

MIAMI RIVER STUDY COMMISSION REPORT

History of the Commission

The Miami River Study Commission (MRSC) was created by the State Legislature in Specific Appropriation 1196 to “conduct a comprehensive study and review of the restoration and enhancement of the Miami River and Biscayne Bay.” The 14-member study commission was appointed in September, 1997, to represent each of the public and private sector interest groups identified in the Appropriation, as follows:¹

- 3 local community volunteers
- Mayor of Miami-Dade County
- Mayor of City of Miami
- Miami-Dade County State Attorney
- Secretary of Community Affairs
- Chairperson of the Quality Action Team
- Chairperson of the Miami River Coordinating Committee
- Chairperson of the Miami River Marine Group
- Chairperson of the Marine Council
- Chairperson of the Downtown Development Authority
- Chairperson of a Miami River homeowners association
- Chairperson of the Miami-Dade County Legislative Delegation

The appropriations bill that formed this Study Commission came about as a result of proposals in the Legislature to create a port authority for the Miami River. These initiatives were lead by Representative Bruno Barreiro, who took a commendable interest in helping to solve the River’s problems. However, the port authority bills introduced in the 1996 and 1997 legislative sessions met with substantial resistance from local interest groups, including businesses, residents and the City of Miami Commission.

The controversy concerned the merits of an authority, as well as the proposed method of establishing it by an act of the State Legislature without sufficient local representation and support. The Miami River Coordinating Committee (MRCC) stepped in to facilitate the debate by conducting a study based upon written and oral input from all affected parties. The MRCC concluded that river-related issues would not be advanced by an authority; however, it did recommend that a study should be conducted to determine what type of entity, if any, would be appropriate to serve the interests of the River. The Miami River Study Commission was authorized to consider alternatives for management of the River within its broad mandate to study restoration and enhancement.²

¹Names of the Miami River Study Commission members and their designees are listed in appendix A.

¹Specific Appropriation 1196 provided \$280,000 for restoration and enhancement of Biscayne Bay and the Miami River, a portion of which could be used for the study. The recommendations of the Study Commission for expenditure of the entire \$280,000 are listed in appendix B.

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Importance of the Miami River

The Miami River reflects the diversity of the multi-ethnic, international city that it traverses. It is a microcosm of contrast, persistent problems and unfulfilled opportunities. The city was founded at the mouth of the River and grew up along its banks. Today it encompasses the downtown, historic neighborhoods, public parks, the Civic Center, and a wide variety of commercial activity. The inherent beauty and exotic allure of the waterway entices residents to seek the experience of urban living and offers a powerful inducement for redevelopment and restoration of urban housing. Over one-third of the land use along the River is composed of unique, attractive residential properties. Another one-third of the Miami River shoreline is a "working waterfront", the largest concentration of marine businesses in the metropolitan area, including shippers, marinas, boatyards, fishing docks, seafood wholesalers and related services. This is especially significant due to the lack of alternative locations where water access, zoning and property values would permit marine industries to grow.

The shipping industry on the Miami River is one of the least appreciated economic assets in Florida. The 32 privately owned shipping terminals on the Miami River together rank as the 5th largest seaport in the State of Florida, handling approximately \$4 billion³ in cargo in 1997. Cargo values have grown at a rate of 10% each year and overall trade with the Caribbean and Central and South America is projected to continue to increase at a steady rate. The future is even more exciting with the potential opening of free trade with Cuba, which would cause an explosion in opportunity. The Miami River is ideally positioned to capture that portion of trade originating in shallow-draft ports such as Caredenas, Mariel, Isabela, and Trinidad. **Greater Miami must not fail to have the infrastructure in place to meet this challenge.**

Commensurate with increased trade is the rising number of direct jobs in the marine industry. Terminal work on the River offers an important job market for recent immigrants and "welfare-to work" clients by providing sustainable living wages for low-skilled workers. Along with an estimated 403 direct jobs as far back as 1990⁴, comes the creation of thousands of indirect jobs in marine related services. The July 29, 1996 issue of The Florida Shipper notes: "One small coastal freighter of 100 TEUs (20-foot containers) creates 77 jobs on-shore...", which equates to well over 5,000 indirect jobs.

The Miami River is the largest tributary to Biscayne Bay, which is a vitally important attraction to tourism and commercial activity throughout Greater Miami and the Beaches. The River represents a significant threat to the delicate balance of the ecosystem in the Bay by carrying high concentrations of pollutants. Efforts to clean up the River date back to the 1940s, but the problems persist because the sources of contamination are so widespread and so intertwined with intensifying urban development.

General Problem Statement

The Miami River is the most studied, yet least understood and most neglected feature in South Florida. Notwithstanding its historical significance and its economic vitality, as described above, the problems articulated over years and years of planning and studying not only continue, but continue to worsen. Why is this?

After 4½ months of intensive review, this Commission is prepared to answer this very important question. Understand that this Commission started with the valid premise that the River's problems were known, that plans had been drawn and redrawn in an effort to solve them, and that no further planning or studying would improve the situation. Why then has so very little been accomplished?

³ Estimates based upon Miami River Study 1990 by the Beacon Council.

⁴ Estimates based upon Miami River Study 1990 by the Beacon Council.

The answer to all this is simply stated: the single greatest problem facing the Miami River to date is a total lack of political leadership from the City of Miami Commission and the Miami-Dade County Commission. No leader has stepped forth to take up the River's banner, to see that staff recommendations are converted to policy, and then that such policy is executed.⁵ The River is a substantial economic engine for the local economy, yet no effort is being made to support and retain existing industries or to recruit new ones. The River presents enormous potential for tourism generally, and its development is required for the true restoration and revitalization of Downtown Miami and adjacent residential areas, yet opportunity after opportunity passes without one single commissioner or mayor insisting and demanding on this goal. Finally, the problem of contaminated sediments in the River is allowed to worsen, and now legitimately threatens Biscayne Bay, but not one campaign theme of any politician deals with the impending crisis.

When this lack of leadership at the political level is coupled with the neglect of community civic leadership, such as the Greater Miami Chamber of Commerce, and the lack of unity and political influence by local river organizations, the solution to the puzzle is clear. Until economic and environmental pressure is brought to bear on elected leaders to clean up the River and take steps necessary to benefit and prosper from its industry and revitalize its neighborhoods, parks and tourist potential, commissions will continue to study, dedicated government employees will continue to plan and participate—but the Miami River will continue to deteriorate.

Conclusion

The Miami River Study Commission held 13 public meetings, reviewed existing studies and received testimony from many of the major stakeholders on the Miami River including governmental agencies, residents, businesses and civic organizations.

Our overwhelming conclusion is that the problems can be solved! The solutions are known and simply require absolute commitment and cooperation. The recommendations that follow are for the most part not original; they do, however, provide for specific actions. All are made with the hope that the political and civic leaders of this community will go forward to purposefully implement these suggestions.

This report proposes to establish a permanent Miami River Commission, which will provide an effective means to coordinate and direct those efforts. The Commission will give those who are involved with the River more responsibility to participate, and its decisions will provide a real springboard for political leadership.

The potential payoffs are enormous. Execution of these recommendations represents a positive political platform for each and every leader who chooses to step forth and take up the River's banner.

⁵ This is not a statement directed to any individual. Indeed, Mayor Penelas and Commissioner Alonso have agreed to go forward with sponsoring the necessary resolutions to implement this report. Commissioners Morales, Sorenson and Kaplan have communicated directly to this Commission their interest and support for the River and this Commission's work. At the city level, Commissioner Gort, a member of this Commission, has indicated a willingness to support and sponsor the necessary resolutions. Commissioner Regalado attended and expressed support for the Commission and particularly its efforts dealing with law enforcement on and adjacent to the River. This Commission is indebted to each for his or her response, interest and support. It is a very significant factor.

Recommendations

Pages 4-15 summarize the problems, solutions and specific tasks recommended by the Miami River Study Commission regarding the following issues:

Management.....	(pages 4-6)
Dredging	(page 6)
Water Quality.....	(page 8)
Enforcement.....	(pages 9)
Derelict Vessels	(pages 11-13)
Land Use & Development.....	(pages 13-15)

Recommendations: Management

Problem: The Miami River falls under the jurisdiction of four levels of government (federal, state, county and municipal) with at least 36 individual agencies charged with carrying out their responsibilities. As such, it lacks unified management, political leadership and accountability. The Miami River Coordinating Committee was established to address this problem. It has succeeded in providing a forum for interagency exchange of information and public discussion of river issues, but has not been able to make things happen.

Solution: Create an effective and powerful coordinating commission that incorporates the viewpoints of all river constituencies, and has the active participation of elected officials who have the power to get things done. Established by state statute, this new commission should be designated as the official clearinghouse for all public policy and projects related to the Miami River. Its mission would be to unite all governmental agencies, businesses and residents to speak with one voice on river issues; to develop coordinated plans, priorities, programs, projects and budgets that will substantially improve the river area; and to act as the principal advocate and watchdog to ensure that river projects are funded and implemented in a proper and timely manner. This new commission should be named the “Miami River Commission” (MRC).

The MRC should be empowered to seek and receive funding to implement river improvement projects of its own. Regulatory authority and responsibility will remain as it exists with city, county, state and federal government. However, the new MRC should be allowed to accept any specifically defined authority delegated to it by any level of government through a memorandum of understanding or other legal instrument. The new Miami River Commission will use powers of persuasion to achieve its objectives through the process of building a consensus work plan, and through widespread publication of regular progress reports.

The new MRC would have a three-tiered structure: (1) a policy committee consisting of elected officials, stakeholders and citizens as listed below, (2) a Managing Director who has the responsibility to implement plans and programs, and (3) a working group consisting of all governmental agencies that have jurisdiction in the river area, as well as representatives from business and civic associations. The membership of the policy committee would be established by the state statute, however, the working groups would be appointed by the policy committee. The policy committee may meet monthly, but should be required to meet at least quarterly. Members of the policy committee should include:

Federal: _____ Member of Congress (ex-officio)
 US Coast Guard, Captain of the Port (ex-officio)

- State: Governor
Chair of Dade Delegation
Chair of South Florida Water Management District Governing Board
Miami-Dade County State Attorney
- Local: Mayor of Miami
Mayor of Miami-Dade County
City of Miami Commissioner
Miami-Dade County Commissioner
- Business: Chair of Miami River Marine Group
Chair of Marine Council
Executive Director of Downtown Development Authority
Chair of Greater Miami Chamber of Commerce
- Community: 2 designees from the following neighborhood associations: Spring Garden, Grove Park, Miami River Neighborhood Enhancement Corporation (city appointment, county appointment, selected from a list of 3 names submitted by each organization)
1 designee from an environmental or civic association (governor appointment)
3 members-at-large who should be stakeholders who have a vested interest in the River with a “vested interest” defined as having “a demonstrated history of involvement on the River through business, residence or volunteerism.” (state appointment, county appointment, city appointment)
- Total = 18 voting members + 2 ex-officio members

The powers and duties of the policy committee should be:

- a) Consolidate existing plans, programs and proposals into a coordinated strategic plan for improvement of the Miami River and surrounding area, addressing environmental, economic, social, recreational and aesthetic issues. Update this plan on a regular basis.
- b) Prepare an “integrated financial plan” modeled after the South Florida Ecosystem Restoration Working Group. Update this plan on a regular basis.
- c) Monitor progress on each element of the strategic and financial plans.
- d) Provide technical assistance and political support as needed to help implement each element of the strategic and financial plans.
- e) Accept any specifically defined authority delegated to it by any level of government through a memorandum of understanding or other legal instrument.
- f) Publicize a semiannual report showcasing accomplishments of the MRC and each member agency, as well as the status of each pending task. Distribute the report to the City and County Commissions and Mayors, the Governor, Chair of the Dade County Delegation, stakeholders and the local media.
- g) Seek grants from public and private sources; receive grant funds and administer contracts.
- h) Coordinate a joint planning area agreement between the Dept. of Community Affairs (DCA), City and County under the provisions of Section 163.3177(11)(a),(b) and (c), Florida Statutes.
- i) Provide a forum for exchange of information and facilitate the resolution of conflicts.
- j) Act as a clearinghouse for public information. Conduct public education programs.
- k) Establish a Miami River Working Group comprised of local representatives of governmental agencies with jurisdiction in the river area, as well as affected business and civic associations. Organize subcommittees, delegate tasks and seek council from members of the Working Group as necessary to carry out the powers and duties listed above.

- l) Elect officers and adopt rules of procedure as necessary to carry out the powers and duties listed above. Replace policy committee members who do not participate on a regular basis.
- m) Hire a “Managing Director” who should be authorized to represent the MRC and to implement all policies, plans and programs of the MRC. Employ any additional staff necessary to assist the Managing Director.

This new management structure can only function properly if it has adequate funding for staff and administrative expenses. The legislation creating the MRC must include guaranteed, ongoing funding from the State. The City needs to transfer its Stormwater Trust Fund annual contribution from the MRCC to the new MRC; and the County needs to dedicate a suitable source of funding.

Following are the specific steps necessary to set up the Miami River Commission. This chart, and others that follow in this report, identify wherever possible the one agency that should take the leadership role in making sure that the task gets done. The lead agency may, but does not necessarily have responsibility for funding or enforcement. It is important to note that the charts list only “Unfunded” costs, if known.

Task	Lead Agency	Unfunded Costs	Funding source
1. Obtain resolutions from the City Commission, County Commission and SFWMD Governing Board in support of the new MRC proposal.	MRSC	none	
2. Establish the legal framework for the new MRC, including membership powers and duties	Legislature (Rep. Barreiro)	see #3	
3. Guarantee ongoing funding for annual operations	state, SFWMD and county	\$225,000 (excludes \$25,000 annually dedicated by city)	

Recommendations: Dredging

Problem: The accumulation of sediment in the main shipping channel poses a serious threat to the \$4 billion shipping industry on the Miami River. The channel is becoming narrower and shallower, forcing vessels to transit only at high tide which limits the number of trips per day and the amount of cargo that can be loaded. The US Army Corps of Engineers estimates that the channel narrows by about one foot per year. The sediment is contaminated as a result of historic point and non-point source pollution. By migrating into Biscayne Bay, the sediment poses a serious environmental hazard to the delicate ecosystem of the Bay, and the enormous commercial and tourism economy that depends on its health.

The Corps began feasibility studies for dredging the Miami River in 1970. Twenty years later, in 1990, they completed a feasibility report that recommended maintenance dredging. Since then, the Corps, DERM and other agencies have been engaged in studies and debate over suitable disposal methods for the sediments. The conclusion is the sediments do not meet federal criteria for ocean

disposal, and the alternative—upland disposal in a specially prepared landfill—is prohibitively expensive. The project has come to a standstill due to (1) lack of political leadership, (2) lack of a feasible disposal plan and (3) funding for the local share of disposal costs.

Solution: This stalemate can be broken by developing a plan for phased dredging, where the River is divided into five or more segments to be dredged in stages over several years. This strategy will allow funding to be broken down into more manageable annual increments and reduce the size of the upland site required to temporarily hold the sediments for dewatering and processing. Local stakeholders must be the ones to determine the priorities for phased dredging, and the new MRC is the ideal entity to bring the parties together to reach consensus. Once the phasing plan is established, the Corps can develop accurate cost estimates and a time line, which are necessary prerequisites to any serious effort to identify and raise funds for the local match. The formula the Corps currently wants to use requires the non-federal partner(s) to pay the majority of the disposal costs. Local interests must convince Congress to set a cost share of 75:25 (federal : non-federal), including disposal costs. The MRC can continue in a coordinating and advocacy role, and aggressive political leadership will be required at the city, county, state and federal levels.

Task	Lead Agency	Unfunded Costs	Funding source
1. Agree on priorities for phased dredging	MRC	none	
2. Identify 10-11 acres of land for dewatering	DERM	none	
3. Prepare final plans and cost estimates	Corps	none	
4. Lobby congress to establish a more favorable cost share formula - 75:25	city, county, state & federal elected officials		
5. Designate local sponsor	county should be official sponsor; monitoring & advocacy by MRC	none	
6. Obtain funding for non-federal share of project	city, county, state elected officials	to be determined #3	
7. Secure federal funding	city, county, state & federal elected officials	to be determined #3	Corps federal appropriation
8. Purchase or lease land for dewatering	non-federal sponsors	to be determined #2	
9. Conduct bidding and award contract	Corps	to be determined #3	

Recommendations: Water Quality

Problem: The Miami River is the largest tributary to Biscayne Bay and by some measures ranks as its greatest source of pollution. Water and sediments from the River consistently exceed county and state water quality standards. It has been difficult to stop the water quality degradation because much of it is caused by nonpoint source pollution including stormwater runoff, sewage leaks and illegal dumping throughout the entire 69-square-mile drainage basin. Other problems are more directly attributable to riverfront activity such as discharge of bilge and wastewater from vessels, eroding shorelines, deteriorating vessels and marine structures, dumping of fish wastes and “poor housekeeping” practices by waterfront land uses.

Solution: During the past few years, major strides have been made toward eliminating water pollution caused by marine businesses. Each business is required to obtain a Marina Operating Permit from DERM requiring “best management practices.” U.S. Coast Guard rules cover additional causes of pollution. The key to success has been coordinated enforcement by the Quality Action Team, as well as cooperation from business owners.

Numerous studies and plans have identified the programs and projects necessary to improve water quality in the Miami River, notably the **Biscayne Bay Surface Water Improvement and Management (SWIM) Plan** (1995), the **Miami River Water Quality Plan** (DERM, 1993), the **Upper Wagner Creek Water Quality Improvement Plan** (MRCC, 1997) and the NPDES permits for the city and county. The list of solutions is too long and complex to publish in this report. All of them should be supported and monitored. The primary impediment is funding. Therefore, the following chart lists only the unfunded projects that have been brought to the attention of the Miami River Study Commission. Other important solutions to the water quality problem are discussed elsewhere in this report under the headings of “Enforcement,” “Dredging” and “Derelict Vessels.”

Task	Lead Agency	Unfunded Costs	Funding source
1. Provide matching funds for local stormwater utility fees to complete retrofitting of all segments of the Miami River drainage basin	City Public Works County	\$9,150,000 city \$493,200 county	SWIM Sec. 319 Non-Point Source Mgt. Program SFWMD or state appropriation
2. Provide funding for shoreline stabilization on all remaining segments of public property	by ownership	\$479,500	state developer mitigation
3. Provide ongoing funding for water quality monitoring	DERM	\$170,000 county-wide \$70,000 river only	SWIM SFWMD or state
4. Provide funding for a special 2-year water quality monitoring program for Wagner Creek in order to track progress of the plan	DERM	\$22,000	SFWMD or state
5. Sponsor public education programs	MRC	\$25,000 annually (this is same cost listed under Enforcement section)	

Recommendations: Enforcement

Problem: There are at least 36 federal, state, county and city agencies with jurisdiction over activities in and around the Miami River. Most agencies lack sufficient staff, and their personnel often don't know enough about each agency's responsibilities to properly refer violations or coordinate enforcement activities. This problem is even more imposing for businesspersons and citizens who wish to report problems or seek assistance. The Miami River has gained a reputation for being a port where drugs and illegal aliens are brought in and stolen merchandise is shipped out. Most enforcement agencies believe the majority of smuggling takes place at night and on weekends when federal and local enforcement staff (Coast Guard, Customs, INS, etc.) is reduced in size or only on call. The local marine patrol is particularly under-staffed with only five officers, who are required to divide their time and efforts over the entire shoreline of the City of Miami. Illegal dumping of solid waste is a major problem in much of the river watershed, threatening water quality and aesthetic values.

Solution: Two informal associations of enforcement agencies have been successful in recent years by holding regular meetings to share information, conduct joint inspections and solve problems through consensus—the Quality Action Team (QAT) and the Miami River Enforcement Group (MREG). Both of these groups should be officially commissioned by a “Memorandum of Understanding and Agreement” (MOUA)⁶ to ensure that they continue through ongoing changes in personnel. Additional code enforcement officers are needed, particularly to deal with environmental and solid waste problems, and increased cross-training must be provided.

The Miami River Hotline is a new initiative that will be funded for two years with \$76,513 from the \$280,000 appropriated by the State Legislature for the Miami River Study Commission. It will provide a widely publicized telephone number with trilingual operators that anyone can call with questions or problems concerning the River. Hotline staff will be trained to refer calls to the proper agency and to keep track of complaints until they are resolved. The database and reports from the Hotline will be an invaluable tool to evaluate the performance of each enforcement agency, as well as aid in future planning and budgeting.

The key to more effective enforcement by all levels of government would be to have a sufficient number of local police officers dedicated to the River. Using community policing techniques and cross-training with federal and environmental agencies, these officers would provide 24-hours per day/7days per week surveillance and deterrence to smuggling and other crimes, investigate theft and sale of stolen property, refer civil code violations to appropriate agencies, and provide backup protection to other enforcement officers when they encounter potentially dangerous situations. These additional police officers should be funded through a federal grant due to the unique situation and support that would be provided to federal agencies.

Criminal prosecution is the most effective way to control illegal dumping. Police officers should be instructed to apprehend illegal dumping violators using proper evidence gathered in cooperation with trained code enforcement officers. Convicted violators should be required by the courts to help clean up the neighborhood, either through monetary restitution or community service hours. An additional enforcement tool should be to empower city inspectors to issue civil violation tickets under authority from the county code (Chapter 8CC), through which fines and liens can be enforced against non-city residents and businesses.

The QAT should conduct a comprehensive evaluation of existing codes pertaining to structural improvements on marine industrial sites, including vessel mooring, environmental, building, zoning,

⁶ The recommended MOUAs are attached to this report as appendixes C and D.

licensing, and safety codes. The objectives should be to document enforcement responsibilities of each agency; develop a joint inspection and cross-training program; and if appropriate, recommend amendments to codes.

Task	Lead Agency	Unfunded Costs	Funding source
1. Adopt MOUA to formalize the Quality Action Team	USCG	none	
2. Adopt MOUA to formalize the Miami River Enforcement Group	DERM	none	
3. Continue to fund the Hotline	MRC	\$26,378 annually	
4. Obtain funding for 24-hour marine police patrol on the river	MRC	\$2,942,000 for three years	Dept of Justice
5. Adopt interlocal agreement delegating marine patrol responsibility in unincorporated section of the River to City of Miami police	QAT	included in #4	
6. Obtain funding for additional code enforcement officers	MRC	\$70,000 annually for DERM and \$70,000 annually for City	
7. Provide interagency code enforcement training	MREG	\$10,000	
8. Provide training to police and enforcement officers on procedures and evidence required for criminal prosecution of environmental crimes and violations at the state and local level	State Attorney	none	
9. Provide training to police and enforcement officers on procedures and evidence required for civil and criminal prosecution of environmental crimes at the federal level	US Attorney	none	
10. Adopt an interlocal agreement allowing city inspectors to ticket non-city residents and businesses for illegal dumping under Chapter 8CC	City of Miami Solid Waste Dept.	none	
11. Evaluate and refine regulations governing marine industrial sites	QAT	none	
12. Promote voluntary compliance by sponsoring education programs for residents and businesses	MRC	\$25,000 annually (this is same cost listed under Water Quality section)	

Recommendations: Derelict Vessels

Problem: Vessels of all types and sizes are frequently abandoned in the Miami River by their owners for a variety of reasons: sometimes related to enforcement or seizure by federal agencies and sometimes simply because the costs of maintenance and storage of an aging vessel exceed its value. Whether or not these vessels are seaworthy at the time of abandonment, they quickly deteriorate into “derelict” condition, causing a variety of problems including safety and navigation hazards, environmental damage from leaking fuel and other pollutants, infestation of rats, breeding of mosquitoes, and unsightly conditions that degrade scenic resources and property values. Local and state agencies have struggled for years to remove derelict vessels, hampered by conflicting and inadequate laws, burdensome red tape, insufficient funding and lack of consistent coordination and leadership. They have successfully removed over one-hundred vessels, but newly abandoned vessels keep replacing the old at an undue cost to taxpayers.

Solution: Since 1996, the Florida Marine Patrol has made significant strides in derelict vessel removal by taking charge of the process, defining procedures, coordinating roles of other agencies, and by dedicating a full-time officer to the task in Miami-Dade County. This effort should be formalized and perpetuated by adopting a Memorandum of Understanding and Agreement among the participating agencies.⁷

Ambiguous legal issues need to be resolved with additional research leading to amendment of state and local laws. These include criteria for what constitutes a “derelict vessel” and questions concerning vessel title and liability. The time and effort required to remove derelict vessels should be reduced by a proposed new state statute that will expedite due process and identify responsibilities of the vessel owner, the property owner and governmental employees.⁸ This statute should also reduce delays by tightening response-time criteria and penalties for salvage contractors. Ordinances should be adopted by the city and county, making the land owner responsible for vessels moored to his or her property, and clarifying authority to remove vessels moored without permission from the adjacent property owner.⁹

Additional funding is needed at the state level for derelict vessel removal, including support for the enforcement activities of the Florida Marine Patrol. The grant application and administration procedures should be streamlined. Consideration should be given to dedicating funding at the state level through the boat registration program and at the county level through marina operating permit fees.

⁷ The recommended MOUA is attached to the Derelict Vessel Subcommittee Report in appendix E

⁸ A draft statute is attached to the Derelict Vessel Subcommittee Report in appendix E.

⁹ A proposed city and county ordinance is attached to the Derelict Vessel Subcommittee Report in appendix E

The Derelict Vessel Subcommittee report, attached as Appendix E, provides a detailed analysis and justification for the recommendations summarized here.

Task	Lead Agency	Unfunded Costs	Funding source
1. Adopt MOUA to accomplish the following concerning derelict vessels: a) designate FMP as lead agency b) clarify procedures c) establish roles and responsibilities for each agency d) assign the Derelict Vessel Subcommittee of the QAT to oversee implementation e) identify an entity with maritime law expertise to provide ongoing research and advice	FMP	none	
2. Formalize FMP's dedication of one officer in local office full time to derelict vessels; develop and meet related manpower and funding requirements	FMP		
3. Prepare and support legislation to correct the following legal deficiencies: a) set criteria for what constitutes a "derelict vessel" b) resolve questions on title and liability c) reduce owner notification period to 30 days from 40 days d) expedite due process and identify responsibilities	MRC		
4. Adopt city and county ordinances that outline anchoring/mooring authorization parameters, and identify areas and extent of responsibility of land-side property owner	MRC		
5. Establish strict response-time criteria for salvage contractors with penalties for non-compliance, including cancellation of contract	DERM	none	
6. Streamline the application and administration procedures of the state's grant program.	MRC		

7. Establish a dedicated funding source for derelict vessel removal tied to boat registration fees and/or marina operating permit fees	QAT		
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Recommendations: Land Use and Development

Problem: The shoreline of the river is a patchwork of land uses and zoning that evolved from the unfettered early development of the city. The haphazard juxtaposition of residential, commercial and industrial uses creates impacts that constrain business expansion and depress neighborhoods. Residents are plagued by crime, noise, solid waste and unsightly conditions associated with some of the businesses. Miami River industries that are vitally important to the local economy—shipping terminals and boatyards—are totally dependent on a waterfront location, yet have almost no other place to expand or relocate in Miami-Dade County. Commercial vessels give the Miami River a unique, exotic character that is inherent in its potential as an attraction for recreation and tourism. Yet, the potential is unrealized, particularly in the downtown area. There is a lack of consistent, coherent linkage in open space and public access. Parks are understaffed and, in some cases, so seriously neglected that they have been closed to public access.

Solution: The River traverses diverse segments of the city—from downtown, through densely populated neighborhoods, to the heavily industrialized area near the airport—each demanding different solutions for promoting development and revitalization.

Bold and dramatic change is warranted in the downtown area, where a continuous riverwalk on both sides of the River should be the focal point of lively activity generated by restaurants, entertainment, shops and housing. The City's Riverside plan should be refined and implemented in the Lummus Park area.

The middle section of the River, from Jose Marti Park to NW 27th Avenue, is where residential neighborhoods predominate. Close cooperation is required among government, residents and businesses to improve social and economic conditions. A fresh, creative planning process should be undertaken with the goals of expanding jobs in economically viable elements of the maritime industry, finding operational or design solutions to conflicts between adjoining land uses, and developing opportunities for recreation and neighborhood amenities.

In the western portion of the River, the shipping and other water-dependent industry should be the priority for public policy concerning land use and economic development on riverfront land. Plans for the nearby Miami Intermodal Center (MIC) could easily overlook the economic importance of the river industry and fail to provide suitable road access for trucks and other infrastructure improvements that would support the growth of the shipping industry. Land speculation and spin-off commercial development from the MIC could eventually displace the maritime industries, therefore, a special water-dependent use zoning district should be created by the county, as intended in the comprehensive land use plan.

Throughout the length of the River, parks, open space, and points of public access should be enhanced. Park projects that have funding already earmarked from the Safe Neighborhood Parks Bond Program and from the TIP (ISTEA funding) should be expedited. Existing and new opportunities for public open space should be carefully coordinated with the storm drainage system to provide places for natural percolation wherever feasible (hydric parks). A greenways plan should be developed to link

public access points along the River and connect to the regional greenways system. The expertise of private groups, such as TPL, should be utilized to carry out these plans.

Opportunities to utilize the national Brownfields Initiative should be investigated to assess, clean up and sustainably reuse abandoned, idled or underused industrial and commercial properties where expansion or redevelopment is complicated by real or perceived underground contamination.

Task	Lead Agency	Unfunded Costs	Funding source
1. Conduct a property ownership survey and inventory analysis (Phase 1) and prepare greenway plans and designs with public participation (Phase 2)	Trust for Public Land (TPL)	\$20,000 (Phase 1) \$60,000 (Phase 2)	DCA
2. Work with neighborhood and business associations to develop plans and seek funding for improvements to the social, economic, and physical conditions in the river area	MRC	none	DCA
3. Support redevelopment of the downtown riverfront with buildings and uses designed to stimulate day and nighttime activity along a continuous riverwalk	DDA		DCA
4. Adopt water-dependent use zoning regulations in the county portion of the River to preserve waterfront land for shipping terminals and other marine industries, consistent with the Miami-Dade County Comprehensive Plan	County Planning, Development and Regulation Dept	none	
5. Update waterfront zoning in the Riverside area of the City of Miami to promote water-related activity and neighborhood revitalization	City Planning Dept.	none	
6. Lobby the MPO for funding of the Fort Dallas riverwalk, Lummus Park riverwalk and Miami Springs (Ludlam Canal) landscaping projects in TIP; add Jose Marti Park for future funding	MRC	\$2,260,000	ISTEA
7. Encourage agencies to expedite projects funded under the Safe Neighborhood Parks Bond program	MRC		
8. Secure funding for a 20.9 mile non-motorized multi-use greenway along the historic	MRC	\$6,735,000	ISTEA

Miami River			
9. Support acquisition of "The Point" on Seybold canal for a county-maintained park	Spring Garden Civic Association		Safe Neighborhood Parks Bond Challenge Grant Florida Communities Trust (DCA - Preservation 2000)
10. Provide recreation programs for children, youth and elderly through additional public funds and volunteer organizations	neighborhood organizations		
11. Investigate opportunities to use the Brownfields Initiative to redevelop underused industrial and commercial properties throughout the watershed	MRC		EPA DCA
12. Seek a part of the recent grant received by the county for Long Term Redevelopment; identify facilities that could be damaged by natural disasters, thus need mitigation	MRC		DCA
13. Adopt a joint planning agreement between DCA, the city and the county	city/county/ DCA	none	