared by:

Kimley-Horn and Associates
201 North Franklin Street, Suite 1400
Tampa, FL 33602

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Project No. 043145103



September 27, 2023

Site Assessment Report Addendum/ Background Study

Proposed Cutler Bay Redevelopment Property (+/- 16 acres)
Old Cutler Road & SW 212th Street
Miami-Dade County Folio Numbers
(36-6009-006-0011 & 36-6009-005-0015)
Cutler Bay, Miami-Dade County, Florida
Part of the Cutler Bay Civic and Resiliency ("CARE") Site
Brownfield Area ID: BF132002000
Brownfield Site ID: BF132002001
DERM File No: HWR-1158

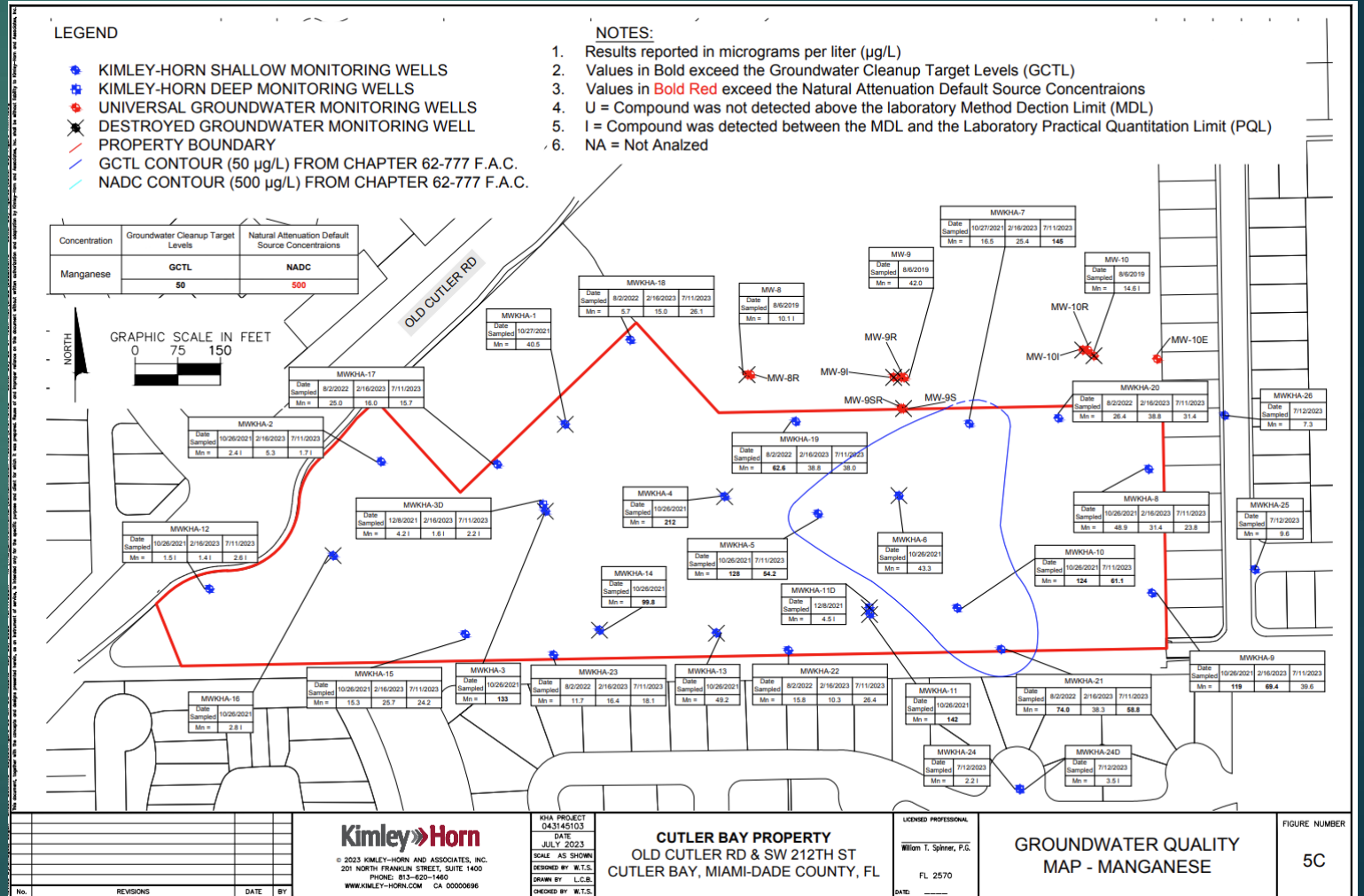
Prepared on Behalf of:

Town of Cutler Bay
10720 Caribbean Blvd., Suite 105
Miami, Florida 33189

Prepared by:

Kimley-Horn and Associates
201 North Franklin Street, Suite 1400
Tampa, FL 33602

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September 27, 2023

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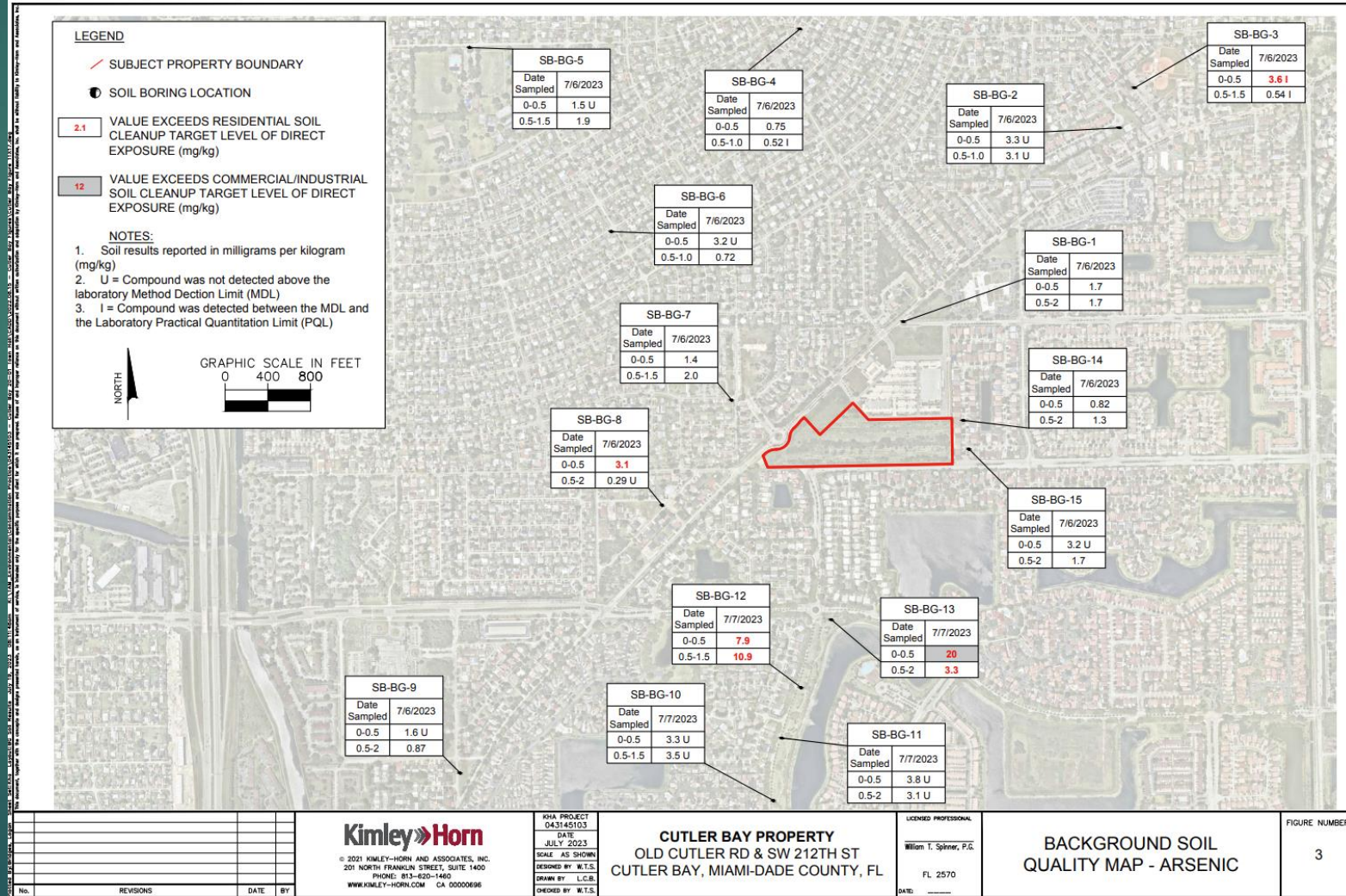
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October 27, 2023

VIA ELECTRONIC MAIL: rcasals@cutlerbay-fl.gov
 Paper copy will not follow by regular mail

Mr. Rafael G. Casals, Town Manager
 Town of Cutler Bay
 10720 Caribbean Blvd. Ste. 105
 Miami, FL 33189

Re: Site Assessment Report Addendum/Background Study dated September 27, 2023 prepared by Kimley-Horn for the Proposed Cutler Bay Redevelopment Sub parcel (Folio# 36-6009-006-0011 and 36-6009-005-0015) of the Cutler Bay Civic and Resiliency Enhancement ("CARE") Brownfield Site (HWR-1158/F-NA;UT-7288/F-NA/BF Site ID#132002000 and 132002001) located at, near, or in the vicinity of 20951 Old Cutler Road, Cutler Bay, Miami-Dade County, Florida (Folio# 36-6009-006-0011, -0012, Portions of 36-6009-006-0010 and 36-6009-005-0010, -0015).

Dear Mr. Casals:

The Department of Regulatory and Economic Resources-Division of Environmental Resources reviewed the above-referenced document received on September 27, 2023 and provides the following:

- i. DERM acknowledges and does not object to Kimley-Horn's conclusion, based on study evaluation, that the soil (arsenic) and groundwater (arsenic, iron, and manganese) identified onsite do not meet the criteria for being considered background concentration groundwater. Please note that DERM does not concur with Kimley-Horn's proposal at this time (see comment 1.c., below). DERM acknowledges the responsible party's Further Action with Condition (NFAC) site closure. Therefore, to qualify for the conditions at the property boundary (or boundary of the engineering controls) must Target Levels (CTLs) or demonstrate to be consistent with background. Therefore to address the extent of soil (i.e., arsenic) and groundwater (i.e., arsenic, manganese) property boundary and beyond if necessary. Please note the following:
 - a. DERM does not object to Kimley-Horn's proposal to conduct an interim investigation advised that after source removal activities are conducted, discrete soil samples and every 2 feet to the water table) shall be required at the boundaries in areas where exceeded and/or potential leachability issues have been documented. If removal is not conducted, then provide how the responsible party intends to manage soils (e.g., offsite delineation, etc.). As a reminder, you may submit the interim investigation to DERM's review and approval.
 - b. The arsenic, manganese, and iron groundwater impacts shall be delineated by MWKHA-2, MWKHA-8, MWKHA-12, MWKHA-19, MWKHA-20) to determine the plume extent.
 - c. Notwithstanding the above, DERM does not concur with the calculated mean or maximum background concentration) for arsenic in soil (7.1 mg/kg) and manganese in groundwater (12.5 ug/l, 300 ug/l, and 169 ug/l, respectively) at background data point 203 with manganese at 801 ug/L is 13 miles from the property.

HWR-1158/F-NA
 Town of Cutler Bay
 October 27, 2023
 Page 2 of 3

- ii. Based on the information provided above, re-calculate the proposed background values utilizing the closest regional background data points from DERM's August 2022 *Background Concentrations of Metals in Groundwater - Miami-Dade County* needed to supplement the data set. Please include a spreadsheet summarizing the background dataset proposed and from which the non-statistical method (i.e., maximum concentration or twice the mean, etc.) was applied to calculate the background value.
 - iii. Be advised that the soil background concentration calculated shall be done per interval (i.e., 0 to 6-inches and 6 to 24-inches). Combining the interval analytical results to determine the background concentrations is not appropriate.
2. As stated in DERM's correspondence dated February 13, 2023, DERM acknowledges that lead and organochlorine pesticides (OCPs) were analyzed during the October 2021 sampling event; however, as indicated in DERM correspondence dated April 23, 2022, based on the limited spatial coverage represented by the composite samples collected, additional soil samples were required. Therefore, as indicated in DERM's October 12, 2022 correspondence, additional soil assessment for lead and OCPs shall be conducted once the heavy vegetation is cleared. However, if source removal is conducted on the entire site, then base and wall confirmation samples for lead and OCPs shall be collected and analyzed.
 3. Data entry fields in several Groundwater Sampling Log have error markings (i.e., scratched out) without the corresponding initials. Be advised that pursuant to Section FD 1100 of FDEP's Standard Operating Procedures (SOPs) DEP-SOP-001/01, a marked error and its correction shall be initialed or signed.

Based on the above, and pursuant to Section 24-7(15), 24-7(26), and 24-44(2)(g) of the Code, you are hereby ordered to submit to this office for review, within sixty (60) days of receipt of this letter, a Site Assessment Report Addendum (SARA)/Source Removal Plan, prepared in accordance with Chapter 62-780, Florida Administrative Code and in support of a long-term extension for site rehabilitation, which shall address the above comments. Please be advised that since the subject site is located within a Brownfield Area, the review fee for assessment documents is waived; therefore, a review fee is not being applied to the requested SARA document. Technical Reports (assessment, remediation, etc.) should be submitted via email to DERMPCD@miamidade.gov and/or Sandra.Rezola@miamidade.gov. For files too large for electronic transmittal, the public is requested to utilize Drop-Box or other equivalent.

Please be advised that electronically submitted reports that require a P.E. or P.G.'s sign and seal shall be signed and sealed in accordance with the applicable portions of Chapter 471, Florida Statutes (F.S.) and Rule 61G15, Florida Administrative Code (FAC) for P.E.s and in accordance with Chapter 492, F.S. and Rule 61G16, FAC, for P.G.s. If a report is electronically signed and sealed, then the corresponding "signature report", which contains a brief description of the documents being electronically signed and sealed along with the SHA-1 authentication code, shall be submitted. A scanned copy of the "signature report" may be submitted provided the licensee maintains a hard copy of the physically signed and sealed "signature report". Any document(s) that do not meet the minimum certification requirements will not be received for review until the document(s) have been properly signed and sealed.

DERM has the option to split any samples deemed necessary with the consultant or laboratory at the subject site. The consultant collecting the samples shall perform field sampling work in accordance with the Standard Operating Procedures provided in Chapter 62-160, FAC, as amended. The laboratory analyzing the samples shall perform laboratory analyses pursuant to the National Environmental Laboratory Accreditation Program (NELAP) certification requirements. If the data submitted exhibits a substantial variance from DERM split sample analysis, a complete resampling using two independent certified laboratories will be required.

DERM shall be notified in writing a minimum of three (3) working days prior to the implementation of any sampling or field activities. Email notifications shall be directed to DERMPCD@miamidade.gov. Please include the DERM file number on all correspondence. Be advised that failure to comply with the above orders may result in enforcement action for this site.

Any person aggrieved by any action or decision of the DERM Director may appeal said action or decision to the Environmental Quality Control Board (EQCB) by filing a written notice of appeal along with submittal of the applicable fee, to the Code Coordination and Public Hearings Section of DERM within fifteen (15) days of the date of the action or decision by DERM.

- AGREEMENT WITH CONCLUSION IN BACKGROUND STUDY THAT ARSENIC IN SOIL AND ARSENIC, IRON, AND MANGANESE IN GROUNDWATER ARE NOT BACKGROUND CONDITIONS AND FURTHER ASSESSMENT REQUIRED.

- BACKGROUND VALUES FOR SOIL AND GROUNDWATER CONTAMINANTS OF CONCERN WERE DISAPPROVED

- CONCEPT OF NO FURTHER ACTION WITH CONDITIONS APPROVED - ENCAPSULATION OF IMPACTS SOILS AND LIMITATION/PROHIBITION ON USE OF IMPACTED GROUNDWATER

- SOURCE REMOVAL OF CONTAMINATED SOILS ALSO APPROVED

- ADDITIONAL SAMPLING FOR LEAD AND ORGANOCHLORINE PESTICIDES REQUIRED.

- NEXT STEP: FILE SITE ASSESSMENT REPORT ADDENDUM AND SOURCE REMOVAL PLAN

- **TAKEAWAY:** TOWN HAS VERY GOOD REGULATORY OPTIONS TO DEAL WITH CONTAMINATED SOIL AND GROUNDWATER TO PROTECT HUMAN HEALTH AND THE ENVIRONMENT AND MANAGE REMEDIATION AND CONSTRUCTION BUDGET.

March 15, 2024

Mr. Vianey Alvarado
 Department of Regulatory and Economic Resources
 Environmental Resources Management
 701 NW 1st Court, 4th Floor
 Miami, Florida 33136

RE: **Response to DERM Comments, dated October 27, 2023**
Proposed Cutler Bay Redevelopment
Town of Cutler Bay, Florida
Folio Numbers: 36-6009-006-0011 & 36-6009-005-0015
Cutler Bay Civic and Resiliency Enhancement ("CARE") Brown
HWR-1158/UT-7288/Brownfield Site ID Nos. 132002000 & 132001

Dear Mr. Alvarado,

Kimley-Horn and Associates (Kimley-Horn) has reviewed the Department of Resources – Division of Environmental Resources Management’s (DERM) October 27, 2023. This letter states DERM reviewed Kimley-Horn’s Site Assessment (SARA)/Background Study dated September 27, 2023 and provides comments answered. This letter and its attachments address these comments and questions.

Comment #1. DERM acknowledges and does not object to Kimley-Horn the site-specific background study evaluation, that the soil (arsenic) an iron, and manganese) contaminant concentrations identified onsite do being considered background concentrations, including manganese note that DERM does not concur with Kimley-Horn’s proposed manga at this time (see comment 1.c., below). DERM acknowledges the respo to pursue a No Further Action with Condition (NFAC) site closure. Ther option, soil, and groundwater conditions at the property boundar, engineering controls) must meet the applicable Cleanup Target Levels to be consistent with background. Therefore, further assessment is extent of soil (i.e., arsenic) and groundwater (i.e., arsenic, manganese, property boundary and beyond if necessary. Please note the following:

- a. **DERM does not object to Kimley-Horn’s proposal to con removal. However, be advised that after source removal a discrete soil samples (0-6 inches, 6-24 inches and every 2 shall be required at the boundaries in areas where app exceeded and/or potential leachability issues have been dk that if source removal is not conducted, then provide ho intends to address arsenic impacted soils (e.g., offsite reminder, you may submit the interim source removal plan approval.**

kimley-horn.com 655 North Franklin Street, Suite 150, Tampa, FL 33606

Table 1 provides soil analytical data for the site. Table 2 provided SPLP data for select pond samples. Lab reports are attached.

Comment #3. Data entry fields in several Groundwater Sampling Log have error markings (i.e., scratched out) without the corresponding initials. Be advised that pursuant to Section FD 1100 of FDEP’s Standard Operating Procedures (SOPs) DEP-SOP-001/01, a marked error and its correction shall be initialed or signed.

Noted and will be addressed in future sampling events.

Based on the soil sampling results of this sampling event, the following observations are made:

- It appears that lead and OCPs are no longer contaminants of concern in soils associated with this site.
- Background calculations for both soils and groundwater were not able to meet background criteria.
- Additional soil samples collected at the Site indicate arsenic is widespread across the Site and at the property boundaries. Assessment offsite may be required to complete delineation.

Please contact me at (813) 635-5522 or Bill.Spinner@kimley-horn.com if you have any questions.

I, William T. Spinner, P.G. No. 2570, certify that I currently hold an active license in the state of Florida and am competent through education or experience to provide the engineering service contained in this report. I further certify that, in my professional judgment, this report meets the requirements of Rule 62- 780.600, F.A.C. for Site Assessment and was prepared by me or under my responsible charge. Moreover, I certify that Kimley-Horn and Associates, Inc. holds an active certificate of authorization #CA00035106 to provide the geology or engineering service (as applicable).

Sincerely,

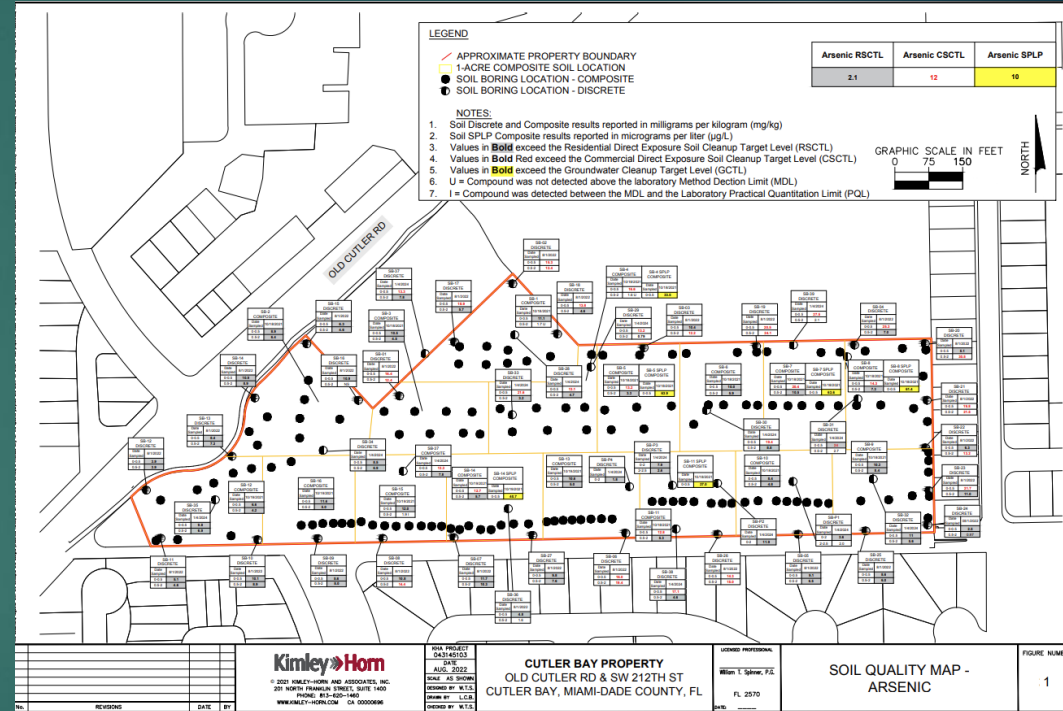
Kimley-Horn and Associates, Inc.

William T. Spinner, P.G.
 Florida Registration No. 2570



Attachments:

- Background Calculations Spreadsheet (file)
- Figure 1 – Soil Concentration Map
- Table 1 – Soil Analytical Data
- Table 2 – SPLP Data
- Laboratory Analytical Reports



SOIL MANAGEMENT PLAN

**PROPOSED CUTLER BAY REDEVELOPMENT
TOWN OF CUTLER BAY, FLORIDA
FOLIO NUMBERS: 36-6009-006-0011 & 36-6009-005-0015
CUTLER BAY CIVIC AND RESILIENCY
ENHANCEMENT ("CARE") BROWNFIELD SITE
HWR-1158/UT-7288/BROWNFIELD SITE ID
132002001**

May 21, 2024

Prepared by:
Kimley-Horn and Associates, Inc.
201 North Franklin Street, Suite 1400
Tampa, FL 33602
Phone: 813-620-1460
www.kimley-horn.com

Kimley»Horn

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Project No. 043145103



March 28, 2024

VIA ELECTRONIC MAIL: rcasals@cutlerbay-fl.gov
Paper copy will not be followed by regular mail.

Mr. Rafael G. Casals, Town Manager
Town of Cutler Bay
10720 Caribbean Blvd. Ste. 105
Miami, FL 33189

Re: Response to Comments (RTC) dated March 15, 2024 prepared by Kimley-Horn for the Proposed Cutler Bay Redevelopment Sub parcel (Folio# 36-6009-006-0011 and 36-6009-005-0015) of the Cutler Bay Civic and Resiliency Enhancement ("CARE") Brownfield Site (HWR-1158/F-NA;UT-7288/F-NA/BF Site ID#132002000 and 132002001) located at, near, or in the vicinity of 20951 Old Cutler Road, Cutler Bay, Miami-Dade County, Florida (Folio# 36-6009-006-0011, -0012, Portions of 36-6009-006-0010 and 36-6009-005-0010, -0015).

Dear Mr. Casals:

The Department of Regulatory and Economic Resources-Division of Environmental Resources Management (DERM) has reviewed the above-referenced document received on March 15, 2024 and provides the following comments:

1. DERM concurs with Kimley-Horn that the contaminants of concern (i.e., Arsenic in soil and Arsenic, Iron, & Manganese in groundwater), do not meet background criteria. Therefore, DERM acknowledges once the Town of Cutler Bay evaluates the best course of action with the proposed development, Kimley-Horn will notify DERM on how the arsenic impact in soils will be addressed (e.g., source removal with confirmation wall and base samples, offsite delineation, etc.).
2. DERM does not object to Kimley-Horn conducting additional arsenic, manganese, and iron groundwater assessments at the property boundary or offsite as necessary to determine the plume extent during or after construction activities begin. Therefore, please provide the timeframe for the site development and the anticipated completion of the pending soil and groundwater assessment.
3. DERM does not object to Kimley-Horn's conclusion that based on the results of the additional Lead and Organochlorine Pesticides (OCPs) soil assessment, no further assessment is required for said parameters.
4. Be advised that the submitted report did not include the soil boring logs for the additional soil assessment conducted on January 4, 2024. Therefore, please provide said soil boring logs in the next submittal. Based on the information provided, additional assessment may be required.
5. Please note that the Soil Summary Tables are missing the following notation under the Notes sections (e.g., Soil Cleanup Target Levels as per Chapter 62-777, FAC). Please make the necessary revisions to the tables and provide the revised tables in all future submittals.

Based on the above, and pursuant to Section 24-7(15), 24-7(26), and 24-44(2)(g) of the Code, you are hereby ordered to submit to this office for review, within ninety days (90) days of receipt of this letter, a Response to Comments (RTC) / Site Assessment Report Addendum (SARA), prepared in accordance with Chapter 62-780, Florida Administrative Code and in support of a long-term extension for site rehabilitation, which shall address the above comments. Please be advised that since the subject site is located within a Brownfield Area, the review fee for assessment documents is waived; therefore, a review fee is not being applied to the requested SARA document. Technical Reports (assessment, remediation, etc.) should be submitted via email to DERMPCD@miamidadegov and/or Sandra.Rezola@miamidadegov. For files too large for electronic transmittal, the public is requested to utilize Drop-Box or other equivalent.

Please be advised that electronically submitted reports that require a P.E. or P.G.'s sign and seal shall be signed and sealed in accordance with the applicable portions of Chapter 471, Florida Statutes (F.S.) and Rule 61G15, Florida Administrative Code

Department of Regulatory and Economic Resources

Environmental Resources Management
701 NW 1st Court, 4th Floor
Miami, Florida 33136-3912
T 305-372-6700 F 305-372-6982

miamidadegov

APPROVAL OF PLAN TO CONDUCT FURTHER GROUNDWATER ASSESSMENT FOR ARSENIC, MANGANESE, AND IRON AT THE PROPERTY BOUNDARY AND OFFSITE

AGREEMENT THAT NO FURTHER ASSESSMENT OF LEAD AND ORGANOCHLORINE PESTICIDES IN SOIL IS NECESSARY

NEXT STEP: FILE SITE ASSESSMENT REPORT ADDENDUM

TAKEAWAY 1: SCOPE OF TESTING NOW LIMITED TO ARSENIC, MANGANESE, AND IRON IN GROUNDWATER

TAKEAWAY 2: INVESTIGATION OF LEAD AND PESTICIDES SUCCESSFULLY CONCLUDED

SOIL MANAGEMENT PLAN

PROPOSED CUTLER BAY REDEVELOPMENT
TOWN OF CUTLER BAY, FLORIDA
FOLIO NUMBERS: 36-6009-006-0011 & 36-6
005-0015
CUTLER BAY CIVIC AND RESILIENCY
ENHANCEMENT ("CARE") BROWNFIELD S
HWR-1158/UT-7288/BROWNFIELD SITE ID I
132002001

May 21, 2024

Prepared by:
Kimley-Horn and Associates, Inc.
201 North Franklin Street, Suite 1400
Tampa, FL 33602
Phone: 813-620-1460
www.kimley-horn.com

Kimley»Horn

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Project No. 043145103



May 31, 2024

VIA ELECTRONIC MAIL: rcasals@cutlerbay-fl.gov
A paper copy will not be followed by regular mail.

Mr. Rafael G. Casals, Town Manager
Town of Cutler Bay
10720 Caribbean Blvd. Ste. 105
Miami, FL 33189

Re: Response to Comments (RTC) dated May 23, 2024 and Soil Management Plan (SMP) dated May 21, 2024 prepared by Kimley-Horn for the Proposed Cutler Bay Redevelopment Sub parcel (Folio# 36-6009-006-0011 and 36-6009-005-0015) of the Cutler Bay Civic and Resiliency Enhancement ("CARE") Brownfield Site (HWR-1158/F-NA;UT-7288/F-NA/BF Site ID#132002000 and 132002001) located at, near, or in the vicinity of 20951 Old Cutler Road, Cutler Bay, Miami-Dade County, Florida (Folio# 36-6009-006-0011, -0012, Portions of 36-6009-006-0010 and 36-6009-005-0010, -0015).

Dear Mr. Casals:

The Department of Regulatory and Economic Resources-Division of Environmental Resources Management (DERM) has reviewed the above-referenced document received on May 23, 2024. DERM hereby approves the SMP with the following conditions:

1. Be advised that the above-referenced RTC acknowledged comments 2.a. through 2.d. and provided revised information to address each comment; however, the changes were not made to the above-referenced SMP. Therefore, please ensure that the revised information addressed in the RTC is met during earthwork activities.
2. DERM acknowledges the receipt of a Health and Safety Plan (HASP) signed by a Certified Industrial Hygienist (CIH) as required in DERM's letter dated February 21, 2023, and found it to be complete. The referenced HASP has been placed on file with other information pertinent to the site.
3. DERM acknowledges that an ECP/ECMP will be prepared and appropriately sealed by a State of Florida Professional Engineer, to be submitted for DERM review and approval upon construction completion.
4. Be advised that the Engineering Control (EC) Verification Sampling and Analysis Plan was not attached as indicated in the RTC. DERM acknowledges that Exhibit "A" provided the Master Plan for the future Cutler Bay Legacy Park which illustrates all the green space, buildings, parking lots, pool area, etc.. Therefore, please submit the EC Verification Sampling and Analysis Plan and provide a timeline of the ECs implementation (e.g., will the ECs be completed in phases). DERM will determine if the EC verification sampling is appropriate to be conducted quarterly as proposed and included in the quarterly SMORs or when all the ECs are completed.

Based on the above, you are hereby ordered to submit to this office for review, within sixty days (60) days of receipt of this letter, an EC Verification Sampling and Analysis Plan, which shall address comment 4. Please be advised that since the subject site is located within a Brownfield Area, the review fee for assessment documents is waived; however, a review fee for remediation reports is applicable. Technical Reports (assessment, remediation, etc.) should be submitted via email to DERMPCD@miamidade.gov and/or Sandra.Rezola@miamidade.gov. For files too large for electronic transmittal, the public is requested to utilize Drop-Box or other equivalent.

Please be advised that electronically submitted reports that require a P.E. or P.G.'s sign and seal shall be signed and sealed in accordance with the applicable portions of Chapter 471, Florida Statutes (F.S.) and Rule 61G15, Florida Administrative Code (FAC) for P.E.s and in accordance with Chapter 492, F.S. and Rule 61G16, FAC, for P.G.s. If a report is electronically signed and sealed, then the corresponding "signature report", which contains a brief description of the documents being electronically signed and sealed along with the SHA-1 authentication code, shall be submitted. A scanned copy of the "signature report" may be submitted provided the licensee maintains a hard copy of the physically signed and sealed "signature report". Any

Department of Regulatory and Economic Resources
Environmental Resources Management
701 NW 1st Court, 4th Floor
Miami, Florida 33136-3912
T 305-372-6700 F 305-372-6982
miamidade.gov

- SOIL MANAGEMENT PLAN IS APPROVED.
- HEALTH & SAFETY PLAN IS APPROVED.
- APPROVAL TO FILE ENGINEERING CONTROL PLAN AND ENGINEERING CONTROL AND MAINTENANCE PLAN
- NEXT STEP: FILE ENGINEERING CONTROL VERIFICATION SAMPLING AND ANALYSIS PLAN BY JULY 30, 2024
- **TAKEAWAY 1:** CONTAMINATED SOIL MAY BE RELOCATED ONSITE, INCLUDING UNDERNEATH BUILDINGS, PARKING SURFACES, AND HARDCAPED WALKING PATHS.
- **TAKEAWAY 2:** CONTAMINATED SOIL MAY BE RELOCATED ONSITE, INCLUDING UNDERNEATH BUILDINGS, PARKING SURFACES, AND HARDCAPED WALKING PATHS.
- **TAKEAWAY 3:** SMP APPROVAL LIKELY SAVES THE TOWN BETWEEN \$5 MILLION AND \$8 MILLION IN OFFSITE DISPOSAL COSTS

Project Completion – Environmental

▶ **Soil and Groundwater Investigation**

- ▶ Limited to arsenic in soil and arsenic, iron, and manganese in groundwater
- ▶ Onsite and offsite testing is ongoing; however, emphasis is currently offsite
- ▶ Target completion date – Q4 2024

▶ **Soil Remedy**

- ▶ Relocation of impacted soils to underneath buildings, parking areas, walkways, two-foot clean soil cap, limited source removal and offsite excavation
- ▶ Engineering Control Plan & ongoing maintenance and verification
- ▶ Target completion date – When all horizontal development work is completed

▶ **Groundwater Remedy**

- ▶ At least one year of quarterly monitoring after soil remedy is completed to demonstrate “stable or shrinking plume”
- ▶ Restrictions & Limitations on groundwater use
 - ▶ Consumption – restriction
 - ▶ Irrigation – either restriction or limitation
 - ▶ Modification of approved stormwater system – with pre-approval from Miami-Dade County DERM
- ▶ Target completion date – Likely 15 months following completion of soil remedy

▶ **Declaration of Restrictive Covenant**

- ▶ Memorializes Engineering Controls for impacted soils and restrictions and limitations on impacted groundwater
- ▶ Target completion date – 4 months after completion of soil and groundwater remedy

▶ **Site Rehabilitation Completion Order with Conditions (the “NFA”)**

- ▶ No further action required (subject to reopeners)
- ▶ Target issuance date – 30 days after recordation of Declaration of Restrictive Covenant



Project Completion – Environmental

▶ SRCO-C “Caveat”

- ▶ For formal SRCO to issue, entire “Site” must be assessed and remediated.
- ▶ No assessment or remediation work of record for two parcels owned by GCF Investments, Inc.
- ▶ Town can conclude its response but will have to wait for GCF for formal SRCO-C

PROPERTY INFORMATION

Folio: 36-6009-005-0014

Sub-Division: SEMINOLE PLAINS REPLAT

Property Address: 0

Owner: GCF INVESTMENTS INC

Mailing Address: 2000 S BAYSHORE DR 38 MIAMI, FL 33133

PA Primary Zone: 6103 NEIGHBORHOOD-ARTERIAL

Primary Land Use: 1081 VACANT LAND - COMMERCIAL - VACANT LAND

Beds / Baths /Half	0 / 0 / 0
Floors	0
Living Units	0
Actual Area	0 Sq.Ft
Living Area	0 Sq.Ft
Adjusted Area	0 Sq.Ft
Lot Size	91,593 Sq.Ft
Year Built	0

PROPERTY INFORMATION

Folio: 36-6009-006-0010

Sub-Division: SEMINOLE PLAINS

Property Address: 20801 OLD CUTLER RD

Owner: GCF INVESTMENTS INC

Mailing Address: 2000 S BAYSHORE DR 38 MIAMI, FL 33133

PA Primary Zone: 6103 NEIGHBORHOOD-ARTERIAL

Primary Land Use: 1081 VACANT LAND - COMMERCIAL - VACANT LAND

Beds / Baths /Half	0 / 0 / 0
Floors	0
Living Units	0
Actual Area	0 Sq.Ft
Living Area	0 Sq.Ft
Adjusted Area	0 Sq.Ft
Lot Size	161,844 Sq.Ft
Year Built	0
Year Annexed	2006

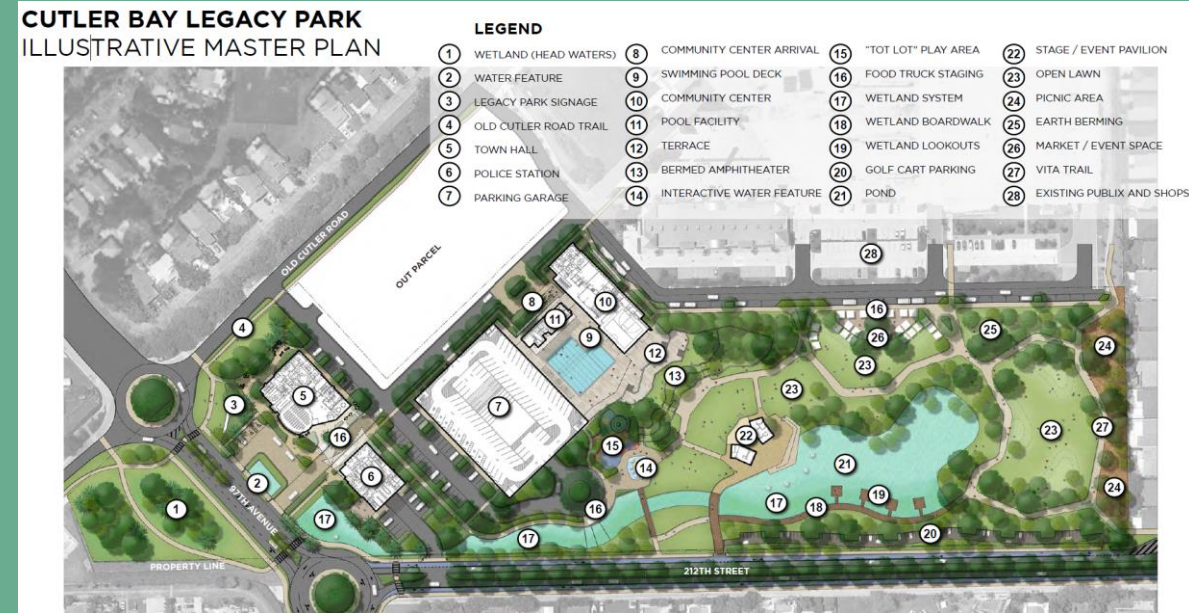
Project Completion – Environmental Construction Approvals & Voluntary Cleanup Tax Credits

▶ Environmental Construction Approvals

- ▶ Soil Management Plan ✓
 - ▶ Project savings of between \$5 million and \$8 million
- ▶ Stormwater Drainage Plan
- ▶ Dewatering Permit

▶ Voluntary Cleanup Tax Credits

- ▶ \$267,331.10 in tax credits issued to date
 - ▶ Approximate cash value of \$243,000
- ▶ \$1,000,000.00 in projected additional credits
 - ▶ Approximate cash value of \$455,000



POTENTIAL GRANTS

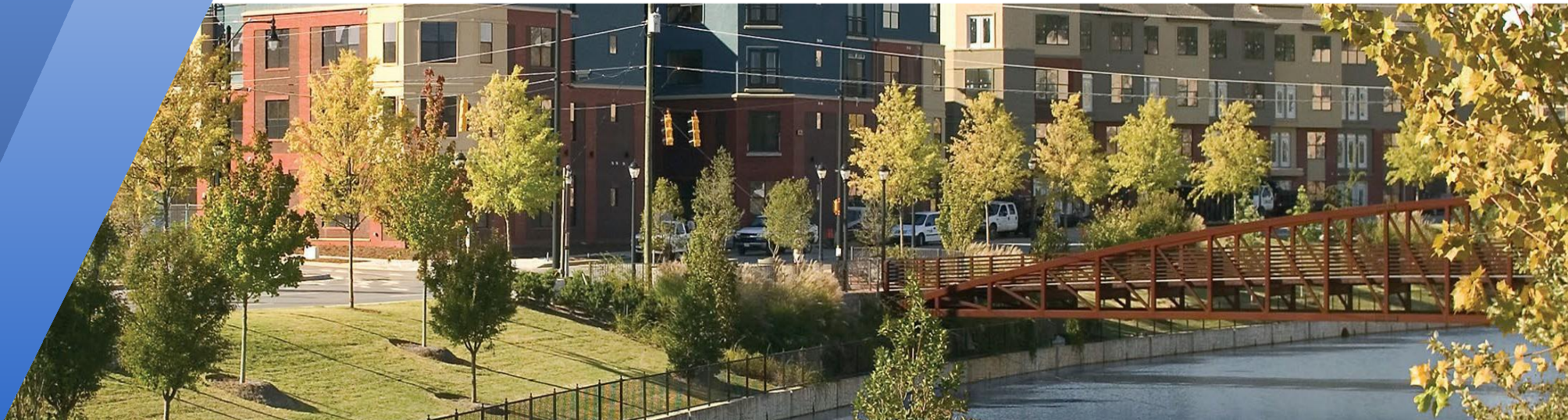
8

GRANTS:

EPA's Brownfields & Land Revitalization Program Overview

Patricia Overmeyer

August 2023



Brownfields are Opportunities

- Address contamination and reduce risks to public health
- Reduce blight
- Promote economic development
- Enhance community involvement and sense of community pride
- Address climate change challenges



EPA Supports Community Efforts to Revitalize Brownfields

- Grants and technical assistance to promote:
 - planning, assessment, clean up, and reuse of brownfield sites
 - brownfields job training
- Liability protections to encourage acquisition and investment in brownfield reuse
- Establishing and enhancing state and tribal response programs



Eligible Entities for Brownfields Grants

(vary per grant program)

- ✓ States
- ✓ US Territories
- ✓ Tribal Nations
- ✓ Intertribal consortia
- ✓ Local and Regional governments
- ✓ Non-profits – 501(c)(3)



Brownfields Assessment Grants

Grant and technical assistance support for sites with known or potential contamination:

- **Inventory:** Compile a list of brownfield sites
- **Characterization:** Identify past uses
- **Assessment:** Determine existing contamination
- **Area-Wide and Site-specific Cleanup and Redevelopment Planning:** Scope and plan process for site assessment, cleanup and reuse
- **Community Involvement:** Inform and engage stakeholders



Brownfields Assessment Grants (cont'd)

- **Community-wide Assessment Grants**

- A Community-wide Assessment Grant is appropriate for communities that are beginning to address their brownfield challenges, as well as for communities that have ongoing efforts to bring sites into productive reuse.
- **Funding:** up to \$500,000

- **Assessment Coalition Grants**

- Assessment Coalitions are designed for one “lead” eligible entity to partner with two to four eligible entities that do not have the capacity to apply for and manage their own EPA cooperative agreement and otherwise would not have access to Brownfields Grant resources.
- **Funding:** up to \$1.5 million

- **Community-wide Assessment Grants for States & Tribes**

- These grants are available to States, Tribes, and eligible native corporations in Alaska to address brownfield sites throughout their entire jurisdiction.
- **Funding:** up to \$2 million



Brownfields Cleanup Grants

- Cleanup Grants provide funding to carry out cleanup activities at one or more brownfield sites.
- An eligible entity **must own** the site at the time of application.
- Consistent with the with the direction on cost sharing in the Bipartisan Infrastructure Law, cost sharing and matching funds are **not required** under the FY 2023 Cleanup Grant competition.
- **Funding:** An applicant may request up to \$500,000, or up to \$2 million, or up to \$5 million.



Brownfields Revolving Loan Fund Grants

- Revolving Loan Fund (RLF) Grants provide funding to a grant recipient for capitalizing an RLF program.
- RLF programs provide loans and subgrants to eligible entities to carry out cleanup activities at brownfield sites.
- An RLF Grant recipient must use 50 percent or more of the awarded funds for loans.
- Consistent with the direction on cost sharing in the Bipartisan Infrastructure Law, cost sharing and matching funds **are not required** for grants funded with BIL funding.
- **Funding:** An eligible entity or coalition of eligible entities may apply for up to \$1 million.



Brownfields Multipurpose Grants

- A Multipurpose Grant is appropriate for communities that have identified, through community engagement efforts, a discrete area (such as a neighborhood, a number of neighboring towns, a district, a corridor, a shared planning area or a census tract) with one or more brownfield sites.

Multipurpose Grant funds provide funding for communities to carry out a range of eligible assessment and cleanup activities, including planning and additional community engagement activities.

- **Funding:** up to \$1 million



Brownfields Job Training Grants

- Grants provide funding to recruit, train, and place unemployed and under-employed residents of communities affected by solid and hazardous waste.
- Support trainings such as brownfields cleanup and remediation, emergency planning and response, stormwater, environmental health and safety, etc.
- **Funding:** up to \$500,000 per grant.



BIPARTISAN INFRASTRUCTURE LAW: **A HISTORIC INVESTMENT IN BROWNFIELDS**

President Biden's leadership and bipartisan Congressional action have delivered the single-largest investment in U.S. brownfields infrastructure ever. The Bipartisan Infrastructure Law invests more than **\$1.5 billion** through EPA's highly successful Brownfields Program.

\$1.2 BILLION IN PROJECT GRANTS

**\$300 MILLION TO STATE AND TRIBAL
RESPONSE PROGRAMS**

A historic \$1.5 billion investment in EPA's Brownfields Program **will transform countless lives and spur life-changing revitalization in communities** large and small, urban and rural; all with the same desire to keep their neighborhoods healthy, sustainable and reflective of the people who call it home.

With EPA's funding and direct technical assistance, overburdened communities can begin to address the economic, social and environmental challenges caused by brownfields and **reposition these properties for investment and revitalization.**

\$1.5 BILLION

Investment Highlights

2023 OFFERINGS*

Assessment Grants

UP TO \$1 MILLION – \$2 MILLION PER GRANT

for states and tribes to determine extent of contamination and plan revitalization at brownfield sites

No cost share requirement

Applications due November 2022 • Projects awarded Summer 2023

Cleanup Grants

UP TO \$500,000 – \$2 MILLION PER GRANT

for communities, states, tribes and nonprofits to cleanup contamination on brownfield sites

No cost share requirement

Applications due November 2022 • Projects awarded Summer 2023

Revolving Loan Fund (RLF) Grants

UP TO \$1 MILLION PER GRANT

for communities, states, tribes and nonprofits to provide loans and subgrants for the cleanup of contamination and revitalization of brownfield sites

No cost share requirement

Applications from applicants with no open RLF Grant due November 2022 • Funds awarded Summer 2023

Supplemental requests of up to \$3 Million from existing Grant recipients who have an open RLF Grant due March 2023 • Funds awarded Summer 2023

Job Training Grants

UP TO \$500,000 per grant

for communities, states, tribes and nonprofits to develop a job training program that supports revitalization at brownfield sites

Applications due August 2023 • Projects awarded January 2024

Technical Assistance, Including Targeted Brownfields Assessments

The largest investment ever in direct contracts and cooperative agreements to provide communities with technical assistance to adapt to a changing climate and remove barriers to safe and sustainable property reuse

Projects awarded on a rolling basis

Cooperative Agreements to State and Tribal Response Programs

\$60 MILLION available per year

in cooperative agreements for states and tribes to build response program capacity, oversee brownfields cleanups and conduct limited site assessment and cleanup activities

FY23 requests due December 2022 • Funds awarded September 2023

**Funding amounts and deadlines are tentative and subject to change.*



FY 2024 Multipurpose, Assessment, and Cleanup Grant Funding Estimates

Grant Type	Maximum Project Period	Maximum Amount Per Grant	Estimated # of Awards	Total Per Grant Type	
				Bipartisan Infrastructure Law Funds	Regular Appropriated Funds
Multipurpose	5 yrs	\$1,000,000	20		\$20.0 M
Assessment (State/Tribal)	5 yrs	\$2,000,000	25	\$50.0 M	
Assessment Coalitions	4 yrs	\$1,500,000	26		\$40.0 M
Assessment (CW) - New	4 yrs	\$500,000	30		\$15.0 M
Assessment (CW) - Existing	4 yrs	\$500,000	30		\$15.0 M
Cleanup	4 yrs	\$500,000	40	\$20.0 M	
Cleanup	4 yrs	\$2,000,000	17	\$35.0 M	
Cleanup	4 yrs	\$5,000,000	8	\$40.0 M	

RLF Supplemental: up to \$5 M per grant – 23 awards – a total of \$60 M Bipartisan Infrastructure Law Funds



****Amounts are subject to change****

FINANCIAL UPDATE

9

DESIGN ASSIST PROCESS

TEAM STRUCTURE

- In a design-assist delivery system the owner engages a Construction Firm, and subcontractors, to COLLABORATE with or “assist” the design professional(s) in developing the design and construction documents.
- Design and Construction OVERLAP.

PROCESS & DELIVERABLES

- Design Assist OVERLAPS design and construction instead of the typical sequential process.
- The construction team provides advice during the design phase but does not diminish the role of the architect, engineer, or their ultimate responsibility for the design.
- CONSTRUCTABILITY and SAVINGS reviews performed throughout the design.

DESIGN ASSIST PROCESS

1

- THE PROJECT TEAM CONSISTING OF THE CLIENT, ARCHITECT, ENGINEERS, AND CONSTRUCTION TEAM ASSISTS THE ARCHITECT AND ENGINEERS IN THE DESIGN OF THE PROJECT.
- HIRED PRIOR TO THE COMMENCEMENT OF CONSTRUCTION DOCUMENTS, TYPICALLY AFTER PROGRAMMING AND DURING THE SCHEMATIC DESIGN PHASE OR THE DESIGN DEVELOPMENT PHASE
- A COST ANALYSIS IS COMPLETED AT THE END OF EACH DESIGN PHASE TO ENSURE THAT THE PROJECT IS STAYING ON BUDGET.
- THE CONSTRUCTION FIRM CONDUCTS A CONSTRUCTABILITY AND SAVINGS REVIEW THROUGHOUT THE DESIGN.

2

- THE GMP PRICE AND SCHEDULE TERMS ARE NEGOTIATED AND SOLIDIFIED.
- CONSTRUCTION BEGINS

DESIGN

TEAM MEMBERS

- CLIENT
- OWNER'S REPRESENTATIVE
- ARCHITECT
- LANDSCAPE ARCHITECT
- CIVIL ENGINEER
- MEP ENGINEERS
- STRUCTURAL ENGINEER
- INTERIOR DESIGNER
- CONSTRUCTION FIRM
- SUB-CONTRACTORS

BUILD

TEAM MEMBERS

- CLIENT
- OWNER'S REPRESENTATIVE
- ARCHITECT
- LANDSCAPE ARCHITECT
- CIVIL ENGINEER
- MEP ENGINEERS
- STRUCTURAL ENGINEER
- INTERIOR DESIGNER
- CONSTRUCTION FIRM
- SUB-CONTRACTORS

DESIGN ASSIST PROCESS

PROS

- A proactive approach in which the construction team participates in the preparation of the design
- Improved constructability.
- Reduced time/cost.
- Increased efficiency
- More accurate pricing.
- Better communication between the design and construction teams.
- The design professional maintains responsibility for the design and benefits from having input from knowledgeable builders along the way.
- Input is provided, during the design, from the builder's expertise as someone knowledgeable about things like installation, construction techniques, scheduling, or cost estimating.
- Concerns about plans are addressed early in the design process rather than at bid time, when it might be too late to address these problems efficiently.

CONS

- Added cost and time during the design phase of a project.

FINANCIAL BREAKDOWN & PROJECT APPROACH

LEGEND






- | | | | |
|-------------------------|-----------------------------|-----------------------|-----------------------------|
| ① WETLAND (HEAD WATERS) | ⑧ COMMUNITY CENTER ARRIVAL | ⑮ "TOT LOT" PLAY AREA | ⑳ STAGE / EVENT PAVILION |
| ② WATER FEATURE | ⑨ SWIMMING POOL DECK | ⑯ FOOD TRUCK STAGING | ㉑ OPEN LAWN |
| ③ LEGACY PARK SIGNAGE | ⑩ COMMUNITY CENTER | ⑰ WETLAND SYSTEM | ㉒ PICNIC AREA |
| ④ OLD CUTLER ROAD TRAIL | ⑪ POOL FACILITY | ⑱ WETLAND BOARDWALK | ㉓ EARTH BERMING |
| ⑤ TOWN HALL | ⑫ TERRACE | ㉒ WETLAND LOOKOUTS | ㉔ MARKET / EVENT SPACE |
| ⑥ POLICE STATION | ⑬ BERMED AMPHITHEATER | ㉑ GOLF CART PARKING | ㉕ VITA TRAIL |
| ⑦ PARKING GARAGE | ⑭ INTERACTIVE WATER FEATURE | ㉒ POND | ㉖ EXISTING PUBLIX AND SHOPS |

- PARK
- COMMUNITY CENTER & POOL
- PARKING GARAGE
- POLICE STATION
- TOWN HALL



FINANCIAL BREAKDOWN & PROJECT APPROACH

		SITE ELEMENTS					BUILDINGS				
CSI 16 Div	Title	Site Infrastructure	Site /Offsite Concrete & Paving	Park & Landscape	Boardwalks	Outdoor Play Equipment	Police Station	Town Hall	Community Center & Pool	Event Pavillion	Parking Garage
		Earthwork, Fill, Site Utilities	Site Concrete, Paving, Ret Walls, Pond/Fountains, 97th/Offsite Paving & Utilities	Landscaping, Irrigation, Terraces, Trails, Site Furnishings, Park Pavers	Boardwalks, Lookouts, Bridges, Stage	Tot Lot / Play Area, Splash Pad, Outdoor Gym	Bldg, bridge, 2 parking lots, paver areas	Bldg, parking, courtyards, water feature	Bldg, mechanical rooms, 2 levels of deck, entry stairs/ terracing	Vertical Building (See Boardwalks for Stage)	Building, circular drive
01	General										
01.000	General Conditions										
01.100	General Requirements										
02	Site										
02.300	Earthwork										
02.700	Paving and Site Concrete										
02.800	Site improvements and amenities										
02.900	Landscaping & Irrigation										
03	Concrete										
04	Masonry										
05	Metals										
05.000	Basic metal materials and methods										
05.700	Ornamental Metal/Panels										
06	Wood and plastics										
07	Thermal and moisture protection										
08	Doors and windows										
08.000	Basic door and window materials and methods										
08.300	Specialty/OH Doors										
08.500	Glass/Glazing: Storefront/Curtain Wall										
09	Finishes										
09.000	Drywall										
09.100	Stucco										
09.600	Flooring & Tile										
09.900	Paints and coatings										
10	Specialties										
10.000	Specialties										
10.200	Louvers and vents										
11	Equipment										
12	Furnishings										
13	Swimming Pools and Fountains										
14	Elevators										
15	Mechanical										
15.300	Fire Suppression										
15.400	Plumbing										
15.700	HVAC										
16	Electrical										
16.000	Electrical										
16.400	Lighting fixtures and lamps										
	Grand Totals										

	PARK
	COMMUNITY CENTER & POOL
	PARKING GARAGE
	POLICE STATION
	TOWN HALL

NEXT STEPS

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NEXT STEPS

- A&E TEAM ONBOARD = COMPLETE
- MASTER PLAN APPROVED = COMPLETE
- SCHEMATIC DESIGN = COMPLETE
- CONSTRUCTION FIRM ONBOARD = COMPLETE



NEXT STEPS

DESIGN ASSIST PROCESS BEGINS

- SCHEMATIC DESIGN COST
 - ASSUMPTIONS
 - MATERIAL REVISIONS
 - SCOPE REVISIONS
- DESIGN DEVELOPMENT BEGINS IN PARALLEL WITH COST BREAKDOWN ANALYSIS AND REVISION.
 - ONGOING MATERIAL REVISIONS
- DESIGN DEVELOPMENT COST
 - ASSUMPTIONS
 - MATERIAL REVISIONS
 - SCOPE REVISIONS
- CONSTRUCTION DOCUMENTS BEGIN IN PARALLEL WITH COST BREAKDOWN ANALYSIS AND REVISION.
 - ONGOING MATERIAL REVISIONS
- CONSTRUCTION DOCUMENT COST
 - ASSUMPTIONS
 - MATERIAL REVISIONS
 - SCOPE REVISIONS
- FINAL GMP

QUESTIONS