



# MEMORANDUM

**DRAFT**  
AGENDA ITEM #IV.B2

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DATE: AUGUST 8, 2018

TO: COUNCIL MEMBERS

FROM: STAFF

SUBJECT: COMPREHENSIVE PLAN AMENDMENT REVIEW: MIAMI-DADE COUNTY #18-2ESR – KENDALL PARKWAY/PROPOSED 836 SOUTHWEST EXTENSION

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## **Amendment Review**

Pursuant to the Interlocal Agreement creating the South Florida Regional Planning Council in 1974, the Council is directed by its member counties to “assure the orderly, economic, and balanced growth and development of the Region, consistent with the protection of natural resources and environment of the Region and to protect the health, safety, welfare and quality of life of the residents of the Region.”

The South Florida Regional Planning Council (Council) reviews Comprehensive Plan amendments for consistency with the *Strategic Regional Policy Plan for South Florida (SRPP)* Pursuant to Section 163.3184, Florida Statutes. Council review of amendments to local government comprehensive plans is limited to 1) adverse effects on regional resources and facilities identified in the *Strategic Regional Policy Plan for South Florida (SRPP)* and 2) extra-jurisdictional impacts that would be inconsistent with the comprehensive plan of any affected local government within the Region. The Council’s review of amendments is conducted in two stages: (1) proposed or transmittal and (2) adoption. Council staff reviews the contents of the amendment package once the Department of Economic Opportunity certifies its completeness.

A written report containing an evaluation of these impacts, pursuant to Section 163.3184, Florida Statutes, is to be provided to the local government and the State Land Planning Agency within 30 calendar days of receipt of the amendment.



## Introduction

Council staff received proposed amendment package #18-2ESR (Application # 8) on July 13, 2018. The proposed amendment is part of the Miami-Dade County October 2017 cycle of amendments to the CDMP.

The Miami-Dade Board of County Commissioners has transmitted this application to amend its Comprehensive Development Master Plan (CDMP) to include a new expressway outside of the urban development boundary (UDB) to serve the mobility needs of an estimated 600,000 residents in West Dade and West Kendall. **(Exhibit 1 – Map)**

## Background

Application # 8 of the Miami-Dade County October 2017 Cycle CDMP Amendment (Revised and Replaced June 2018), seeks “to allow the future construction of the southwest extension of the SR-836 / Dolphin Expressway from its current terminus at approximately NW 12 Street and NW 137 Avenue to SW 136 Street...”. Miami-Dade County seeks to address roadway network capacity deficiencies and improve accessibility in southwest Miami-Dade, particularly in West Dade and West Kendall. According to Exhibit 7 of the transmittal package, this extension is proposed in response to transportation congestion and increased travel times in Southwest Miami-Dade County. The stated intent of the amendment is “to add capacity to the roadway network and significantly improve travel times between the southwest portion of the County and centers of employment, such as the Miami International Airport and the Doral areas, which provides a benefit to the public health, safety, and welfare.” (pg. 8-2)

As currently proposed the SR-836 Southwest Extension would:

- Connect to existing SR-836 at NW 137 Avenue;
- Extend ±13 miles to SW 136 Street;
- Be a tolled expressway facility to be built and operated by MDX;
- Provide inner shoulders to accommodate mass transit;
- Permit mass transit service to connect to service to be implemented on existing SR-836;
- Include a multi-use recreational trail; and
- Include park and ride locations that would be decided through future study.

*Source: October 2017 Cycle Applications to amend the CDMP (Jerry Bell, Assistant Director for Planning)*

The amendment proposes to:

- change the Land Use Element to include the 836/Dolphin Expressway southwest extension as an “Expressway” on the Land Use Plan map;
- change the Transportation Element map series in the Traffic Circulation Sub-element and Mass Transit Sub-element to include the SR-836/Dolphin Expressway southwest extension;
- incorporate CDMP text changes requiring the alignment of the SR 836 southwest extension remain outside and to the east of the boundary of the 10-day travel time contour of the west wellfield area as well all drainage shall be subject to Miami-Dade Department of Environmental Resources Management approval for conformance to Chapter 24 of the Code; prior to the construction of the roadway, or any phase thereof, MDX shall prepare a surface water sheet flow analysis to demonstrate that the wetlands hydrology in this area shall be adequately retained;

- incorporate CDMP text changes intended to mitigate wetland impacts with the Bird Drive and North Trail Basins through acquisition, restoration, and preservation, including preparing a plan to preserve hydrological connections and surface water flow by using culverts or bridges;
- incorporate CDMP text changes requiring the provision of mass transit services along the proposed extension;
- incorporate CDMP text changes requiring the design of a multi-use recreational trail within the proposed extension with connections to existing and planned trails and greenways networks proximate to the proposed extension;
- incorporate CDMP text changes requiring construction to not restrict farm vehicle and equipment access to agricultural lands and to ensure design and construction do not cause drainage and light spillage on agricultural lands;
- incorporate CDMP text changes requiring the preservation of agricultural lands outside the UDB commensurate to the amount of agricultural lands that would be displaced by the proposed extension;
- incorporate CDMP text changes requiring Miami-Dade County to coordinate with MDX on park and ride facilities and the location of interchanges for the proposed extension;
- incorporate CDMP text changes intended to discourage urban sprawl by prohibiting the associated capacities of the proposed extension from being used for concurrency purposed by new development in the project's Area of Impact;
- incorporate CDMP text changes requiring within one-year of the proposed extension's opening MDX provide Miami-Dade County an analysis of any increases in peak-hour capacity on all roadway links and intersections within the Area of Impact;
- incorporate CDMP text changes requiring Miami-Dade County and MDX to execute an interlocal agreement to implement CDMP changes;
- incorporate CDMP text changes requiring an affirmative vote of at least five members of the Community Zoning Appeals Board and  $\frac{2}{3}$  of the total members of the Board of County Commissioners for any proposed zoning change or CDMP amendment for activities other than agriculture or residential and Bed and Breakfast permitted within agricultural land outside of the UDB;
- incorporate CDMP text changes requiring an affirmative vote of at least five members of the Community Zoning Appeals Board and  $\frac{2}{3}$  of the total members of the Board of County Commissioners for any CDMP amendment that would modify the provisions, if adopted, of this amendment;
- incorporate CDMP text changes prohibiting lands within the Area of Impact from being included within the UDB if the basis for inclusion is the capacity from the proposed extension; and
- correct Figure 1 (entitled "Planned Year 2030 Roadway Network — Arterials, Collectors and other Significant Paved Roads") to reflect the roadway portion between 8th Street and 88th Street was six-lanes and not four-lanes.

### Agency Review

On July 10, 2018 Miami-Dade County distributed to reviewing agencies #18-2ESR for their review and comment. State review agencies wishing to provide comments are required to do so within thirty (30) days. These agencies are the Florida Department of Economic Opportunity / State Land Planning Agency (DEO - SLPA), Florida Department of Transportation (FDOT), Florida Department of Environmental Protection (FDEP), Florida Fish and Wildlife Conservation Commission (FWC), South Florida Water Management District (SFWMD), Florida Department of Agriculture and Consumer Services, and the South Florida Regional Planning Council (SFRPC). These are technical assistance comments consistent with

Section 163.3184 (3), F.S. No technical comments from the review agencies have been received by the Council. The South Florida Water Management District has advised that their comments will be submitted to the Florida Department of Economic Opportunity on August 10, 2018.

### **Regional Transportation Considerations**

SRPP Policy 11.3 Develop and implement incentives for urban redevelopment to promote: a. high density, urban centers; b. flexibility in the expenditure of transportation system capital funds to create a more balanced mix of highways, public transportation, and goods movement; and c. nodes of transit-oriented design of appropriate land use density along major urban corridors of public transportation.

SRPP Policy 20.7 Facilitate pedestrian and bicycle movement, increase the use of public transportation, and decrease the use of single occupant vehicles through such measures as innovative site design and transit-oriented development.

The SR 836 / Dolphin Expressway Extension (also referred to as the “Kendall Parkway”) planning efforts began in 2007/2008 with an Miami-Dade Expressway Authority (MDX) Concept Study. This Study resulted in the identification of four (4) Concept Corridors. MDX initiated a Project Development and Environment (PD&E) Study in December 2013 wherein three (3) Alternative Corridors reflecting north-south alignments were evaluated. The north-south alignments were SW 117<sup>th</sup> Avenue / Krome Avenue (Western Alignment), an alignment tracking the Urban Development Boundary (Center Alignment), and an alignment tracking 157<sup>th</sup> Avenue (Eastern Alignment).

The PD&E Alternative Corridor Evaluation (ACE) Report<sup>1</sup> notes its objective was “evaluating the southwest extension of SR 836 from its current terminus at NW 137th Avenue to SW 136th Street. The new facility is envisioned as a limited access, multi-modal, tolled expressway. Several Alternative Corridors were considered in the first stages of the study, including but not limited to those presented in the MDX 83618 SR 836 Southwest Extension Draft Project Concept August 2009 (Rev.) (“MDX Concept Report”) referenced above and developed as a result of coordination with the public and permitting agencies.”

Through this amendment Miami-Dade County seeks to:

- improve system connectivity;
- improve access to and from the area to major employment, education, and commercial centers;
- provide north-south expressway access to serve existing and future travel demand;
- improve hurricane/emergency evacuation routes and travel times; and
- evaluate multi-modal opportunities to improve connectivity to the fast growing southwest area of Miami-Dade County.

In the Alternative Corridor Evaluation (ACE) process the study area was segmented and a link analysis was performed. This resulted in 46 potential Alternative Corridors which eventually was reduced to a total of 10 Alternative Corridors. These 10 corridors were further evaluated along the following criteria: purpose and need evaluation, avoidance and minimization of potential impact to environmental resources, engineering considerations and consistency with Miami-Dade County’s CDMP. Based on MDX’s evaluation, two corridors were recommended for further consideration.

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<sup>1</sup> Final Draft – February 2017

**Exhibit 2** shows the preferred corridor chosen by the MDX process, an alternate alignment on the southern portion.

Miami-Dade County designates as its preferred alignment MDX Alternate Corridor which goes westward from the Urban Development Boundary to Krome Avenue (SW 177<sup>th</sup> Avenue) (page 8-1.1, Application 8)

An area-wide operational analysis was conducted to assess the traffic characteristics and identify existing operational deficiencies along critical roadway facilities within the traffic study area. According to the Study, travel speeds within the study area were found to be lower during the AM peak period compared to the PM peak period. Travel speeds lower than 18 mph were observed on Bird Road (SW 42nd Street), Kendall Drive (SW 88th Street), Coral Reef Drive (SW 152nd Street), SW 137th Avenue, and SW 107th Avenue during the AM peak period and Tamiami Trail (SW 8th Street), SW 137th Avenue, and SW 107th Avenue during the PM peak period. The roadways listed above are operating at LOS E and F representative of the level of congestion observed in the area. In addition, the peak hour/peak direction V/C ratios revealed that in 20 and 13 roadway segments, the traffic demand exceeds the available capacity during the AM and PM peak hours, respectively. Besides these overcapacity segments, another 15 segments during AM, and 16 locations during the PM, are also failing from the capacity standpoint.

The Miami-Dade County Department of Regulatory and Economic Resources (RER) staff report states, “the SR-836 southwest extension could have the unintended consequence of increasing development pressure on land outside the UDB, including current agricultural lands, if the proposed amendment only addressed the future construction of the roadway.” (Miami-Dade County RER Exhibit 7, page 8-3, point 2.) In response, Miami-Dade RER is recommending policy changes to the October 2017 CDMP Amendment application to “counterbalance the possibility of increased development pressure and to discourage urban sprawl” and “protect the rural character of land outside of the UDB ...”. (Miami-Dade County RER Exhibit 7, page 8-3, point 2.) Policies to support mass transit and recreation and open space are among the numerous policies proposed. **(Exhibit 3)**

The proposed extension is seen as a measure for existing residents seeking relief from cut-through traffic in their communities and excessive commutes times from western Miami-Dade County to other parts of the county. There is an ongoing debate among local and countywide residents, stakeholders, and elected officials over whether the suggested land use policy changes, including requiring supermajority votes by the Zoning Appeal Board and Board of County Commissioners, are sufficient to protect agricultural and environmental lands from increased development pressure and additional congestion. There is a risk that additional capacity provided by the expressway may be filled quickly through the principle of “latent and induced demand” where increasing the supply of a good, results in higher consumption of the good. There are many studies on the relationship between congestion and roadway growth that can provide guidance. Should future development be auto-centric, this will further exacerbate traffic congestion.

Miami-Dade County employs a multi-prong approach to evaluating and planning its transportation needs. One of the primary Miami-Dade County processes for long-term relief to the County’s transportation challenges is the *Strategic Miami Area Rapid Transit*, or SMART Plan, which depends on transit-based solutions. It is integral to the success of the SMART Plan vision in western Miami-Dade County that any proposed expressway project complement and enhance the viability of the SMART Plan’s associated land use recommendations.

As background, the SMART Plan identifies the development of six (6) rapid transit corridors that directly support the mobility of Miami-Dade County’s future population and employment growth. The six (6) SMART Plan rapid transit corridors include the Beach Corridor, East-West Corridor, North Corridor,

Northeast Corridor, and South Dade Transitway. The Miami-Dade Transit Planning Organization (TPO), recognizing that transit supportive land use in appropriate locations plays a critical role in the success of major rapid transit investments, is also conducting Land Use Planning and Visioning Studies as part of their overall long-term strategy. The intent of these studies is to help achieve community goals through the integration of transportation and land use planning and implementation of land use strategies that will support transit.

The proposed MDX expressway alignment crosses the SMART Plan's Kendall Corridor, which is planned as a rapid transit corridor along State Road (SR) 94/Kendall Drive/SW 88 Street from SR 997/Krome Avenue/SW 177 Avenue to the Dadeland North Metrorail Station. The Florida Department of Transportation (FDOT) is conducting a PD&E study for the implementation of the Kendall Corridor. This study is scheduled to be completed in early 2019. The associated Land Use Planning and Visioning Study for the corridor, will provide recommendations for land use changes that will then be codified.

The SR 836/Dolphin Expressway Southwest Extension's PD&E Study references the SMART Plan but lacks adequate data and analysis regarding how coordination and consistency with the County's holistic transportation needs and planning programs will be achieved. The success of the SMART Plan's Kendall Corridor is predicated on transit-oriented development occurring in the designated activity centers along the designated corridors so that hubs with convenient and safe access to premium transit are built over time. Studies of the proposed SR 836/Dolphin Expressway Southwest Extension should include data and analysis demonstrating that, if ultimately approved, its approval will not impede future transit-oriented development along the Kendall Corridor, or the County's long term, sustainable vision for long lasting traffic congestion relief.

The SMART Plan's East-West Corridor, which will implement transit service along the 836 from the Miami Intermodal Center at Miami International Airport to Florida International University at SW 8<sup>th</sup> Street and 107<sup>th</sup> Avenue, would potentially feed into the SR 836/Dolphin Expressway Southwest Extension. The transit provision is expected to be inherently seamless and complimentary, as both facilities would have MDX as the operator. Miami-Dade Transportation and Public Works is studying the implementation of the East-West Corridor, to identify locations for transit terminals, and the implementation of a cost-effective, high-ridership, new premium transit service with supporting pedestrian and bicycle facilities.

As currently proposed the SMART Plan Kendall Corridor extends to SW 167 Avenue on Kendall Drive whereas the corridor alignment for the proposed MDX extension is further west, but east of Krome Avenue at 177<sup>th</sup> Avenue. **(Exhibit 4)**

## **Ecological Considerations**

SRPP Policy 7.6: Ensure that the recharge potential of land is not reduced as a result of a proposed modification in the existing uses by incorporation of open space, pervious areas, and impervious areas in ratios which are based upon analysis of on-site recharge needs.

SRPP Policy 14.3: Protect native habitat by first avoiding impacts to wetlands before minimizing or mitigating those impacts. Development proposals should demonstrate how wetland impacts are being avoided and what alternative plans have been considered to achieve that objective.

SRPP Policy 14.4: Direct land uses that are not consistent with the protection and maintenance of natural resource values away from Natural Resources of Regional significance, adjacent buffer areas.

SRPP Goal 15: Restore and protect the ecological values and functions of the Everglades Ecosystem by increasing habitat area, increasing regional water storage, and restoring water quality.

SRPP Policy 15.1: Encourage land uses and development patterns that are consistent with Everglades Ecosystem restoration and with the protection of Natural Resources of Regional Significance.

While the proposed SR 836/Dolphin Expressway Southwest Extension does not directly intersect SRPP Natural Resources of Regional Significance, the northern parts of the extension do intersect or encroach upon Everglades National Park Seepage Management East Coast Buffer, the C-4 Detention Reservoir, East Bird Drive Basin, West Bird Drive Basin, and the Pennsuco Wetlands. The proposed Extension, up until it passes south of SW 67th Terrace, poses impacts to wetland habitats and Comprehensive Everglades Restoration.

Roadways are impervious surfaces which not only impede groundwater seepage but place polynucleic aromatic hydrocarbons and other contaminants into the ecosystem, both of which undermine the goals of Comprehensive Everglades Restoration Plan. The proposed project has the potential to reduce aquifer recharge and diminish the quality of the water which does seep into the aquifer.

All wetland impacts must be mitigated. Impacts to the Pennsuco Wetlands must be approached with the appropriate complexity. The Pennsuco Wetlands was acquired for wetland loss elsewhere, and as such, any loss of this wetland is doubly impactful as it is the replacement for the historic loss of wetlands elsewhere.

### **Agricultural Impactss**

SRPP Policy 12: Encourage the retention of the Region's rural lands and agricultural economy.

A portion of the developable land between the proposed SR 836 / Dolphin Expressway Southwest Extension and the Urban Development Boundary is agricultural land. Miami-Dade County boasts the second greatest number of acres in agricultural production within the state, totaling 63,175 acres in 2017. According to the USDA Agricultural Census, Miami-Dade agriculture also accounts for the second highest value of agricultural products sold in the state, second only to Palm Beach County with their large-scale sugarcane production<sup>2</sup>. South Dade agriculture produces tropical fruits, snap beans, tomatoes, and other crops which supply much of the United States throughout the winter. Additionally, Miami-Dade agriculture produces the greatest number of sweet potatoes, avocados, nursery stock crops, snap beans, and quail in the state<sup>3</sup>. The agricultural industry has shaped the unique character of South Dade communities which is celebrated by residents, producers, and the *South Dade More to Explore* civic group.

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<sup>2</sup> 2012 USDA Agricultural Census. <https://www.freshfromflorida.com/Divisions-Offices/Marketing-and-Development/Education/For-Researchers/Florida-Agriculture-Overview-and-Statistics>

<sup>3</sup> 2012 USDA Agricultural Census.

[https://www.agcensus.usda.gov/Publications/2012/Online\\_Resources/County\\_Profiles/Florida/cp12086.pdf](https://www.agcensus.usda.gov/Publications/2012/Online_Resources/County_Profiles/Florida/cp12086.pdf)

The SR-836 Southwest Extension would directly impact agriculture in Miami-Dade by the loss of 300-400 acres of agricultural land<sup>4</sup> through construction.

### **Extra-jurisdictional Considerations**

The Miccosukee Tribe of Indians of Florida (Tribe) has Tribal Reservations and lands in the area and within the corridor of Miami-Dade Expressway Authority's proposed plans for SR 836/Dolphin Expressway Southwest Extension. The concerns expressed by the Tribe on the proposed expressway include degradation of wetlands in the immediate vicinity of the road, as well as the further degradation of the wetlands and wellfields from the long-term operation of the expressway through polluted runoff.

The Miccosukee Tribe has proposed its preferred alternative for the 836 Extension: an elevated extension of the 836 west through the Pennsuko Wetlands and connecting to Krome Avenue, which is currently being widened. The Florida Department of Transportation (FDOT) is widening Krome Avenue from two- to four-lanes with a 40-foot median at a total cost of approximately \$280 million. The 36-mile Krome Avenue corridor has been divided into 12 separate projects and is expected to be completed by 2022.

On June 27, 2018 the Miccosukee Tribe of Indians of Florida submitted a letter to the Governor detailing its concerns accompanied by a map of its proposed alternative (**Exhibit 5**). Also included in Exhibit 5 is a letter from the Miami-Dade Expressway Authority to the Governor, dated August 6, 2018, to "address the concerns expressed by the Tribe as well as provide detailed information about the selection process and considerations for the Kendall Parkway project."

### **Public Input**

Miami-Dade County has received significant written and verbal comments in support and opposition for the proposed expansion. The amendment package documents what was received by the County at its June 20, 2018 public hearing:

- Exhibit 5 (d) Petition containing 415 names of residents submitted in opposition
- Exhibit 5 (f) Resolution in support from the Greater Miami Chamber of Commerce
- Exhibit 5 (g) Letter of support from the Oak Creek at Kendall Homeowners Association (Victoria Park)
- Exhibit 5 (h) Letter of support from the Oak Creek North Community Association
- Exhibit 5 (i) Resolution of support from the Walk Master Homeowners Association
- Exhibit 5 (j) Letter of opposition to the proposed 836 extension addressed to Mayor Carlos Gimenez and Chairman Esteban Bovo containing maps, graphs, and table submitted by the Law Firm of Coffey Burlington representing a coalition of organizations including: 1000 Friends of Florida, Friends of the Everglades, Michelle Garcia, Izaak Walton League Florida Keys Chapter, Izaak Walton League Mangrove Chapter, Laura Reynolds, Sierra Club Miami Group, Tropical Audubon Society, and Urban Environment League.
- Exhibit 5 (k) Petitions and other correspondence submitted in support of the SR 836 extension
  - As reported by MDX (the Applicant) this includes 5,924 cards of support; 70 petitions to MDX; and letters to the Board of County Commissioners or the Miami-Dade Expressway Authority.
- Exhibit 5 (l) Resolutions of support submitted by the Kendall Federation Homeowners Association; Venetian Isles Community Development District; Country Walk Homeowners Association; Concerned Citizens of West Dade; Oak Creek North Community Association; and Oak Creek at Kendall Homeowners Association (Victoria Park)

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<sup>4</sup> Personal conversation with Jerry Bell, Assistant Director MDC RER, August 7, 2018,

There are numerous newspaper articles, editorials, and “letters to the editors”. As an example, **Exhibit 6** contains an editorial by Miami-Dade County Mayor Carlos Gimenez and a Miami Herald Editorial offering contrasting views on the proposed expansion.

### **Summary**

Miami-Dade residents living in West Dade and West Kendall are extremely burdened by traffic congestion, gridlock, and excessive commute times. This has a significant, adverse impact on residents and their families, businesses and the economy, environment, community, and quality of life. Council staff acknowledges the need to provide relief and the good faith, professional effort to address these issues by the Miami-Dade County Board of County Commissioners, Miami-Dade County staff, and the Miami Dade Expressway Authority through its planning process and proposed inclusion of additional protective land use policies in the CDMP.

Council staff also acknowledges the serious concerns voiced by opponents of the proposed 836 / Kendall Parkway Extension. These concerns include, but are not limited to, the potential for increased development pressure and urban sprawl into sensitive environmental lands including wetlands and wellfield recharge areas, the loss of agricultural land and impacts to the agricultural community, and questions related to regional transportation policies and implementation of the SMART Plan. Extra-jurisdictional considerations raised by the Miccosukee Tribe of Indians of Florida remain to be addressed.

### **Staff Recommendation**

At its July 23, 2018 meeting, the Council reinforced the practice that amendments lacking adequate data and analysis for review will be found generally inconsistent until such time that adequate data and analysis is available. Therefore, staff recommends that the Council find Amendment #18-2ESR (Application #8) to the Miami-Dade County CDMP **generally inconsistent** with the *Strategic Regional Policy Plan for South Florida* (SRPP) because it is not adequately supported by data and analysis indicating the potential impacts the proposed extension may have to the following areas:

- Potential impacts to wetlands, wellfields, drinking water, Everglades / CERP
- How the proposed extension supports, furthers, and integrates with the SMART Plan and other studies and plans, including whether the proposed dedicated transit lane for regional express buses and perhaps rail in the future will be committed to in perpetuity
- Comparative impacts between MDX Red Corridor versus MDX Red/Blue Corridor on wetlands, wellfields, agricultural lands
- Impact from the loss of agricultural land
- Extra-jurisdictional impact - how the proposed extension may affect The Miccosukee Tribe of Indians of Florida (Tribe) Tribal Reservation and lands, and how impacts would be ameliorated

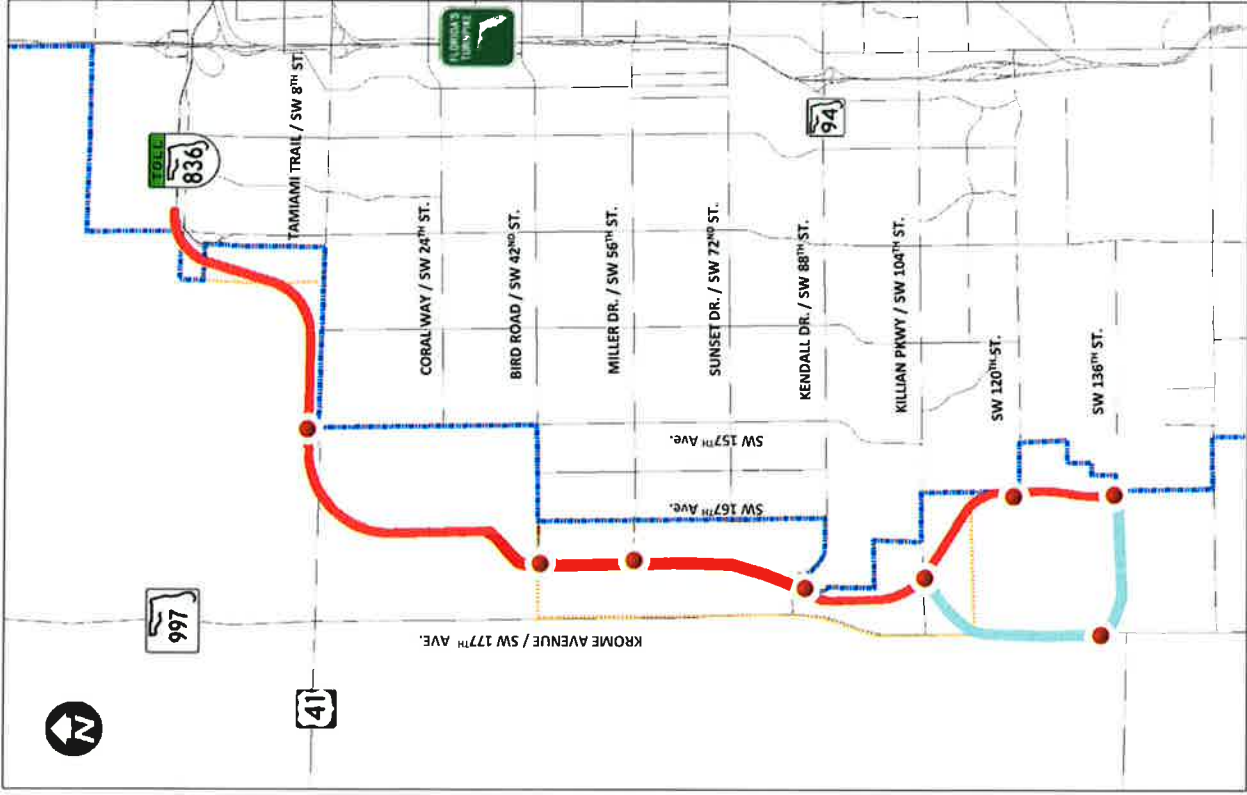
Council staff is committed to working with the County to assist in resolving any data and analysis needs and open items prior to adoption and transmittal to the Council for final review.

Exhibit 1





## Exhibit 2

# Kendall PARKWAY





## LEGEND

 2020 Urban Development Boundary

 2030 Urban Expansion Area

 Corridor

 Alternate

 Potential Interchange Locations

- **Unincorporated Miami-Dade**
- **Study area bounded by**
  - NW 12<sup>th</sup> Street to the north
  - SW 136<sup>th</sup> Street to the south
  - SW 152<sup>nd</sup> Avenue to the east
  - SW 177<sup>th</sup> Avenue (Krome Ave.) to the west
- **15-mile New Transportation Link**
- **Multimodal corridor**

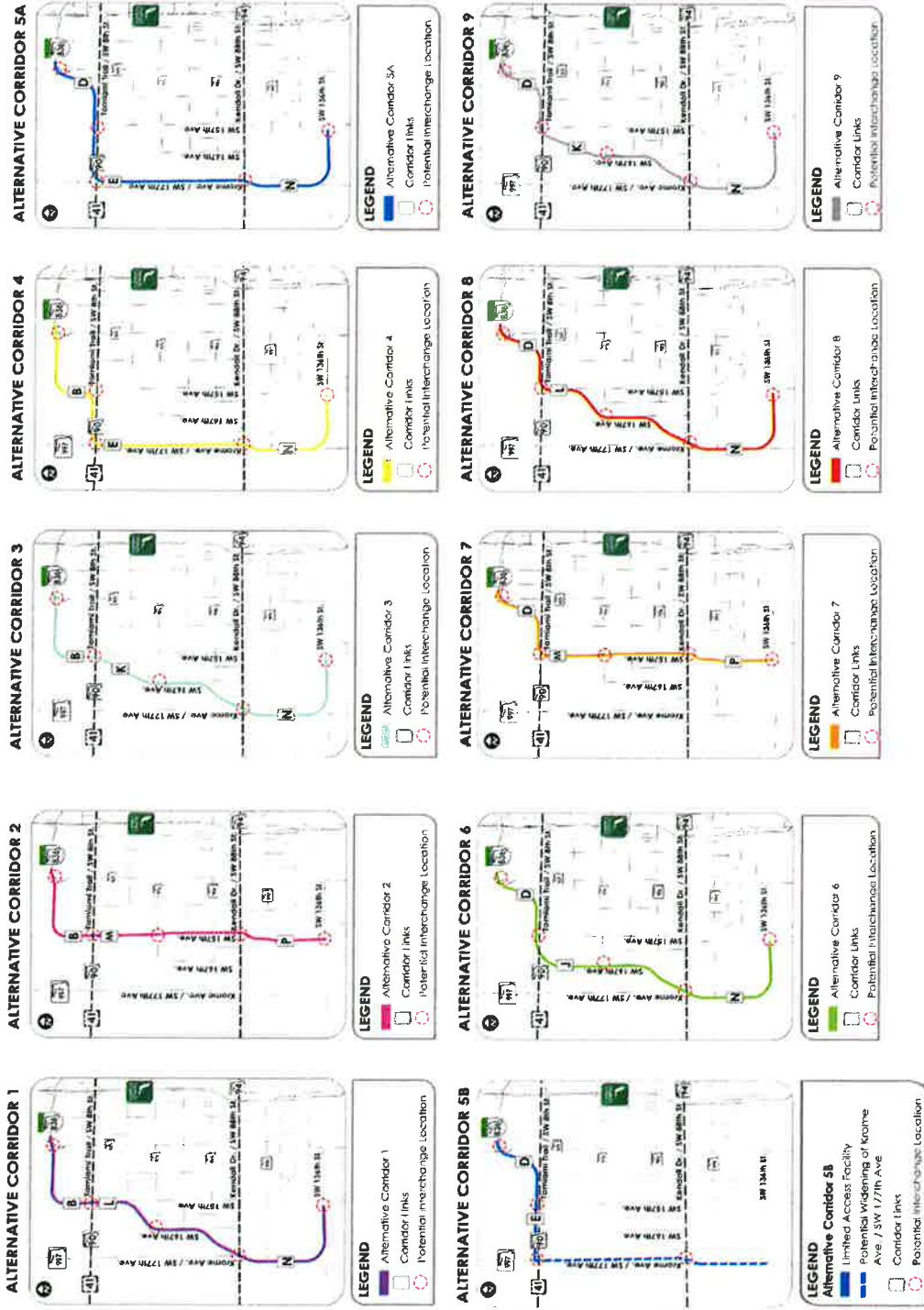


FIGURE 1- ALTERNATIVE CORRIDORS CONSIDERED

TABLE 23 – NARRATIVE ASSESSMENT BY ALTERNATIVE CORRIDOR

ALT. CORRIDOR	ENVIRONMENTAL IMPACTS			ENGINEERING CONSIDERATIONS			UNIQUE ISSUES
	Social and Economic	Cultural	Natural & Physical	Construction Cost	Right of Way Cost	User Benefits	
1	<b>HIGH TO MODERATE BENEFIT:</b> Moderate improvement of mobility for people and goods and highest benefit to the remaining parameters.	<b>HIGH BENEFIT:</b> Involvement with moderate probability archaeological zones.	<b>MODERATE TO LOW BENEFIT:</b> Greatest potential for impacts to Pennsuko Wetlands. Moderate potential for impacts to wetlands in Segment II. Greatest potential for impacts to farmlands. Potential for conflict with eastern Bird Drive Recharge Area CERP project.	<b>MODERATE BENEFIT:</b> Third highest construction cost.	<b>MODERATE BENEFIT:</b> Alternative Corridors 1, 3, 4, 5A, 6, 8, 9 have similar ROW cost.	<b>HIGH TO MODERATE BENEFIT:</b> User Benefit/ Cost ratio equal to or above 1.0.	<b>MODERATE BENEFIT:</b> Moderate potential to induce development.
2	<b>LOW BENEFIT:</b> Greatest number of affected residential parcels and community facilities. Greatest potential to impact community cohesion.	<b>MODERATE TO LOW BENEFIT:</b> Potential impact to 1 recorded archaeological site and involvement with moderate and high probability archaeological zones.	<b>HIGH BENEFIT:</b> Lowest potential for impacts to natural features in Segment II. Greatest potential for impacts to Pennsuko Wetlands. Least potential for impacts to farmlands. Greatest potential for noise impacts.	<b>MODERATE TO LOW BENEFIT:</b> Second highest construction cost.	<b>LOW BENEFIT:</b> Highest ROW cost.	<b>LOW BENEFIT:</b> User Benefit/ Cost ratio below 0.6.	<b>HIGH BENEFIT:</b> Lowest potential to induce development.
3	<b>HIGH TO MODERATE BENEFIT:</b> Moderate improvement of mobility for people and goods and highest benefit to the remaining parameters.	<b>HIGH BENEFIT:</b> Involvement with moderate probability archaeological zones.	<b>MODERATE TO LOW BENEFIT:</b> Greatest potential for impacts to Pennsuko Wetlands. Moderate potential for impacts to wetlands in Segment II. Greatest potential for impacts to farmlands. Potential for conflict with eastern Bird Drive Recharge Area CERP project.	<b>MODERATE BENEFIT:</b> Third highest construction cost.	<b>MODERATE BENEFIT:</b> Alternative Corridors 1, 3, 4, 5A, 6, 8, 9 have similar ROW cost.	<b>HIGH TO MODERATE BENEFIT:</b> User Benefit/ Cost ratio equal to or above 1.0.	<b>MODERATE TO LOW BENEFIT:</b> High to moderate potential to induce development.
4	<b>MODERATE BENEFIT:</b> Moderate benefit to Support Economic Development, Improve Mobility for People and Goods and Enhance Multimodal Connectivity and highest benefit to the remaining parameters.	<b>MODERATE TO LOW BENEFIT:</b> Potential impact to 1 recorded archaeological site and to the L and I Archeological Zone, which are directly adjacent to the corridor. Involvement with several areas of moderate probability archaeological zones.	<b>LOW BENEFIT:</b> Greatest potential for impact to Pennsuko Wetlands. Greatest potential for conflict with reformulated Bird Drive recharge Area CERP project. Highest amount of railroad involvement (number of crossings). Greatest potential for wetland impacts in Segment II. Potential for moderate impacts to farmlands.	<b>LOW BENEFIT:</b> Highest construction cost.	<b>MODERATE BENEFIT:</b> Alternative Corridors 1, 3, 4, 5A, 6, 8, 9 have similar ROW cost.	<b>MODERATE BENEFIT:</b> User Benefit/ Cost ratio between 0.90 to 0.99.	<b>LOW BENEFIT:</b> High potential to induce development.
5A	<b>MODERATE BENEFIT:</b> Moderate benefit to Support Economic Development, Improve Mobility for People and Goods and Enhance Multimodal Connectivity.	<b>LOW BENEFIT:</b> Potential impact to 2 recorded archaeological sites and to the Lehigh Archeological Zone. Also potential involvement with the L and I site and Archeological Zone, which are directly adjacent to the corridor. Involvement with moderate and high probability archaeological zones.	<b>MODERATE BENEFIT:</b> Greatest potential for conflict with reformulated Bird Drive Recharge Area CERP project. Highest amount of railroad involvement (number of crossings). Greatest potential for wetland impacts in Segment II. Potential for moderate impacts to farmlands.	<b>LOW BENEFIT:</b> Highest construction cost.	<b>MODERATE BENEFIT:</b> Alternative Corridors 1, 3, 4, 5A, 6, 8, 9 have similar ROW cost.	<b>MODERATE BENEFIT:</b> User Benefit/ Cost ratio between 0.90 to 0.99.	<b>LOW BENEFIT:</b> High potential to induce development.
5B	<b>LOW BENEFIT:</b> Minimal benefits to Support Economic Development and Improve Mobility for People and Goods and moderate benefits to the remaining parameters.	<b>HIGH BENEFIT:</b> Potential impact to 2 recorded archaeological sites and to the Lehigh Archeological Zone. Also potential impact to the L and I site and Archeological Zone, which is directly adjacent to the corridor. Involvement with several areas of moderate and high probability archaeological zones.	<b>MODERATE BENEFIT:</b> Assumes widening of Krome Avenue to 6 lanes is required. Greatest potential for conflict with reformulated Bird Drive Recharge Area CERP project. Greatest potential for wetland impacts to farmlands.	<b>HIGH BENEFIT:</b> Lowest construction cost.	<b>HIGH BENEFIT:</b> Lowest ROW cost.	<b>HIGH BENEFIT:</b> Highest User Benefit/ Cost Ratio.	<b>LOW BENEFIT:</b> High potential to induce development.
6	<b>HIGH TO MODERATE BENEFIT:</b> Moderate improvement of mobility for people and goods and highest benefit to the remaining parameters.	<b>MODERATE TO LOW BENEFIT:</b> Potential impacts to 2 recorded archaeological sites and to the Lehigh Archeological Zone. Involvement with moderate to high probability archaeological zones.	<b>HIGH TO MODERATE BENEFIT:</b> Potential for conflict with eastern Bird Drive recharge Area CERP project. Moderate impacts to wetlands in Segment II. Greatest potential for impacts to farmlands.	<b>HIGH TO MODERATE BENEFIT:</b> Fourth highest construction cost.	<b>MODERATE BENEFIT:</b> Alternative Corridors 1, 3, 4, 5A, 6, 8, 9 have similar ROW cost.	<b>HIGH TO MODERATE BENEFIT:</b> User Benefit/ Cost ratio equal to or above 1.0.	<b>MODERATE TO LOW BENEFIT:</b> High to moderate potential to induce development.
7	<b>LOW BENEFIT:</b> Highest benefit on all Purpose and Need parameters.	<b>LOW BENEFIT:</b> Potential impacts to 3 recorded archaeological sites and to the Lehigh Archeological Zone. Involvement with moderate and high probability archaeological zones.	<b>HIGH BENEFIT:</b> Lowest potential for impacts to natural features in Segment II. Greatest potential for noise impacts. Least potential for impacts to farmlands.	<b>MODERATE TO LOW BENEFIT:</b> Second highest construction cost.	<b>LOW BENEFIT:</b> Highest ROW cost.	<b>LOW BENEFIT:</b> User Benefit/ Cost ratio below 0.6.	<b>HIGH BENEFIT:</b> Lowest potential to induce development.
8	<b>HIGH TO MODERATE BENEFIT:</b> Moderate improvement of mobility for people and goods and highest benefit to the remaining parameters.	<b>MODERATE TO LOW BENEFIT:</b> Potential impacts to 2 recorded archaeological sites and to the Lehigh Archeological Zone. Involvement with moderate and high probability archaeological zones.	<b>HIGH TO MODERATE BENEFIT:</b> Potential for conflict with eastern Bird Drive recharge Area CERP project. Moderate impacts to wetlands in Segment II. Greatest potential for impacts to farmlands.	<b>MODERATE BENEFIT:</b> Third highest construction cost.	<b>MODERATE BENEFIT:</b> Alternative Corridors 1, 3, 4, 5A, 6, 8, 9 have similar ROW cost.	<b>MODERATE BENEFIT:</b> User Benefit/ Cost ratio between 0.90 to 0.99.	<b>HIGH TO MODERATE BENEFIT:</b> Moderate to low potential to induce development.
9	<b>HIGH TO MODERATE BENEFIT:</b> Moderate improvement of mobility for people and goods and highest benefit to the remaining parameters.	<b>MODERATE TO LOW BENEFIT:</b> Potential impacts to 2 recorded archaeological sites and to the Lehigh Archeological Zone. Involvement with moderate and high probability archaeological zones.	<b>HIGH TO MODERATE BENEFIT:</b> Potential for conflict with eastern Bird Drive recharge Area CERP project. Moderate impacts to wetlands in Segment II. Greatest potential for impacts to farmlands.	<b>MODERATE BENEFIT:</b> Third highest construction cost.	<b>MODERATE BENEFIT:</b> Alternative Corridors 1, 3, 4, 5A, 6, 8, 9 have similar ROW cost.	<b>HIGH TO MODERATE BENEFIT:</b> User Benefit/ Cost ratio equal to or above 1.0.	<b>MODERATE BENEFIT:</b> Moderate potential to induce development.

LEGEND: **HIGH BENEFIT** **HIGH TO MODERATE BENEFIT** **MODERATE TO LOW BENEFIT** **LOW BENEFIT**

## Exhibit 3



**Department of Regulatory and Economic Resources**

Director's Office  
111 NW 1<sup>st</sup> Street • 29<sup>th</sup> Floor  
Miami, Florida 33128-1930  
T 305-375-3076 F 305-375-2099

[miamidade.gov/economy](http://miamidade.gov/economy)

July 10, 2018

Miami-Dade County  
Application #8  
Proposed  
836 Expressway  
CD enclosed

Florida Department of Economic Opportunity  
Attn: Ray Eubanks, Plan Review Administrator  
Bureau of Community Planning  
Caldwell Building  
107 East Madison Street, MSC 160  
Tallahassee, FL 32399-6545

Subject: Expedited State Review of the Proposed October 2017 Cycle Application No. 8 to Amend the Comprehensive Development Master Plan for Miami-Dade County, Florida.

Dear Ray:

With this letter, I am officially transmitting one (1) standard application to amend the Comprehensive Development Master Plan (CDMP) for Miami-Dade County, Florida, for your review under the Expedited State Review Process, pursuant to Chapter 163.3184(3), Florida Statutes, (F.S.). The application transmitted herewith (Application No. 8) is contained in the Initial Recommendations report attached as Exhibit 7.

Nine (9) applications (Application Nos. 1 through 9) were processed in the October 2017 cycle of amendments to the CDMP seven of which (Application Nos. 1 through 7) were filed by private parties and two (Application Nos 8 and 9) were filed by Miami-Dade County. Application No. 1 was withdrawn by the applicant by letter dated April 5, 2018. Application Nos. 2, 3 and 6 were adopted by Miami-Dade Board of County Commissioners (Board) as small-scale amendments at the Board's public hearing on April 25, 2018, and were transmitted to you in a separate package through letter dated June 19, 2018. Also, at the April 25, 2018 public hearing the Board denied small-scale Application No. 4 and directed transmittal of standard Application Nos. 7 and 9, which were transmitted to you in a separate package through letter dated May 14, 2018. The Board continued the public hearing to June 20, 2018, at which time the Board denied Application No. 5 and directed transmittal of Application No. 8.

Standard Application No. 8 was the subject of a public hearing conducted by the Planning Advisory Board, acting as the Local Planning Agency, on April 9, 2018, and by the Board on April 25, 2018, which was continued to June 20, 2018. The transmitted CDMP amendment application in this package will be scheduled for a subsequent public hearing and final action by the Board in or about September 2018.

Summary of Proposed Amendment: The transmitted application seeking to amend the CDMP is summarized as follows:

Application No. 8

1. Amend the LUP map to include the SR-836/Dolphin Expressway southwest extension as an Expressway; and
2. Amend the Transportation Element map series in the Traffic Circulation Subelement and Mass Transit Subelement to include the SR-836/Dolphin Expressway southwest extension.

Ray Eubanks  
Florida Department of Economic Opportunity  
Page 2

A copy of this transmittal letter, the proposed amendment package with support documents upon which the recommendation regarding the proposed amendment is based and other relevant items received by the Board, were submitted simultaneously on the same date to the other reviewing agencies identified in the list of recipients for this correspondence. The proposed amendment application in this submittal is not located in any area of critical state concern.

A listing of the support documents and other required information regarding the proposed amendment application, including additional information received at the public hearing by the Board, is enclosed herein as "Attachment A." A copy of the County's CDMP and Adopted 2020 and 2030 LUP map, incorporating the previously adopted amendment, has previously been sent to each of the reviewing agencies listed in Chapter 163.3184(1), F.S. The County's CDMP, associated LUP map, and the Applications and Initial Recommendations report for the May 2017 Cycle Applications to Amend the CDMP can be found at: <http://www.miamidade.gov/planning/cdmp-amendment-cycles.asp>.

For additional information or clarification regarding this transmittal, please contact Jerry Bell, AICP, Assistant Director for Planning, Miami-Dade County Department of Regulatory and Economic Resources, Stephen P. Clark Center, 111 NW 1<sup>st</sup> Street, 12<sup>th</sup> Floor, Miami, Florida 33128, or by phone at (305) 375-2835, fax (305) 375-1091, or e-mail [Jerry.Bell@miamidade.gov](mailto:Jerry.Bell@miamidade.gov).

Thank you for your time and consideration.

Sincerely,



Jack Osterholt, Deputy Mayor/Director  
Department of Regulatory and Economic Resources

Enclosure: Attachment A

- c: Isabel Cosio Carballo, Executive Director, South Florida Regional Planning Council <sup>2</sup>  
Shereen Yee Fong, Transportation Planner, District Six, Florida Department of Transportation <sup>1</sup>  
Terry Manning, AICP, Policy and Planning Analyst, Water Supply Coordination Unit, South Florida Water Management District <sup>2</sup>  
Comprehensive Plan Review, Office of Policy and Budget, Florida Department of Agriculture and Consumer Services <sup>2</sup>  
Scott Sanders, Conservation Planning Services, Florida Fish and Wildlife Conservation Commission <sup>2</sup>  
Plan Review, Office of Intergovernmental Programs, Florida Department of Environmental Protection <sup>2</sup>  
Deena Woodward, Historic Preservation Planner, Bureau of Historic Preservation, Florida Department of State <sup>2</sup>  
Kylene Casey, Educational Consultant-Growth Management Liaison, Office of Educational Facilities, Florida Department of Education <sup>2</sup>  
Larry Ventura, Chief, Environmental Flight, Homestead Air Reserve Base <sup>2</sup>
- c: w/o attachments:  
Honorable Esteban Bovo, Jr., Chairman and Members, Board of County Commissioners  
Dennis Kerbel, Assistant County Attorney

## ATTACHMENT A

### List of Support Documents and Other Required/Additional Information or Items Received at the Board's Public Hearing for the Proposed Amendment Application

#### Miami-Dade County October 2017 Cycle Application No. 8 to Amend the CDMP

- Exhibit 1:** Resolution No. 657-18, adopted June 20, 2018, by Miami-Dade Board of County Commissioners' (Board); *contains transmittal instructions and action on Application No. 8;*
- Exhibit 2:** Resolution of the Planning Advisory Board, Acting as the Local Planning Agency, addressing the October 2017 Cycle Application Nos. 1 through 9;
- Exhibit 3:** Minutes of the Planning Advisory Board, Acting as the Local Planning Agency, addressing the October 2017 Cycle Application Nos. 1 through 9;
- Exhibit 4:** Resolutions of the Westchester Community Council (10) and the West Kendall Community Council (11) addressing Application No. 8;
- Exhibit 5:** Exhibits in support/opposition of Application No. 8, submitted at the Board's public hearing on June 20, 2018;
- Exhibit 5(a): PowerPoint presentation titled "Kendall parkway SR 836 Southwest Extension";
- Exhibit 5(b): PowerPoint presentation titled "October 2017 Cycle Application to Amend the CDMP Application No. 8;
- Exhibit 5(c): Resolution No. 016/2018 of the Miami-Dade Downtown Development Authority;
- Exhibit 5(d): Petition containing 415 names of residents submitted in opposition to the SR 836 extension;
- Exhibit 5(e): Aerial map of Miami-Dade County Wellfield Protection Areas;
- Exhibit 5(f): Resolution of the Miami Chamber of Commerce in support of the SR 836 extension;
- Exhibit 5(g): Letter of support to the SR 836 extension from the Oak Creek at Kendall Homeowners Association (Victoria Park);
- Exhibit 5(h): Letter of support to the SR 836 extension from the Oak Creek North Community Association;
- Exhibit 5(i): Resolution of the Walk Master Homeowners Association in support of the SR 836 extension;
- Exhibit 5(j): Letter to Mayor Carlos Gimenez and Chairman Esteban Bovo containing maps, graphs, and table regarding the SR 836 extension submitted by The Law Firm of Coffey Burlington; and
- Exhibit 5(k): Petitions and other correspondence submitted in support of the SR 836 extension;

- Cards of support to the SR 836 extension titled, "Yes, I support the Kendall Parkway", "We Need a Traffic Solution Now", and other informational cards expressing support (In English and Spanish totaling 5,924 as reported by the applicant);
- Petitions received by the Miami-Dade Expressway Authority (totaling 70 as reported by the applicant);
- Letters to the Board of County Commissioners or the Miami-Dade Expressway Authority in support of the SR 836 extension (totaling 31 as reported by the applicant);

Exhibit 5(l): Resolutions submitted June 20, 2018, in support of the SR 836 extension, submitted by,

- The Kendall Federation Homeowners Association;
- Venetian Isles Community Development District;
- Country Walk Master Homeowners Association;
- Concerned Citizens of West Dade;
- Oak Creek North Community Association; and
- Oak Creek at Kendall Homeowners Association (Victoria Park)

**Exhibit 6:** Further Recommended Changes October 2017 CDMP Amendment Cycle Application No. 8, dated June 8, 2018; contains further policy changes recommended by the Department of Regulatory and Economic Resources on Application No. 8 subsequent to the revised recommendations released on April 2018;

**Exhibit 7:** "Initial Recommendations October 2017 Applications To Amend The Comprehensive Development Master Plan" report, dated April 2018 (application summary page updated on June 2018). Contains all the requirements of Section 163.3184(3), F.S., for the Applications, as follows:

- The CDMP text and Land Use Plan Map amendments is separately packaged in the "Initial Recommendations October 2017 Applications To Amend the CDMP" report for Application No. 8;
- The future land use map amendments, color maps depicting the boundaries of the application sites/areas and its locations in relation to its surrounding streets and thoroughfare network, and the present future land use map designation of the application sites with abutting properties are contained and specified in the amendment Application No. 8 package; and
- Also, the existing land use map depicting the existing land uses of the subject application sites and abutting properties, and size of the application sites are contained and specified in the amendment Application No. 8 package.

**Application No. 8**  
**Commission Districts 11 and 12      Community Councils 5, 10 and 11**

**APPLICATION SUMMARY**

Applicant/Representative: Jack Osterholt, Deputy Mayor/Director; Miami-Dade County Regulatory and Economic Resources Department

Location: Generally between NW/SW 137 Avenue and Krome Avenue and between NW 12 Street and SW 136 Street

Requested Land Use Plan Map designation and other CDMP Changes: Amend the LUP map to include the SR-836/Dolphin Expressway southwest extension as an Expressway

Amend the Transportation Element map series in the Traffic Circulation Subelement and Mass Transit Subelement to include the SR-836/Dolphin Expressway southwest extension

Amendment Type: Standard

**RECOMMENDATIONS**

Staff: **TRANSMIT WITH FURTHER CHANGE AND ADOPT**  
(April 2018)

Country Club of Miami Community Council (5): **TRANSMIT WITH CHANGE AND ADOPT with the condition that a toll road not be allowed** (March 21, 2018)

Westchester Community Council (10): **TRANSMIT WITH CHANGE AND ADOPT with the condition that the SR 836 extension be studied in conjunction with future planning and expansions of the urban expansion areas (UEA), taking into consideration the capacities that will result from UEA expansions** (March 22, 2018)

West Kendall Community Council (11): **TRANSMIT WITH CHANGE AND ADOPT with the additional change that the corridor be aligned immediately east of Krome avenue** (April 3, 2018)

Planning Advisory Board (PAB) acting as the Local Planning Agency: **TRANSMIT AND ADOPT WITH CHANGE AND with the condition that the SR 836 extension be studied in conjunction with future planning and expansions of the urban expansion areas (UEA), taking into consideration the capacities that will result from UEA expansions** (April 9, 2018)

Board of County Commissioners: **TRANSMIT WITH FURTHER CHANGE AND ADOPT [further changes include a policy requiring the alignment of the SR 836 south extension remain outside and to the east of the boundary of the 10 day travel time contour of the west wellfield area; and all drainage shall be subject to DERM approval for conformance to chapter 24 of the code; prior to the construction of the roadway, or any phase thereof, mdx**

### Original Staff Initial Recommendation

Staff recommends: **TRANSMIT WITH CHANGE AND ADOPT** the application to amend the Comprehensive Development Master Plan (CDMP) Land Use Element text based on the following reasons:

#### **Principal Reasons for Recommendation:**

1. The application seeks to allow the future construction of the southwest extension of SR-836/Dolphin Expressway from its current terminus at approximately NW 12 Street and NW 137 Avenue to SW 136 Street, consistent with Objective TC-1 and Policies TC-4A and TC-4B of the CDMP Traffic Circulation Subelement. Objective TC-1 provides that the County should strive to operate its roadway network at levels of service (LOS) better than the adopted LOS standards contained within the CDMP. The purpose of the SR-836/Dolphin Expressway southwest extension is to relieve existing traffic congestion within the west Kendall area. As discussed in the Existing Traffic Conditions section on page 8-26 herein, multiple roadways in southwest Miami-Dade County are congested and operating at levels of service below their adopted LOS standards. The congested roadway conditions are also documented in the Traffic Impact Study, Corridor Evaluation Traffic Technical Memorandum dated February 2017 of the Miami-Dade Expressway Authority ("MDX") SR 836/Dolphin Expressway Southwest Extension PD&E Study prepared by Jacobs Engineering Group, Inc., and Alternative Corridor Evaluation (ACE) Report dated February 2017 prepared by Stantec Consulting Services, Inc. (see Appendix B & Appendix C: Traffic Impact Study and Alternative Corridor Evaluation (ACE) Report). The Technical Memorandum evaluated the area between NW 12 Street and SW 152 Street and between Krome Avenue and SW/NW 97 Avenue (the Area of Impact), and identified that the SR-836 southwest extension would significantly improve traffic conditions within the study area.

Traffic Circulation Subelement Policies TC-4A and TC-4B require consistency of the Traffic Circulation Subelement with the Land Use Element and that the Adopted 2020 and 2030 Land Use Plan (LUP) map of the CDMP Land Use Element shall be used to guide the planning of future transportation corridors and facilities. Therefore, for the SR-836 southwest extension to be implemented, the LUP map and Traffic Circulation Subelement must first be amended to include the expressway extension, as requested in the application and consistent with these provisions of the CDMP.

2. The SR-836 southwest extension is proposed in response to the existing transportation capacity needs within southwestern Miami-Dade County, consistent with Traffic Circulation Element Policy TC-3, which requires the County's transportation system to emphasize safe and efficient management of traffic flow, protect the safety of pedestrians and bicyclists, and enhance and encourage the use of mass transit. The extension is not intended to serve as an impetus for urban development or for expansion of the Urban Development Boundary (UDB).

Public health, safety, and welfare are paramount concerns of governments, and the efficiency of the roadway network may affect a community's wellbeing in varying ways. The SR-836 southwest extension proposes to add capacity to the roadway network and significantly improve travel times between the southwest portion of the County and centers of employment, such as the Miami International Airport and the Doral areas, which provides a benefit to the public health, safety, and welfare.

While roadways facilitate long-distance and local travel and provide access to real property, they also significantly affect the use and development of land in their immediate and general vicinity. In high growth areas such as Miami-Dade County, any reduction in travel time between centers of population and commerce directly increases competition in the land market between urban uses, including residential and commercial uses. This could generate increased demand for development of land adjacent to the proposed expressway corridor. Because the proposed alignment is generally adjacent to but outside the UDB, the SR-836 southwest extension could have the unintended consequence of increasing development pressure on land outside the UDB, including current agricultural lands, if the proposed amendment only addressed the future construction of the roadway. Therefore, to counterbalance the possibility of increased development pressure and to discourage urban sprawl, additional policies to protect the current rural character of land outside the UDB are recommended as part of this proposed amendment.

3. To further ensure that the southwest extension does not contribute to an increase in development pressure on land outside the UDB, the Department recommends the adoption of the application with changes. The recommended changes are to the CDMP Land Use Element and Transportation Element to require that the capacity of the proposed expressway extension and the capacity it generates on the roadway network in the area of impact (outlined in Principal Reason No. 1 above) are not made available for concurrency roadway analysis purposes. The proposed policies are presented as 'Recommended Changes to the Application' on page 8-5 and further discussed below.
4. To further ensure that the project will not increase development pressure outside the UDB, the Department recommends that a new policy be added to the Land Use Element to require MDX to acquire development rights on land in the Bird Drive and North Trail Basins for preservation and for the wetlands mitigation of the project to be focused within these basins to the maximum extent feasible. The purchase and preservation of these lands will create a buffer between a significant portion of the planned roadway and the UDB, reducing the prospect of future development in that area and facilitating the preservation of important wetland resources in perpetuity.
5. CDMP Land Use Element Policy LU-8G(iii)(d) is proposed to be modified to recognize that public services and facilities that are limited by the CDMP, such as the SR-836 southwest extension as proposed herein, cannot form the basis for expansion of the UDB. In its current form, the policy identifies areas within which urban expansion could occur, if warranted, and specifies that areas having projected surplus capacity for public facilities and services may be considered for such expansion. The proposed amendment would ensure that the surplus capacity derived through implementation of the SR-836 southwest extension could not be used to support urban expansion.
6. CDMP Land Use Element Policy LU-8C requires the County to protect and promote agriculture as a viable economic use of land in the County. Therefore, the Department recommends that the MDX be required to preserve agricultural lands that are currently being used for agricultural production, commensurate with the amount of such lands that would be impacted by the roadway extension. The mitigation of impacts could be accomplished through participation in the County's Purchase Development Rights program or other mechanism acceptable to the County, whereby the MDX would fund and cause agricultural lands to be preserved.

7. As proposed, the SR-836 southwest extension seeks to incorporate mass transit service and a multi-use recreational trail within the proposed corridor. These transit and recreational trail features are consistent with and furthers Traffic Circulation Subelement Objective TC-3, which requires the County's transportation system to enhance and encourage the use of transit. These features are also consistent with and furthers Traffic Circulation Subelement Policy TC-4F, which requires the County to improve strategies to facilitate a countywide shift in travel modes from personal automobile use to pedestrian, bicycle and transit modes. The application proposes to incorporate lanes having technologies that facilitate the safe travel of automated vehicles, including mass transit vehicles, at high rates of speed for a seamless connection with the transit service being implemented as part of the current SR 836 reconstruction generally east of the Turnpike. The application also includes park and ride locations and a multiuse recreational trail within the corridor of the proposed expressway extension and recognizes that the coordination of these features within the corridor would build on the transit opportunities in the SMART Plan for Miami-Dade County. These provisions for mass transit and recreational trail are consistent with with Objective TC-3 and Policy TC-4F outlined above.

Moreover, the Department recommends a new policy requiring the coordination of the transit service with the County's Department of Transportation and Public Works, and a new policy to ensure that the multi-use trail is developed to an acceptable standard.

8. It is recommended that Miami-Dade County enter into an Interlocal Agreement with the Miami-Dade Expressway Authority for implementation of the policies proposed herein. Accordingly, it is recommended that the CDMP Intergovernmental Coordination Element be amended to require such an Interlocal Agreement. It is further recommended that the required agreement should be approved concurrently with the adoption of this application.

## REQUESTED AMENDMENTS

Amend the Comprehensive Development Master Plan (CDMP) Adopted 2020 and 2030 Land Use Plan (LUP) map and Transportation Element to include the SR-836/Dolphin Expressway southwest extension, from the SR-836 interchange at NW 137<sup>th</sup> Avenue to SW 136 Street, as follows:

1. Amend the LUP map to Include the SR-836/Dolphin Expressway southwest extension as an Expressway, as illustrated on the Proposed CDMP Land Use map on pages 8-12 and 8-13 below; and
2. Amend the Transportation Element map series in the Traffic Circulation Subelement and Mass Transit Subelement listed below to include the SR-836/Dolphin Expressway southwest extension, as illustrated on pages 8-15 to 8-22:
  - a. Traffic Circulation Subelement
    - i. Figure 1 – Planned Year 2030 Roadway Network
    - ii. Figure 3 – Roadway Functional Classification 2030
    - iii. Figure 4 – Limited Access Roadway Facilities 2030
    - iv. Figure 5 – Planned Roadway Network Level Of Service (LOS) 2030
    - v. Figure 6 – Planned Non-Motorized Network 2030
    - vi. Figure 7 – Designated Hurricane Evacuation Route
  - b. Mass Transit Subelement
    - i. Figure 1 – Future Mass Transit System 2030 Metrobus Service Area and Rapid Transit Corridors
    - ii. Figure 2 – Future Mass Transit System 2030 Rapid Transit Corridors
    - iii. Figure 3 – Premium Transit Corridors 2030

## RECOMMENDED CHANGES TO THE APPLICATION <sup>1</sup>

Add the following new proposed Policies and modify the existing policies of the Land Use Element, Transportation Element and Intergovernmental Coordination Element of the CDMP as outlined below:

**Land Use Element Policy LU-3T.** The SR-836/Dolphin Expressway southwest extension corridor from NW 12 Street to SW 136 Street is planned to traverse and impact wetlands within the Bird Drive and North Trail Wetland Basins and elsewhere along its alignment and will require environmental approval and wetland mitigation. To the maximum extent feasible, mitigation for the SR-836 southwest extension shall be accomplished through the acquisition, preservation, and restoration of wetlands within the Bird Drive and North Trail Basins outside the Urban Development Boundary. At a minimum, preservation of wetlands within the Bird Drive Basin shall be included as a component of the wetlands mitigation for this project. The mitigation shall also include a plan to preserve the hydrological connection and surface water flow of the wetlands remaining in these basins through the use of culverts or bridges.

**Mass Transit Subelement Policy MT-4D.** Pursuant to Traffic Circulation Subelement Policy TC-4F, the Miami-Dade Expressway Authority (or successor agency) (“MDX”) shall provide for mass

<sup>1</sup> Words single underlined are proposed additions and words single ~~stricken through~~ are proposed deletions. All other words are adopted text of the CDMP and remain unchanged.

transit service in the SR-836/Dolphin Expressway southwest extension corridor, to be funded by MDX. The mass transit service shall incorporate lanes having technologies that facilitate the safe travel of automated vehicles, including mass transit vehicles, at high rates of speed for a connection with the transit service being implemented as part of the current SR 836 reconstruction generally east of the Turnpike. MDX shall coordinate the mass transit service with Miami-Dade County through the Department of Transportation and Public Works (or successor department). Said coordination shall occur prior to the earlier of the issuance of the first permit for construction of the expressway extension or prior to the commencement of any construction of the expressway extension.

**Mass Transit Subelement Policy MT-4E.** In coordination with the Miami-Dade County Parks, Recreation and Open Space Department and the Miami-Dade Transportation Planning Organization (or successor agencies), the Miami-Dade Expressway Authority (or successor agency) shall design a multi-use recreational trail within the corridor of the SR-836/Dolphin Expressway southwest extension. Additionally, to the maximum extent feasible, the multi-use recreational trail shall be designed to provide for seamless connections to the County's existing and planned trails and greenways network proximate to the corridor. Said coordination shall occur prior to the earlier of the issuance of the first permit for construction of the expressway extension or prior to the commencement of any construction of the expressway extension.

**Land Use Element Policy LU-1U.** Notwithstanding the designation of the SR-836/Dolphin Expressway southwest extension as an Expressway on the CDMP Land Use Plan map and as depicted in the Traffic Circulation Subelement map series, no construction associated with the SR-836 southwest extension shall occur that would restrict farm vehicle and equipment access to agricultural properties adjacent to the SR-836 southwest extension corridor. Moreover, to minimize the impacts of the expressway's southwest extension, the design and construction shall be conducted in a manner that does not cause drainage or the spillage of lighting from the expressway onto adjacent agricultural lands.

**Land Use Element Policy LU-1V.** To mitigate the impacts of the SR-836 southwest extension on the agricultural area, the Miami-Dade Expressway Authority (or successor agency) shall preserve agricultural lands outside the UDB commensurate to impacts to agricultural lands that would be taken out of production by the project. Said preservation may be through participation in the County's Purchase Development Rights program or other mechanism acceptable to the Miami-Dade County Department of Regulatory and Economic Resources (or successor Department).

**Traffic Circulation Subelement Policy TC-1L.** Miami-Dade County shall coordinate with Miami-Dade Expressway Authority and the Transportation Planning Organization (or successor agencies) in the planning and construction of SR-836/Dolphin Expressway southwest extension from NW 12th Street to SW 136th Street and determination of associated park and ride facilities and interchange locations. The general alignment of the SR-836 southwest extension is depicted in the CDMP LUP map and the map series of the Traffic Circulation Subelement and the Mass Transit Subelement, and the associated park and ride facilities and interchanges will be determined as part of the project's future project development and environment (PD&E) study.

**Traffic Circulation Subelement Policy TC-1M.** Miami-Dade County approves the new SR-836/Dolphin Expressway southwest extension only to the extent necessary to relieve existing traffic congestion in the southwestern parts of the County and to provide a reliable, robust, and faster connection to Downtown Miami and other major trip attractors across the County. To discourage urban sprawl within the Area of Impact of the SR-836 southwest extension, defined

as the area bounded by NW 12th Street to the north, SW 152nd Street to the south, SR-997/Krome Avenue to the west, and NW/SW 97 Avenue to the east, the County's Concurrency Management System shall be amended to remove the additional LOS/capacity generated by the SR-836 southwest extension in the Area of Impact. Accordingly, any increase in LOS/capacity that the roadways in the Area of Impact would experience due to the diversion of trips resulting from the construction of this new expressway facility could not be used to demonstrate concurrency. The purpose of this policy is to assure that the additional capacity attributable to the SR-836 southwest extension cannot be used to support further development in the Area of Impact.

**Traffic Circulation Subelement Policy TC-1N.** Within one year prior to the opening of the SR-836/Dolphin Expressway southwest extension, or any phase thereof, the Miami-Dade Expressway Authority (or successor agency) shall provide the County with an analysis of increase in the peak hour trip capacity on all roadway links and intersections within the Area of Impact (as defined in Policy TC-1M) as required by the County.

**ICE Policy:** Miami-Dade County shall enter into an Interlocal Agreement with the Miami-Dade Expressway Authority to further implement the policies set forth in this Plan related to the SR-836/Dolphin Expressway southwest extension.

LU-8G. When considering land areas to add to the UDB, after demonstrating that a need exists, in accordance with the foregoing Policy LU-8F:

\* \* \*

- ii) The following areas shall be avoided:
  - a) Future Wetlands delineated in the Conservation and Land Use Element and land designated Agriculture on the Land Use Plan map, except where located in designated Urban Expansion Areas (UEAs);
  - b) Coastal High Hazard Areas east of the Atlantic Coastal Ridge;
  - c) Comprehensive Everglades Restoration Plan project footprints delineated in Tentatively Selected Plans and/or Project Implementation Reports; and
- iii) The following areas shall be given priority for inclusion, subject to conformance with Policy LU-8F and the foregoing provision of this policy:
  - a) Land within Planning Analysis Tiers having the earliest projected supply depletion year; and
  - b) Land within the UEAs and contiguous to the UDB; and
  - c) Locations within one mile of a planned urban center or extraordinary transit service; and
  - d) Locations having projected surplus service capacity that is unrestricted by this Plan or where necessary facilities and services can be readily extended.

**FURTHER RECOMMENDED CHANGES  
OCTOBER 2017 CDMP AMENDMENT CYCLE: APPLICATION NO. 8  
DEPARTMENT OF REGULATORY AND ECONOMIC RESOURCES**

June 8, 2018

Presented below are further policy changes to the October 2017 CDMP Amendment Application No. 8 (SR-836/Dolphin Expressway southwest extension) recommended by the Department subsequent to the revised recommendations released in April 2018. These changes, among other things, address issues raised by community residents and stakeholders at a public meeting held April 18, 2018. Additionally, an alternative to the preferred SR-836 southwest extension corridor alignment is presented on the map series herein beginning on page 4.

**Further Recommended Changes**

Add the following new proposed policies and modify the existing policies of the Land Use Element, Transportation Element, and Intergovernmental Coordination Element of the CDMP as outlined below<sup>1</sup>:

LU-3Q. Any zoning action or amendment to the CDMP that would approve any use other than direct agricultural production, the sale of agricultural produce, and permitted residential and Bed and Breakfast uses of property, in an area designated as Agriculture, whether as a primary use or as an accessory or subordinated use to an agricultural use, or action that would liberalize standards or allowances governing such other uses on land that is a) outside the Urban Development Boundary (UDB) and b) within one mile of the right-of-way line of any portions of SR-836 southwest extension designated in this Plan, shall require an affirmative vote of not less than five members of the affected Community Zoning Appeals Board and two-thirds of the total membership of the Board of County Commissioners then in office, where the applicable board issues a decision.

LU-3R. Any modification or amendment to this and other policies within this Plan adopted or modified as part of the October 2017 cycle amendment Application No. 8 (SR-836/Dolphin Expressway southwest extension), enumerated below, shall require an affirmative vote of not less than two-thirds of the total membership of the Board of County Commissioners then in office. Policies subject to this supermajority requirement include Land Use Element Policies LU-1U, LU-1V, LU-3Q, LU-3T, and LU-8G, Transportation Element Policy TE-3C, Traffic Circulation Subelement Policies TC-1B, TC-1L, TC-1M, and TC-1N, Mass Transit Subelement Policies MT-4D and MT-4E, Parks, Recreation and Open Space Element Policy ROS-3F, and Intergovernmental Coordination Element Policy ICE-3I.

<sup>1</sup> Words single underlined are proposed additions and words single ~~stricken through~~ are proposed deletions presented in the Initial Recommendations, October 2017 Applications to Amend the Comprehensive Development Master Plan report dated April 2018. Words double underlined or double ~~stricken through~~ are proposed additions or deletions recommended subsequent to the revised Initial Recommendations. All other words are adopted text of the CDMP and remain unchanged.

LU-8G. When considering land areas to add to the UDB, after demonstrating that a need exists, in accordance with the foregoing Policy LU-8F:

\* \* \*

v) Furthermore, lands within the Area of Impact of the SR-836 southwest extension, as defined in Policy TC-1M, shall not be considered for addition to the UDB if the roadway capacity created by the SR-836 southwest extension is included as a basis for the addition of such lands to the UDB.

TE-3C. It is the policy of Miami-Dade County to develop all the transportation facilities identified in the MPO's Long Range Transportation Plan (LRTP) and Transportation Improvement Program (TIP) and the CDMP Transportation Element as soon as feasible, in accordance with the LRTP phasing program. It is the policy of the County that the non-cost-feasible projects listed in the MPO's LRTP and the CDMP Transportation Element shall be retained in these plans solely as identified future priorities of the County for which the County shall pursue additional funding, and which shall be advanced into the cost-feasible components of the respective plans at the earliest feasible opportunities. It is, further, the policy of the Board of County Commissioners that, a) non-cost-feasible transportation projects may be advanced into the cost-feasible component of the referenced plans only after demonstration that the project appropriately supports, and is supported by, related services such as transit feeders and/or the type and intensity of planned surrounding land development, and b) the Governing Board of the MPO is urged to support this policy.

With the exception of the SR-836 southwest extension, Only only the transportation projects contained in the cost-feasible components of the LRTP, the TIP and the CDMP shall be considered in the administration of the County's concurrency management program and, after the next update of the CDMP Transportation Element to reflect the next update of the MPO's LRTP, the presentations of future levels of service in the CDMP shall reflect only these facility improvements. It is the policy of Miami-Dade County that the SR-836 southwest extension is to only address existing roadway capacity deficiencies in the southwest portion of the County, as of the date of opening of the extension, and is not intended to provide capacity to support or encourage future development.

TC-1B. The minimum acceptable peak period operating level of service for all State and County roads in Miami-Dade County outside of the Urban Development Boundary (UDB) identified in the Land Use Element shall be LOS C. The minimum acceptable peak-period LOS for all State and County roads inside the UDB shall be the following:

\* \* \*

4. Notwithstanding any provision to the contrary, the minimum acceptable peak period operating level of service for the SR-836/Dolphin Expressway southwest extension from NW 137 Avenue to SW 136 Street shall be and remain LOS C.

MT-4E. In coordination with the Miami-Dade County Parks, Recreation and Open Space Department and the Miami-Dade Transportation Planning Organization (or successor agencies), the Miami-Dade Expressway Authority (or successor agency) shall design

a multi-use recreational trail within the corridor of the SR-836/Dolphin Expressway southwest extension. The recreational trail shall be designed to promote a safe and comfortable environment for walking, cycling, horseback riding, and passive recreational uses, such as observing nature, in a manner complementary and sensitive to the areas it traverses. Additionally, to the maximum extent feasible, the multi-use recreational trail shall be designed to provide for seamless connections to the County's existing and planned trails and greenways network proximate to the corridor. Said coordination shall occur prior to the earlier of the issuance of the first permit for construction of the expressway extension or prior to the commencement of any construction of the expressway extension, and the trail shall be built and open to the public concurrent with the opening of the expressway extension, or phases thereof.

ROS-3F. In conjunction with the opening of the SR-836/Dolphin Expressway southwest extension, or any phase thereof, the Miami-Dade Expressway Authority (or successor agency) shall provide a parallel, multi-use recreational trail facility designed for walking, cycling, horseback riding, and passive recreational uses, such as observing nature, in a manner complementary and sensitive to the areas it traverses. Additionally, to the maximum extent feasible, the multi-use recreational trail shall be designed to provide for seamless connections to the County's existing and planned trails and greenways network proximate to the corridor.

shall prepare a surface water sheet flow analysis to demonstrate that the wetlands hydrology in this area shall be adequately retained; and (2) figure 1 entitled “planned year 2030 roadway network – arterials, collectors and other significant paved roads” be corrected to reflect that the roadway portion between 8 street and 88 street was 6 lanes and not 4 lanes.] (April 25, 2018)

Final Action of Board of County  
Commissioners:

**TO BE DETERMINED** (July 25, 2018)

#### Revised Staff Initial Recommendation

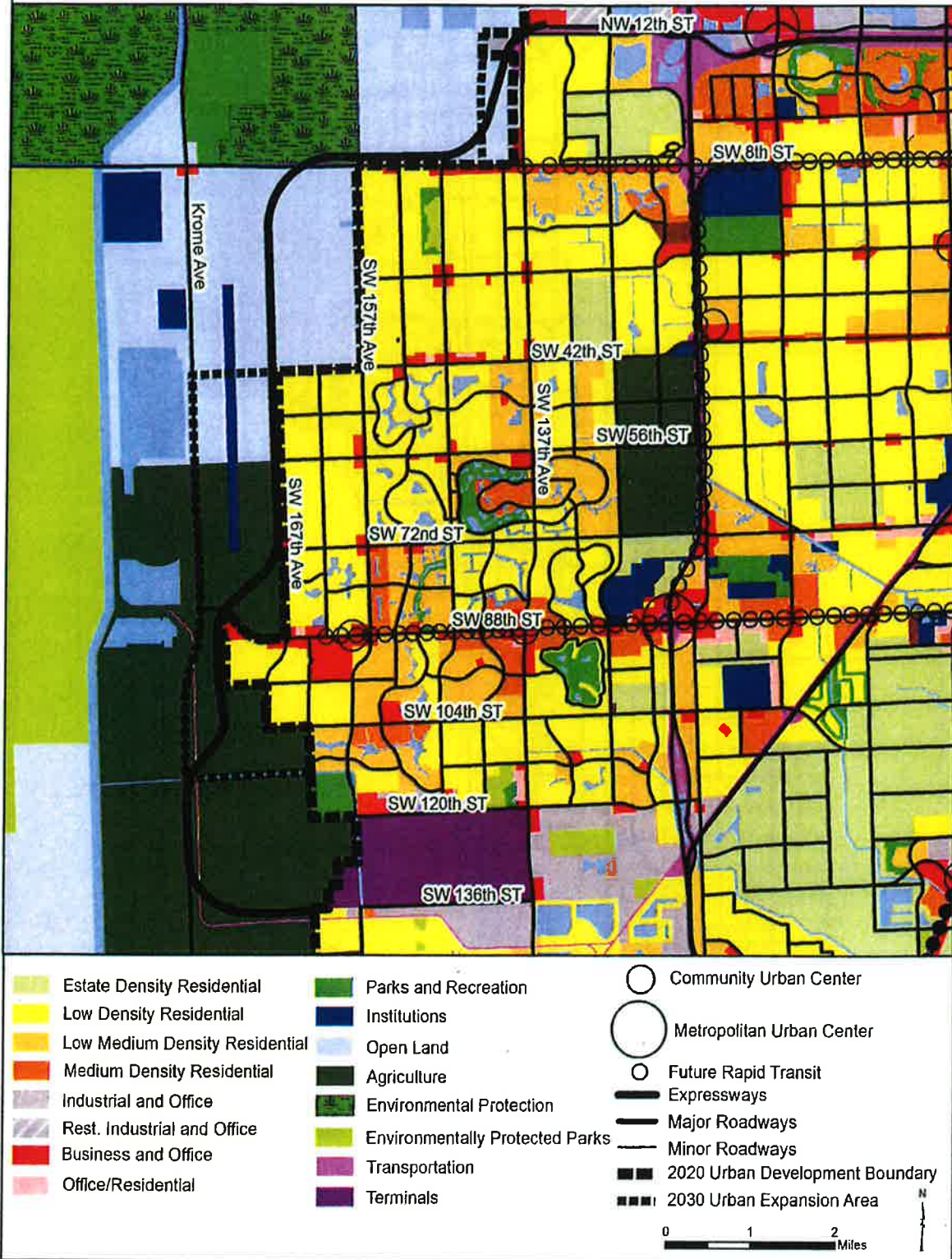
Staff recommends: **TRANSMIT WITH FURTHER CHANGE AND ADOPT** the application to amend the Comprehensive Development Master Plan (CDMP) Land Use Element text based on the following reason:

1. Application No. 8 (SR-836/Dolphin Expressway southwest extension) was filed by the Department in the October 2017 Cycle of applications to amend the Comprehensive Development Master Plan (CDMP). The application was analyzed and the Department issued its recommendation on the application in March 2018. Subsequent to the publication of the initial recommendation, the Department has further analyzed the application and input received at the community council and Planning Advisory Board public hearings and has determined that an additional change to the application is appropriate. The additional analysis and input from the public hearings take into account the Urban Expansion Areas (UEA) designated on the CDMP Adopted 2020 and 2030 Land Use Plan (LUP) map and the ongoing efforts of the Urban Expansion Area Task Force (UEA Task Force) created by Miami-Dade County Mayor, Carlos A. Gimenez, in May 2017. The UEA Task Force is to provide recommendations for consideration by the Planning Advisory Board and Board of County Commissioners on the following:
  - Changes to the current boundaries of the Urban Expansion Areas;
  - Creation of new Urban Expansion Areas; and
  - Changes to the criteria that should be considered for applications requesting expansion of the UDB.

Input from the community council and Planning Advisory Board public hearings, among other things, highlights the need to take into account the UEA Task Force efforts and minimizing the potential impacts the alignment of the SR-836 southwest extension could have on the UEA located between Bird Road/SW 42 Street and SW 112 Street. The change to the application proffered hereby is to add an additional and preferred corridor alignment for the proposed SR-836 southwest extension that would follow the original alignment north of SW 104 Street but follow a different alignment south of SW 104 Street. The new alignment would run along the east side of Krome Avenue/SW 177 Avenue from SW 104 Street to SW 136 Street then eastward to merge into existing SW 136 Street at SW 162 Avenue.

**The new and preferred alignment of the SR-836 southwest extension is shown on the following “Proposed CDMP Land Use” map and map series of the CDMP Transportation Element, pages 8-1.2 through 8-1.10, and Staff’s original recommendation and analysis of Application No. 8 as published in March 2018 are presented herein beginning on page 8-2.**

# PROPOSED CDMP LAND USE



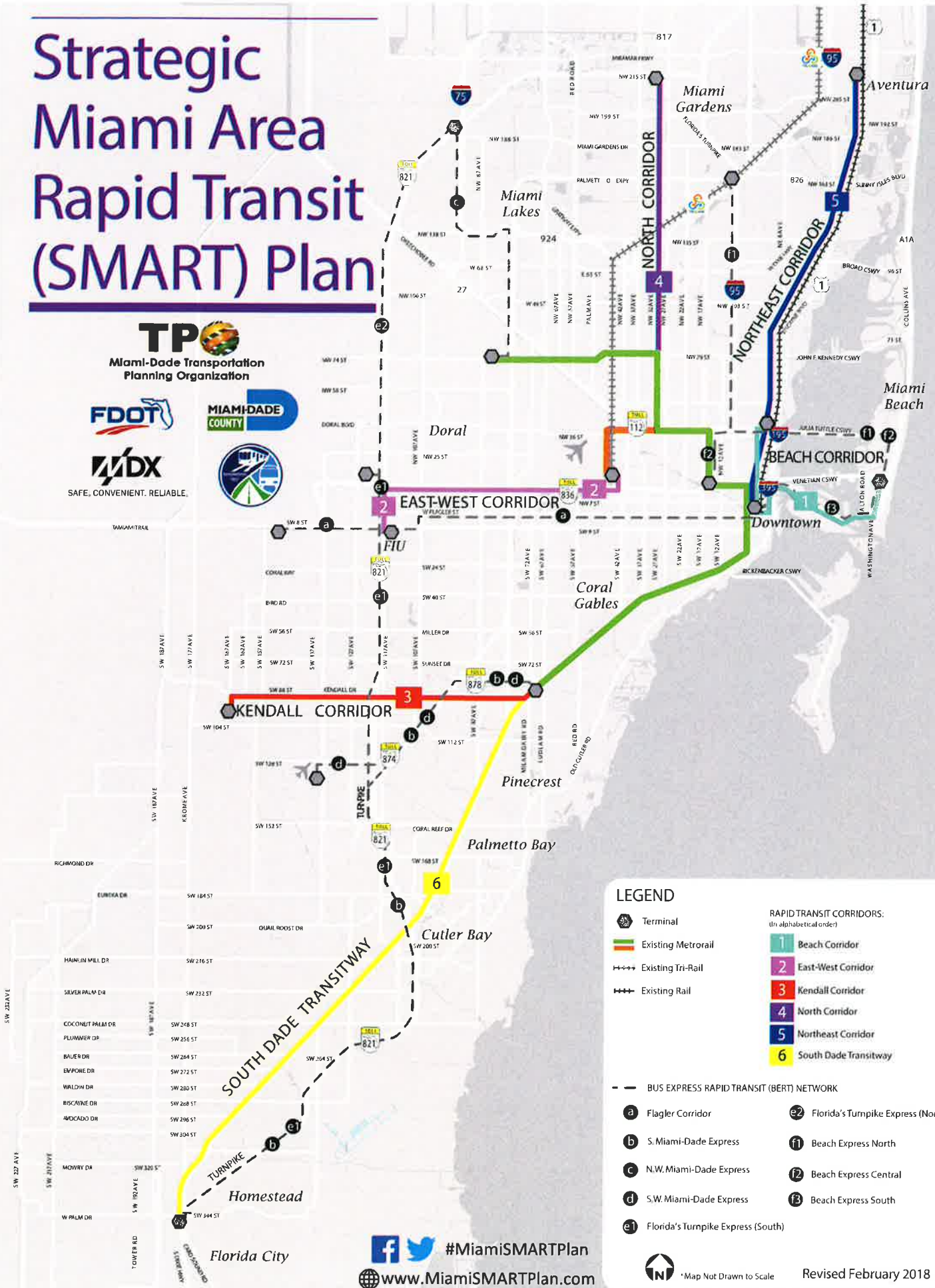
## Exhibit 4

# Strategic Miami Area Rapid Transit (SMART) Plan

**TP**  
Miami-Dade Transportation Planning Organization



SAFE. CONVENIENT. RELIABLE.



## LEGEND

- Terminal
- Existing Metrorail
- Existing Tri-Rail
- Existing Rail
- BUS EXPRESS RAPID TRANSIT (BERT) NETWORK
- a Flagler Corridor
- b S. Miami-Dade Express
- c N.W. Miami-Dade Express
- d S.W. Miami-Dade Express
- e1 Florida's Turnpike Express (South)
- e2 Florida's Turnpike Express (North)
- f1 Beach Express North
- f2 Beach Express Central
- f3 Beach Express South

- RAPID TRANSIT CORRIDORS:  
(In alphabetical order)
- 1 Beach Corridor
  - 2 East-West Corridor
  - 3 Kendall Corridor
  - 4 North Corridor
  - 5 Northeast Corridor
  - 6 South Dade Transitway

## Exhibit 5



# Miccosukee Tribe of Indians of Florida

*Transportation*  
OPB-TED cc'd Mark Kress  
*ENV*  
K. Craven  
S. Peedy

## Business Council Members

Billy Cypress, Chairman

Roy Cypress Jr., Assistant Chairman  
Jerry L. Cypress, Treasurer

Gabriel K. Osceola, Secretary  
William M. Osceola, Lawmaker

June 27, 2018

Rick Scott, Governor  
State of Florida  
The Capitol  
400 S. Monroe St.  
Tallahassee, FL 32399-0001

694076  
DUE: 7.31.18  
KJ

2018 JUL 10 AM 10:11  
OFFICE OF THE GOVERNOR  
CITIZEN SERVICES

RE: Tribe's Alternative for State Road 836/Dolphin Expressway Southwest Extension

Dear Governor Scott,

As you may be aware, a plan to expand State Road 836, commonly known as the Dolphin Expressway, was approved on Wednesday, June 20, 2018, by the Miami-Dade County Commissioners. The Miccosukee Tribe of Indians of Florida ("Tribe") has Tribal Reservations and lands in the area and within the corridor of Miami-Dade Expressway Authority's proposed plans for State Road 836/Dolphin Expressway Southwest Extension.

Since the Tribe is one of the largest single interested party with land holdings within the project limits, discussions and consultation with the Tribe is required. Thus far, limited discussions have taken place and the Tribe's preferred alternative has not been adequately analyzed prior to the Commissioners' vote. We understand that approval of the project by the State of Florida is pending and the Tribe would like its concerns and proposed alternative to be sufficiently considered during this process.

The Tribe has already provided the Miami-Dade Expressway Authority with the attached letter which illustrates our preferred alternative. The Tribe's alternative is to bridge the proposed road west thru the Pennsuco Wetlands to an existing roadway, specifically Krome Avenue which was recently widened. This alternative would impact far less wetlands due to a road not impeding the flow of water, should cost less money and take less time to build, does not impact Tribal lands, and would not require taking of homes through Eminent Domain.

The current proposed expressway is inconsistent with federal, state and local policies. At the Federal and State level, the project is inconsistent with the Comprehensive Everglades Restoration Plan ("CERP") as well as section 404 of the Clean Water Act ("CWA") the National Environmental Policy Act ("NEPA") and the Endangered Species Act ("ESA"). The project is flatly inconsistent with Chapter 24 wellfield protection requirements. At the local level, the

proposal conflicts with the Miami Dade County Comprehensive Development Master Plan (“CDMP”), The Miami-Dade County Transportation Planning Organization’s Strategic Miami Area Rapid Transit (“SMART”) plan, the Seven50 plan, the recommendations of the County’s Sea Level Rise Task Force, the 100 Resilient Cities program, of which Miami Dade County is a member, and other county programs.

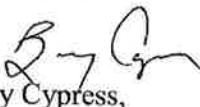
As proposed, Miami-Dade Expressway Authority’s extension would take a southwest turn and move past Miami-Dade’s Urban Development Boundary (“UBD”), an imaginary line intended to shield the sensitive wetlands of the Everglades and agricultural land from potential contamination, residential subdivisions and strip malls. Consequently traversing “lands designated Environmental Protection”, which are characteristically high-quality marshes, swamps and wet prairies, and are not suited for urban or agricultural development. The CDMP clearly prioritizes urban infrastructure inside the UDB and discourages it outside of the UDB for the express purpose of maintaining farmland and buffering the Everglades and a county wellfield from suburban development. This proposed project is contrary to the CDMP goals, objectives and policies. Miami-Dade Expressway Authority itself has acknowledged that this expressway expansion will create developmental pressure in the area between the proposed road and the 2020 Urban Development Boundary, stating (without evidence) that this road could serve as “a final western boundary for sprawl”. This area is already under significant development pressure. Regardless of the plan policies RER may put in place to allay the developmental pressure created by this project, once in place the road will constitute an undeniable fact-on-the-ground that will spur the conversion of the entire highly sensitive area to urban sprawl.

The immediate impact of this road’s development is the degradation of wetlands in the immediate vicinity of the road, as well as the further degradation of these wetlands from the long-term operation of the expressway. Runoff from roads and highways can contain polycyclic aromatic hydrocarbons, polychlorinated biphenyls, hydrocarbons, metals. Such chemicals have been known to cause cancer and birth defects. The proximity of this source of large amounts of highly toxic materials to this important source of drinking water is concerning.

In light of all of the concerns with federal, state and local policies that Miami-Dade Expressway Authority’s proposed plan has, the Tribe’s alternative is a viable solution that would allow the expansion to move forward quickly with less encumbrances. The Miccosukee Tribe urges you to deny MDX’s proposal and review the Tribe’s alternative.

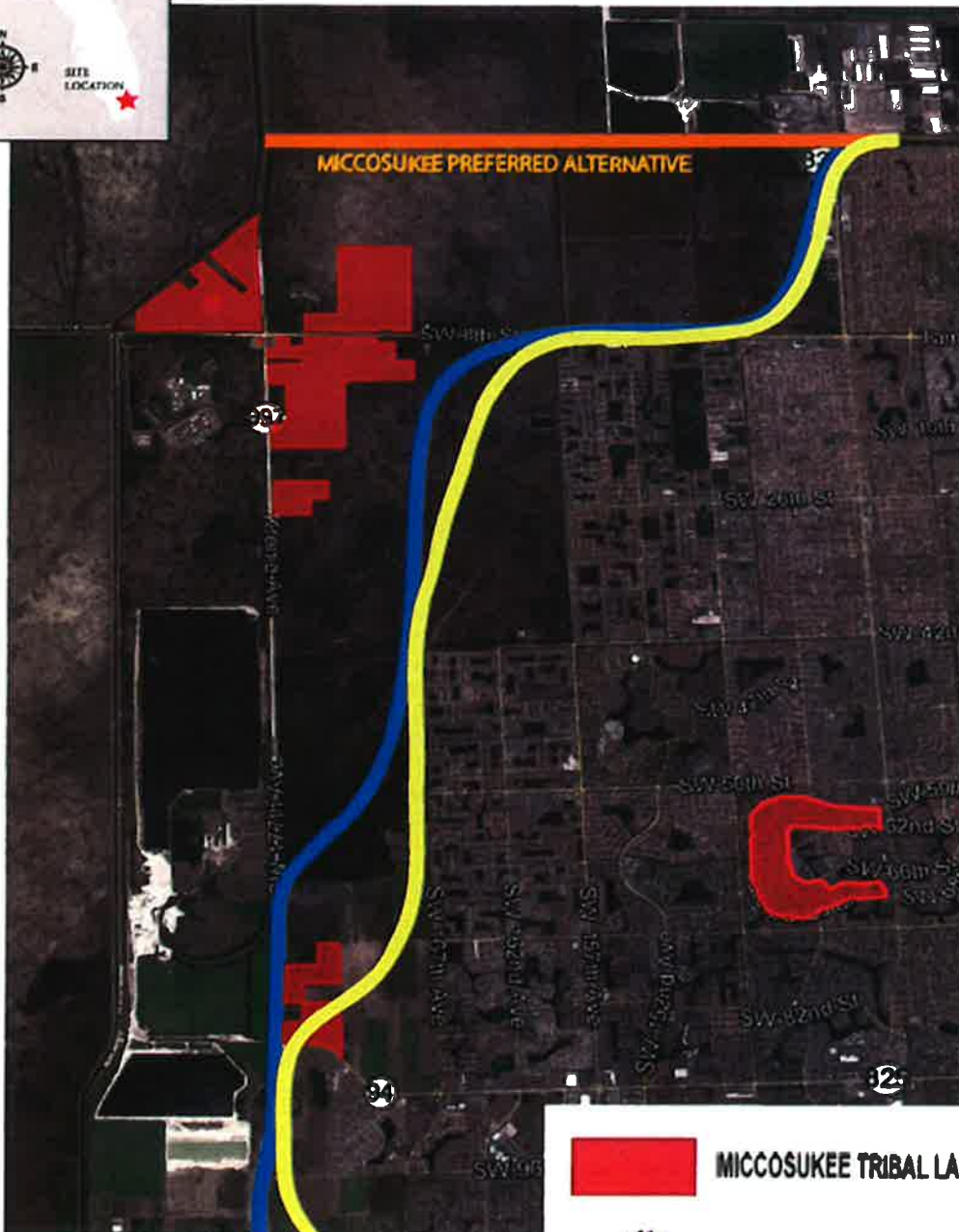
To schedule a meeting on this matter and for additional questions or concerns, please contact my staff at 305-223-8380, Jeanine Bennett, Esq., In-House General Counsel, [JeanineB@miccosukeetribe.com](mailto:JeanineB@miccosukeetribe.com) or Kevin Donaldson, Real Estate Director, [KevinD@miccosukeetribe.com](mailto:KevinD@miccosukeetribe.com). Thank you for your time and consideration of this issue.

Thank you,


  
Billy Cypress,  
Chairman

cc: Business Council

# STATE ROAD 836/DOLPHIN EXPRESSWAY EXTENSION ALTERNATIVES



0 2 MILES

 MICCOSUKEE TRIBAL LANDS



MAP PRODUCED BY REAL ESTATE SERVICES  
This MAP is not a survey and is  
meant for reference purposes only OCT 2017



# Miccosukee Tribe of Indians of Florida

## Business Council Members

Billy Cypress, Chairman

Roy Cypress Jr., Assistant Chairman  
Jerry L. Cypress, Treasurer

Gabriel K. Osceola, Secretary  
William M. Osceola, Lawmaker

November 1, 2017

Javier Rodriguez, P.E.  
Executive Director  
Miami-Dade Express Authority  
3790 N.W. 21 St  
Miami, FL 33142

RE: Alternatives for State Road 836/Dolphin Expressway Southwest Extension

Dear Mr. Rodriguez:

The Miccosukee Tribe of Indians of Florida (Tribe) has Tribal Reservations and lands in the area and within the corridor of the conceptual alternatives of the State Road 836/Dolphin Expressway Southwest Extension Project Development and Environmental Study (PD&E) area. The Tribe received a letter dated October 6, 2017 providing a notification of an Alternatives Workshop and a brochure giving a basic summary of the PD&E Study. The brochure describes commitments of the Miami-Dade Express Authority (MDX) to actively engage the community, civic, environmental organizations, and other interested parties in an ongoing and open dialogue about the SR 836/Dolphin Expressway Extension. Be aware the Tribe is a direct stakeholder.

Thus far, the MDX has failed to formally engage the Tribe in any meaningful discussions regarding this project in accordance with Executive Order 13175 requiring consultation with Tribal governments. The Tribe is one of the largest single interested party with land holdings within the project limits. Any failure to engage the Tribe may be deemed disrespectful to the Tribe's sovereignty and its rights. Enclosed, please find the enclosed figure *State Road 836/Dolphin Expressway Extension Alternatives*. Please accept this letter as formal notification of the Tribe's position to include an additional corridor to the PD&E study. The Tribe's Preferred alternative as referenced in the attached figure impacts far less wetlands, should cost less money, does not impact Tribal lands and utilizes an existing roadway.

To schedule formal consultation on this matter and for additional questions or concerns, please contact my staff at 305-223-8380, Jeanine Bennett, [JeanineB@miccosukeetribe.com](mailto:JeanineB@miccosukeetribe.com) or Kevin

Donaldson, [kevind@miccosukeetribe.com](mailto:kevind@miccosukeetribe.com). Thank you for your time and consideration of this issue.

Sincerely,



Billy Cypress  
Tribal Chairman

Cc: Miccosukee Business Council  
Florida Governor Rick Scott  
Bruce Maytubby, BIA Regional Director  
Jeanine Bennett, In House Counsel, Legal  
Kevin Donaldson, Land Resources Director, Real Estate Services  
Miami-Dade County Board of Commissioners



MIAMI-DADE EXPRESSWAY AUTHORITY

3790 N.W. 21 St. Miami, FL 33142 T 305.637.3277 F 305.637.3283

www.mdxway.com

MAYOR CARLOS A. GIMENEZ August 6, 2018

*Chair*

LEONARD BOORD Honorable Rick Scott

*Vice-Chair* Governor State of Florida

LOUIS V. MARTINEZ, ESQ. The Capitol

*Treasurer* 400 S. Monroe Street

JAMES WOLFE, P.E. Tallahassee, Florida 32399

*FDOT District Six Secretary*

COMMISSIONER AUDREY M. EDMONSON Re: MDX Kendall Parkway extension to State Road 836 in Miami-Dade County  
MARITZA GUTIERREZ Governor's Assignment; Case Number 694,076; EOG 000454790

ARTHUR J. MEYER

SHELLY SMITH FANO Dear Governor Scott:

LUZ WEINBERG

JAVIER RODRÍGUEZ, P.E.

*Executive Director*

MARIALUISA NAVIA LOBO

*Board Secretary*

We have become aware of the letter addressed to you from the Miccosukee Tribe of Indians ("Tribe") dated June 27, 2018, in reference to Miami-Dade County Expressway Authority's (MDX's) proposed Kendall Parkway extension to State Road 836 in Miami Dade County. The purpose of this letter is to address the concerns expressed by the Tribe as well as provide detailed information about the corridor selection process and considerations for the Kendall Parkway project.

Miami-Dade Board of County Commissioners has transmitted an application to amend its Comprehensive Development Master Plan (CDMP) to include a new expressway just outside the urban development boundary (UDB) that will serve the mobility needs of the 600,000 residents in West Dade and West Kendall. The application, sponsored by the County's Department of Regulatory & Economic Resources was approved on June 20<sup>th</sup> by the Board of County Commissioners with a recommendation for transmittal to the State for adoption in accordance with the County's changes to its CDMP.

The proposed Kendall Parkway begins at the current terminus of SR 836 at NW 137<sup>th</sup> Avenue and NW 12<sup>th</sup> Street and continues west and then south to SW 136<sup>th</sup> Street with proposed interchanges to serve urbanized areas at SW 157 Ave; SW 42<sup>nd</sup> Street; SW 56<sup>th</sup> Street; SW 88<sup>th</sup> Street; SW 104<sup>th</sup> Street; SW 120<sup>th</sup> Street and SW 136<sup>th</sup> Street.

The Kendall Parkway is the most significant transportation infrastructure project for West Dade, West Kendall, and Southwest Miami-Dade County since the Homestead Extension of Florida's Turnpike ("HEFT") opened for traffic 45 years ago. This \$1 billion dollars multimodal transportation project will bring much-needed mobility options and congestion relief to the residents of western and southwestern Miami-Dade County who have few alternatives to the existing congested roadway network in the area.

The Kendall Parkway project will generate 7,628 direct construction jobs and 3,459 indirect jobs for material suppliers and supporting industries according to the South Florida Chapter of the Associated General Contractors of America.



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[www.mdxway.com](http://www.mdxway.com)

The Kendall Parkway will create economic prosperity, economic development and new jobs for West Kendall, Southwest Dade region, and around the Miami Executive Airport due to its direct access to Miami-Dade County's most important economic engines along SR 836, which include: Doral, Miami International Airport, Port Miami, Downtown Miami, Florida International University and the beaches.

The Kendall Parkway has overwhelming support from the residents and businesses in the area, having received support cards of more than 6,000 households which were submitted for the record at the Miami-Dade County Board of County Commissioners CDMP Transmittal Hearing. Homeowner associations in West Kendall provided also resolutions and letters of support for this project. In a 2018 survey of MDX's frequent customers (daily commuters and businesses) 40,361 frequent customers (or 86% of the MDX toll payers surveyed) responded by affirmatively stating their support of the Kendall Parkway project. These daily commuters and businesses pay tolls, which is the revenue used by MDX to construct transportation infrastructure projects.

MDX continues to evaluate a number of alternative corridors ("Alternative Corridors") in the project area. The Alternative Corridor transmitted by Miami-Dade County to the State of Florida does not traverse Tribal lands or other real estate interests owned by the Tribe. MDX will rely on the US Army Corps of Engineers ("ACOE") for triggering the Section 106 process. This will occur at a future date when MDX will engage with the ACOE for the permitting and National Environmental Policy Act ("NEPA") process for the project. The Alternative Corridors were evaluated based on the following criteria: Purpose and Need, Environmental impacts, Engineering considerations, and Unique Issues and Public Input. .

The Purpose and Need Evaluation considers whether the Alternative Corridor satisfies the overall transportation purpose and addresses the needs of the targeted communities. The screening criteria consist of: promoting regional system linkage, supporting economic development by enhancing access to employment, education and community centers, improving mobility for people and goods, enhancing hurricane evacuation and enhancing multimodal connectivity. The Environmental Evaluation focused on the potential of each Alternative Corridor's impact on the social, cultural, natural and physical environment. The Engineering Evaluation studied the costs and user benefits associated with each Alternative Corridor. The engineering factors considered include roadway construction costs, bridge/structure construction cost, right of way acquisition cost and user benefits. The Unique Issues Evaluation is an analysis of those issues that do not fall within the other evaluation criterion but are important factors to consider in evaluating the corridors. The need for consistency with Miami-Dade County's CDMP was identified and evaluated as a Unique Issue.

As with all analysis conducted as part of the Alternative Corridor Evaluation Report ("ACER"), the results do not represent absolute values but rather to allow a preliminary planning level comparison among Alternative Corridors. Based on the analysis conducted, Alternative Corridors 4 and 5B performed the worst when compared to the other Alternative Corridors. A more detailed analysis is currently being performed as part of Phase 2 of the PD&E study.



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ALTERNATIVE CORRIDOR EVALUATION SUMMARY							
ALTERNATIVE CORRIDOR	Purpose and Need	Environmental Considerations	Engineering Considerations	Unique Issues	Total Score	FINAL RANKING	Recommended for Further Consideration
1	4	4	7	6	21	5	NO
2	9	2	2	9	22	7	NO
3	4	8	8	4	24	8	NO
4	2	5	4	1	12	1	NO
5a	2	6	3	3	14	2	NO
5b	1	6	10	1	18	3	NO
6	4	10	8	4	26	10	YES
7	9	1	1	10	21	5	NO
8	4	3	5	8	20	4	NO
9	4	9	6	6	25	9	YES

MDX’s objective review of a Krome Avenue alignment during Phase 1 revealed that it did not compare favorably to the corridors currently under consideration. The corridors currently under consideration directly serve the mobility needs of the residents within the urbanized area living east of SW 167<sup>th</sup> Avenue, as well as the businesses that need to move goods and services in the region. The transmitted alignments reduce congestion by creating contra-flow traffic and reducing directional peak hour patterns that flow East in the morning and West in the afternoon on all local roads. The alignment of these corridors immediately west of the urbanized area, do not directly affect existing residential homes, businesses, schools or other public facilities. Furthermore, the Alternative Corridor transmitted to the State, as part of the CDMP process, does not traverse Tribal lands.

MDX has coordinated the planning of the Kendall Parkway project with other agencies to avoid, minimize, and/or mitigate impacts as appropriate. MDX has coordinated with the Department of the Interior and South Florida Water Management District with respect to the Comprehensive Everglades Restoration Plan in the area; with the ACOE for Clean Water Act and NEPA compliance; and with Miami-Dade County’s Regulatory and Economics Resources division with the respect to wellfield requirements and planning consistency. MDX has also coordinated with a variety of agencies on wildlife and other biological issues in the area.

It should also be noted that the Kendall Parkway is a multimodal corridor that complements Miami-Dade County’s current “SMART” transit plan by providing an additional transit corridor in the area. Miami-Dade County has put a number of policy restrictions in place as part of the CDMP amendment to prevent urban sprawl. These include the inability of any proposed development from using the capacity the Kendall Parkway will create for concurrency and a requirement for on-site wetlands mitigation for sensitive land protection in perpetuity. This application does not seek to change the UDB. Miami-Dade County has a history of denying applications over the last 3 decades



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[www.mdxway.com](http://www.mdxway.com)

that seek to move the UDB by only approving a handful of projects, which provided significant economic development and employment to the region.

The construction of the Kendall Parkway will serve the commuting and commercial needs of the southwest Miami-Dade region; and will not usurp the Miami-Dade Board of County Commissioner's local authority to enforce the regulations of its CDMP.

The Kendall Parkway will be developed in accordance with all applicable regulatory requirements put in place throughout Miami-Dade County where the majority of drinking water wellfields are within the urbanized area and underneath our community's roads, residences and businesses. As part of the environmental mitigation required for the project, the quality of wetlands in that area will be enhanced by on-site mitigation strategies; and improved by the removal of invasive species such as melaleuca and other invasive species that currently populate the area.

We look forward to working together to bring much needed traffic congestion relief to the residents of western Miami-Dade County. Should you need any additional information or clarification, do not hesitate to contact me at 305-637-3277. We respectfully request that your office transmit this letter to those parties that you may have forwarded the Tribe's letter.

Sincerely,

A handwritten signature in black ink that reads "Javier Rodriguez". The signature is written in a cursive style with a large, sweeping 'J' and 'R'.

Javier Rodriguez, P.E.  
Executive Director

Cc: Brad Piepenbrink  
Ray Eubanks  
Shereen Yee Fong  
Isabel Cosio Carballo  
Terry Manning AICP  
Scott Sanders  
Deena Woodward  
Kylene Casey  
Larry Ventura  
Florida Department of Environmental Protection  
Department of Agriculture and Consumer Services Comprehensive Plan Review

Enclosure: Miccosukee Tribe of Indians Letter dated June 27, 2018

## Exhibit 6

<https://www.miamiherald.com/opinion/op-ed/article213232589.html>



Rush hour on State Road 836, which is also known as the Dolphin Expressway. The Miami-Dade Expressway Authority wants to extend the toll road 14 miles south and west into Kendall. el Nuevo Herald

[OP-ED](#)

# Mayor Gimenez: Expanding 836 parkway will not harm the Everglades

BY CARLOS A. GIMENEZ  
*miamidade.gov/mayor*

June 15, 2018 12:23 AM  
Updated June 15, 2018 05:10 AM

The 600,000 residents of Kendall and West Miami-Dade have long been in need of a solution to their traffic woes. Every day they navigate a traffic-clogged area that forces them to spend more time in their vehicles than with their families.

Alleviating the gridlock while safeguarding our environment and the Urban Development Boundary is possible. That's why I have proposed, with community input and the support of Commissioner Joe Martinez, the Kendall Parkway extension of State Road 836.

It's a unique plan that's not the traditional model of development: building more roads, adding more capacity for development, and then getting more gridlock.

On June 20, Miami-Dade commissioners have the opportunity to provide almost one-fourth of our residents in an area larger than the city of Miami with the traffic relief they need to vastly improve their quality of life. And to do this in a way that protects drinking water and agricultural lands and does not allow for additional development beyond what is currently allowed.

For the first time, future development applications in the entire 80 square mile traffic impact analysis area — which lies overwhelmingly within the UDB — would not be able to benefit from the parkway's added capacity. In other words, future development applications would be considered as if the parkway were not there, compelling developers to compensate for their traffic impact, either monetarily or by building roadway improvements.

Waiving this rule would require a 2/3 vote by county commissioners — the same requirement that under the county charter applies to expanding the UDB. Additionally, the Kendall Parkway provides for transit service along its full length, providing seamless connection to service that will be implemented within the existing 836. It also includes right-of-way for possible rail expansion. Plus, MDX would buy 1,000 acres of wetlands in the Bird Drive and North Trail Basins for protection in perpetuity, adding a buffer between the parkway and the UDB. And there would be a 14-mile multiuse nature trail along the parkway for residents to enjoy.

MDX has never incorporated all of these features into a roadway.

All of this would be paid by users of the Parkway extension — not by county funds. It would augment the county-funded SMART plan by adding transportation alternatives that I have consistently pushed.

These are the facts. Yet there continues to be a misinformation campaign that seeks to make this parkway a ruinous highway that would destroy nature and our water supply, lead to bigger developments and put more cars on the road. Indeed, the recent Herald story had a sensationalized headline: "County wants Dolphin Expressway to burrow through the Everglades."

First, the parkway is not in the Everglades. That area may have once been, but so was most of Miami-Dade, including where the Herald building sits in Doral. In fact, of the approximately 3,200 acres within the Bird Drive and portions of the North Trail Basin within the project area, less than 680 acres are publicly owned. MDX's parkway mitigation would more than double this number. And contrary to the "burrow" headline, portions of the parkway will be elevated to protect environmentally sensitive land, water flow and wildlife. It's *not* a tunnel.

This is the first time in our county's history that a roadway of this magnitude would carry so many protections. It reflects a planning process that has evolved — one that addresses and mitigates legitimate concerns yet solves a real issue for our residents, who would shave off about 20 percent of their daily commute time each way.

There will always be pressure to move the UDB. But, as evidenced by my voting record as a commissioner, that is not my goal. In fact, Miami-Dade County has been very thoughtful in decisions about the UDB. The protections incorporated into the parkway have been designed to be as effective as the policies that have helped this community hold the UDB.

This is a responsibly designed project with new and forward-thinking policies.

Throwing up our hands is not leadership. To believe that a transit system alone can fix this problem is not realistic or financially feasible. This project is a bold mix of transportation solutions and serves as a reminder for what is possible when agencies work together to solve problems.

This project moves us forward. Doing nothing is not an option. Our hardworking residents deserve a better quality of life.

*CARLOS A. GIMENEZ IS MAYOR OF MIAMI-DADE COUNTY AND BECAME A MEMBER OF THE MDX BOARD IN 2017.*



Mayor Carlos Gimenez



A rush hour view of the 836 expressway. Miami-Dade commissioners approved a \$650 million plan to extend the toll roads 14 miles southwest into West Kendall. MIAMI HERALD

EDITORIALS

Despite assurances, extend 836 past UDB and development into fragile land will follow. That shouldn't happen.

MIAMI HERALD EDITORIAL BOARD

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If, if, if, if, if. There are just too many of them, too much uncertainty for the Miami-Dade County Commission to give preliminary approval Wednesday to what would be the crown jewel in Mayor Carlos Gimenez's tenure — extending State Road 836 to the southwest part of the county.

The residents there desperately need traffic relief. Their commutes to downtown Miami can be a torturous two-hour drive *one way*. Their pain is the result of decades of anything-goes planning and zoning, mass transit that is wholly inadequate and the lack of jobs where these people live. That's because the county continues to let job-creating industrial zones be converted to tracts of housing.

The county's laxness got these residents into this pickle. We're not yet convinced that the \$650 million highway extension, especially if one section goes almost to the edge of the Everglades, is going to get them out. Despite all of the administration's assurances, there is enough uncertainty to give commissioners pause. In fact, the proposal was rejected two times in committee.

Commissioners don't have all of the information needed to take a responsible vote. The exact route of this expansion project is still up in the air. It would be irresponsible to approve this highway without knowing exactly what they are voting for. The consequences will be significant.

Both proposed roadways would cross the Urban Development Boundary — the so-far sacrosanct line that has kept development from sprawling even further west — into wetlands and threatening our drinking water. Gimenez's more-palatable proposal, hugs the UDB. The more-onerous alternative, understandably sought by residents on the county's western edges, would fork further west into fragile land. Despite assurances to the contrary, we're sure development will follow.

The UDB has held, so far. The Editorial Board, for years, has been a voice for keeping in place. But the pressure to move it west, and to build, is enormous. The proposal will decimate 300 acres of farmland, something the county's own master plan seeks to protect, with, perhaps 3,000 acres potentially vulnerable to development. Some large tracts of prime agricultural land to the west is leased to farmers, but owned by real estate companies.

Environmental concerns loom large. MDX says that it will acquire land to mitigate the loss of agricultural lands. It also would have to purchase and restore environmentally sensitive lands for preservation "in perpetuity." But building beyond the UDB could compromise flood protection and Everglades-restoration projects.

The Miami-Dade Expressway Authority, financing the project with tolls, says the actual route will be set by the time the project comes before the commission for a final vote in the fall. Why make a decision before the route is solidified? Plus, the whole thing overshadows the highly touted SMART Plan for mass transit.

We commend the mayor for building in a battery of safeguards that he says will prevent development west of the UDB: "Future development applications would be considered as if the parkway were not there, compelling developers to compensate for their traffic impact, either monetarily or by building roadway improvements," he wrote in a recent Herald oped. Waiving this rule would require a two-thirds vote by the County Commission. This is the same requirement that under the county charter applies to expanding the UDB.

Here's our bottom line: It's a matter of trust. We are clear that the mayor wants to improve the quality of life for residents in the southwest. We trust the thought that has gone into making the proposed highway compatible with mass transit. And we get the current traffic nightmare residents endure.

But what we don't trust is the system. County residents hoping for transit solutions have been here before. They've been baited and switched in the past. They've had promises derailed. The misuse of monies from the People's Transportation Plan still stings.

The effort to build an 836 extension will continue long past Mayor Gimenez's term. And while he might keep the process on the straight and narrow, we have to take the long view. The mayor's commitment to holding the UDB might not be taken up by subsequent commissions or his successor.

Commissioners should reject the westernmost highway proposal outright. It will not be a "road to nowhere." Once the UDB is breached, it will, eventually, become the road to acres and acres of homesteads.

If commissioners want to do what's best for the county, including traffic-weary residents in the southwest, they will do the most responsible thing and wait until they have all the definitive information required. If.