

APPLICATION REQUIREMENTS:
SHORT FORM CLASS IV WETLAND PERMIT

NAME OF PROPERTY OWNER (S): Chosica Ranch Corp.
ADDRESS OF PROPERTY OWNER (S): 2307 Douglas Rd. Suite #500
Miami, FL 33145
SITE ADDRESS: NE corner of sw 136 st. & 207 ave.

FOLIO NUMBER (S): 30-5815-000-0800

- Completed application form
- N/A LLC Affidavit (if applicable)
- Memorandum from the applicable Department of Planning & Zoning stating that the land use does not violate any zoning law
- Three (3) copies of site plans, prepared by a registered surveyor, architect, or engineer showing the extent of the work w/acreages and the location in relationship to the section corners
- Zoning review fee (if applicable)
- Review and approval by the DERM Water Control Section for conformance with fill encroachment criteria
- Certification statement from a certified engineer
- Submittal of a mitigation plan

1. Completeness Summary: 12-18-06 Inspections: _____
2. Application Fee & Date: 12-14-06 \$850.00 _____
3. Permit Fee & Date: _____
4. PDR Review Fee & Date: _____
Sent: _____
5. Mitigation fee/plan: _____
6. Permit Issued: _____

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Wilson J. Alayo, President
 Chosica Ranch Corp.
 2307 Douglas Rd.
 Hialeah, FL 33145
 FW06-007 IF

2. Article Number

(Transfer from service label)

7003 1680 0000 8822 8870

447FL

COMPLETE THIS SECTION ON DELIVERY

A. Signature

[Handwritten Signature]

- Agent
- Addressee

B. Received by (Printed Name)

C. Date of Delivery

RECEIVED
12/2/06

D. Is delivery address different from item 1? Yes
 If YES, enter delivery address below No

DEC 2 6 2006

DERM
ENVIRONMENTAL RESOURCES
REGULATION DIVISION

3. Service Type

- Certified Mail
- Registered
- Insured Mail
- Express Mail
- Return Receipt for Merchandise
- C.O.D.

4. Restricted Delivery? (Extra Fee)

Yes

UNITED STATES POSTAL SERVICE



First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

• Sender: Please print your name, address, and ZIP+4 in this box •

MIAMI-DADE COUNTY - DERM DE248997
Environmental Resources Regulation Div.
33 SW 2nd Avenue, Suite 400
Miami, Florida 33130-1540

RECEIVED
DEC 26 2006

DERM
ENVIRONMENTAL RESOURCES
REGULATION DIVISION

IN THE COUNTY COURT OF THE 11TH
JUDICIAL CIRCUIT IN AND FOR DADE
COUNTY, FLORIDA

GENERAL JURISDICTION DIVISION

CASE NO: 07-28328 CA 22

MIAMI-DADE COUNTY, a political
Subdivision of the State of Florida, by and
through CARLOS ESPINOSA, as Director of
the Miami-Dade County Department of
Environmental Resources Management

Plaintiff,

v.

PERUVIAN-AMERICAN CLUB, INC. and
CHOSICA RANCH CORP,

Defendants.

MIAMI-DADE
COUNTY ATTORNEY
2009 APR 27 AM 11:31

SATISFACTION OF AGREED FINAL ORDER

KNOW ALL MEN BY THESE PRESENTS: That MIAMI-DADE COUNTY, a political
Subdivision of the State of Florida, by and through CARLOS ESPINOSA, as Director of the Miami-
Dade County Department of Environmental Resources Management, the Plaintiff in the above-
styled cause, wherein an agreed Final Order rendered on the 4th day of January, 2008 in the above-
named court against the Defendants herein, PERUVIAN-AMERICAN CLUB, INC and CHOSICA
RANCH CORP, the order being duly recorded in the Minutes of the Court and a certified copy
thereof having been recorded in Official Records Book 26151, at Page 3062 of the Public Records of
Miami-Dade County, Florida, does hereby acknowledge full payment and satisfaction thereof and
hereby consent that the Clerk of the Court shall note the complete satisfaction and complete
cancellation of the Agreed Final Order of record against said Defendants.

EXECUTED this 16th day of April, 2009.

Signed, sealed and delivered in the presence of:

MIAMI-DADE COUNTY, a political subdivision of the State of Florida

Judith McBride
Name: Judith McBride
Hilda C. Russell
Name: HILDA C. RUSSELL

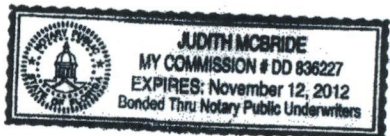
By: [Signature]
Name: Thomas H. Robertson
Title: Asst. County Attorney

STATE OF FLORIDA

COUNTY OF MIAMI-DADE

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the County and State aforesaid to take oaths and acknowledgments, personally appeared Thomas H. Robertson Assistant County Attorney of Miami-Dade County, a political subdivision of the State of Florida who took an oath and executed the foregoing instrument on behalf of the County. He\She is (personally known to me) or has (produced personally known as identification) and acknowledged before me that he\she executed same.

Judith McBride
NOTARY PUBLIC, State of Florida
Print Name: Judith McBride
Commission Number DD836227
My Commission Expires: Nov. 12, 2012



PAYMENT TRANSMITTAL

TO: ENFORCEMENT SECTION

DATE: 2-19-09

FROM: Mark Letter

SIGNATURE: [Signature]

DIVISION/SECTION: Wetlands

CASE NAME / PERMIT #: Peruision - American Club, Inc.

ADDRESS: _____

UCVN #: FW06-007



The following items are being forwarded for processing:

- Check # 1043 Amount \$ 2,500 -
- Copy of letter / Agreement / Court Order
- Payment Notice Form
- Other (specify) Additional civil penalty assessed

Comments: for non-compliance with Court Order

Please advise when check clears so I can issue a "satisfaction of the Order" etc.

Revenues to be deposited into the Biscayne Bay Environmental Enhancement Trust Fund:
(Check applicable restoration projects below)

CHOSICA RANCH CORP. 2307 S.W. 37TH AVE., STE. 500 MIAMI, FL 33145		1043 63-1539/670
<u>2/4/09</u> Date		
Pay to the Order of <u>D.E.R.M</u>	\$ <u>2,500⁰⁰</u>	
<u>Two Thousand Five Hundred⁰⁰/₁₀₀</u> Dollars		
 U.S. CENTURY BANK 3001 Ponce De Leon Blvd Coral Gables, Florida 33134		
For _____	<u>1043</u>	

Received by: _____

Date received: _____

305 418-5557

MURAI WALD BIONDO & MORENO

PROFESSIONAL ASSOCIATION
ATTORNEYS AT LAW

Official Use	FW06-007
Correspondence In	
2/17/09	

SENDER'S E-MAIL
bbiondo@mwbm.com

February 17, 2009

Via FedEx

Miami-Dade County DERM
Attn. Mark J. Pettit
701 NW 1st Court
7th Floor
Miami, Florida 33136,

RECEIVED

FEB 18 2009

DERM
POLLUTION REGULATION
AND
ENFORCEMENT DIVISION

Re: MIAMI-DADE COUNTY vs. PERUVIAN-AMERICAN CLUB, INC. and
CHOSICA RANCH CORP

Dear Mark:

Enclosed please find a check in the sum of \$2,500, representing full and complete satisfaction of all outstanding amounts due under that certain Agreed Final Order recorded in OR Book 26151 Page 3062 of the Public Records of Miami-Dade County, FL (the "Order"). Upon clearance of the same, please execute and record a satisfaction of the Order and provide me with a copy of the same.

Sincerely yours,



for Brandon L. Biondo

BLB:jlg
encls

IN THE CIRCUIT COURT OF THE 11TH
JUDICIAL CIRCUIT IN AND FOR
MIAMI-DADE COUNTY, FLORIDA

MIAMI-DADE COUNTY,

Plaintiff,

vs.

PERUVIAN-AMERICAN
CLUB, INC. and CHOSICA
RANCH CORP.,

Defendants.

GENERAL JURISDICTION DIVISION

CASE NO. 07-28328 CA 22

SECOND RE-NOTICE OF HEARING
(MOTION CALENDAR)

TO: Brandon L. Biondo, Esquire
Two Alhambra Plaza, Penthouse 1B
Coral Gables, Florida 33134

PLEASE TAKE NOTICE that Miami-Dade County's Motion to Enforce Agreed Final Order will be heard before the Honorable David C. Miller, one of the Judges of the above Court, in his Chambers at the Dade County Courthouse, 73 West Flagler Street, Room 511, Miami, Florida 33130 on Tuesday, January 27, 2009 at 8:30 a.m., or as soon thereafter as the matter may be heard.

Respectfully submitted,

R. A. CUEVAS, JR.
Miami-Dade County Attorney
Stephen P. Clark Center
111 N.W. 1st Street, Suite 2810
Miami, Florida 33128

Official Use	FW 06-007
Court 1127/09	

By: _____

Thomas H. Robertson
Assistant County Attorney
Florida Bar No. 301991
Phone: (305) 375-5151
Facsimile: (305) 375-5611
Email: Robert@miamidade.gov

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing was
mailed this 15th day of December, 2008 to the above-named addressee.

By:  _____
Assistant County Attorney

IN THE CIRCUIT COURT OF THE 11TH
JUDICIAL CIRCUIT IN AND FOR
MIAMI-DADE COUNTY, FLORIDA

MIAMI-DADE COUNTY,

Plaintiff,

vs.

GENERAL JURISDICTION DIVISION

CASE NO. 07-28328 CA 22

PERUVIAN-AMERICAN
CLUB, INC. and CHOSICA
RANCH CORP.,

NOTICE OF CANCELLATION

Defendants.
_____ /

TO: Brandon L. Biondo Esquire
Two Alhambra Plaza, Penthouse 1B
Coral Gables, Florida 33134

PLEASE TAKE NOTICE that Miami-Dade County's Motion to Enforce Agreed Final Order scheduled for hearing on Tuesday, December 16, 2008 at 8:30 a.m., before the Honorable David C. Miller is hereby cancelled.

Respectfully submitted,

R. A. CUEVAS, JR.
Miami-Dade County Attorney
Stephen P. Clark Center
111 N.W. 1st Street, Suite 2810
Miami, Florida 33128

By: 

Thomas H. Robertson
Assistant County Attorney
Florida Bar No. 301991
Phone: (305) 375-5151
Facsimile: (305) 375-5611
Email: Robert@miamidade.gov

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By:  _____
Assistant County Attorney

IN THE CIRCUIT COURT OF THE 11TH
JUDICIAL CIRCUIT IN AND FOR
MIAMI-DADE COUNTY, FLORIDA

MIAMI-DADE COUNTY,

Plaintiff,

vs.

PERUVIAN-AMERICAN
CLUB, INC. and CHOSICA
RANCH CORP.,

Defendants.

GENERAL JURISDICTION DIVISION

CASE NO. 07-28328 CA 22

RE-NOTICE OF HEARING
(MOTION CALENDAR)

TO: Brandon L. Biondo, Esquire
Two Alhambra Plaza, Penthouse 1B
Coral Gables, Florida 33134

PLEASE TAKE NOTICE that Miami-Dade County's Motion to Enforce Agreed Final Order will be heard before the Honorable David C. Miller, one of the Judges of the above Court, in his Chambers at the Dade County Courthouse, 73 West Flagler Street, Room 414, Miami, Florida 33130 on Tuesday, December 16, 2008 at 8:30 a.m., or as soon thereafter as the matter may be heard.

Respectfully submitted,

R. A. CUEVAS, JR.
Miami-Dade County Attorney
Stephen P. Clark Center
111 N.W. 1st Street, Suite 2810
Miami, Florida 33128

By: 

Thomas H. Robertson
Assistant County Attorney
Florida Bar No. 301991
Phone: (305) 375-5151
Facsimile: (305) 375-5611
Email: Robert@miamidade.gov

Official Use	FW 06-007
Court	
12/16/08	

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing was mailed this 7th day of November, 2008 to the above-named addressee.

By: 

Assistant County Attorney

Memorandum



Date: December 9, 2008

To: Mark Pettit
Code Enforcement Officer II

From: Brandon Blue, Biologist II
Wetland Resources Section

Official Use	FW 06-007
Inspection Report	
12/9/08	

Subject: Peruvian American Club, Inc., property located at, near, or in the vicinity of S.W. 136th Street and S.W. 207th Avenue, Section 15, Township 55 South, Range 38 East, Miami-Dade County, Florida (Folio# 30-5815-000-0800); DERM File FW 06-007.

On December 1, 2008 Section staff held an on-site meeting at the above referenced property with Mr. Wilson Alayo and representatives of Peruvian American Club, Inc. regarding a resolution to the violation(s) existing on the property. During this meeting, staff documented the restoration work taking place on the property had been completed as required by this Department. Specifically, the property had been restored to wetland grade elevation; photographs provided.

Based on the above, staff recommends the closure of enforcement action associated with the subject property.

Memorandum



Date: December 9, 2008

To: Mark Pettit
Code Enforcement Officer II

From: Brandon Blue, Biologist II
Wetland Resources Section

Subject: Peruvian American Club, Inc., property located at, near, or in the vicinity of S.W. 136th Street and S.W. 207th Avenue, Section 15, Township 55 South, Range 38 East, Miami-Dade County, Florida (Folio# 30-5815-000-0800); DERM File FW 06-007.

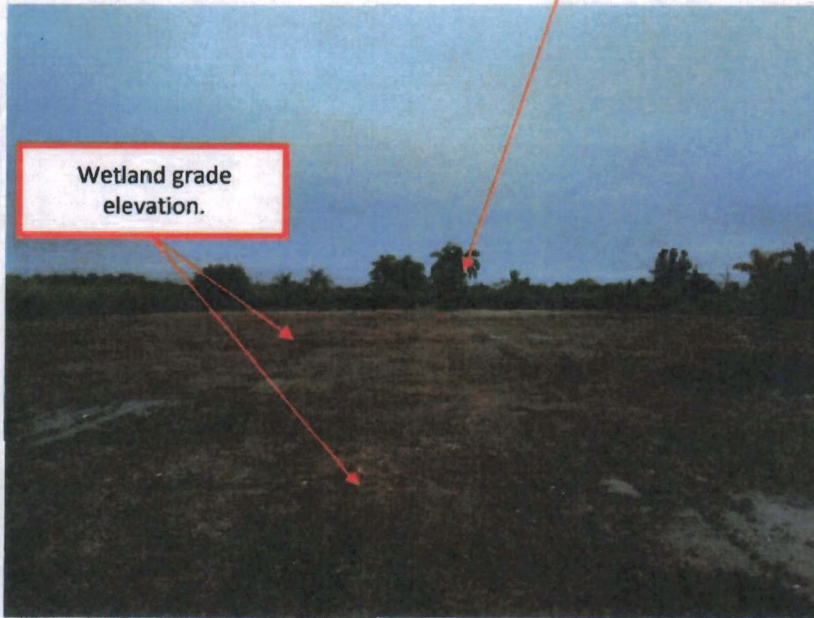
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Based on the above, staff recommends the closure of enforcement action associated with the subject property.



Unauthorized concrete fill pad and associated limerock fill has been removed from the south portion of the subject property.

Description: View from the north portion of the subject property towards the south portion of said property. To date, the property has been restored to wetland grade elevation.



Wetland grade elevation.

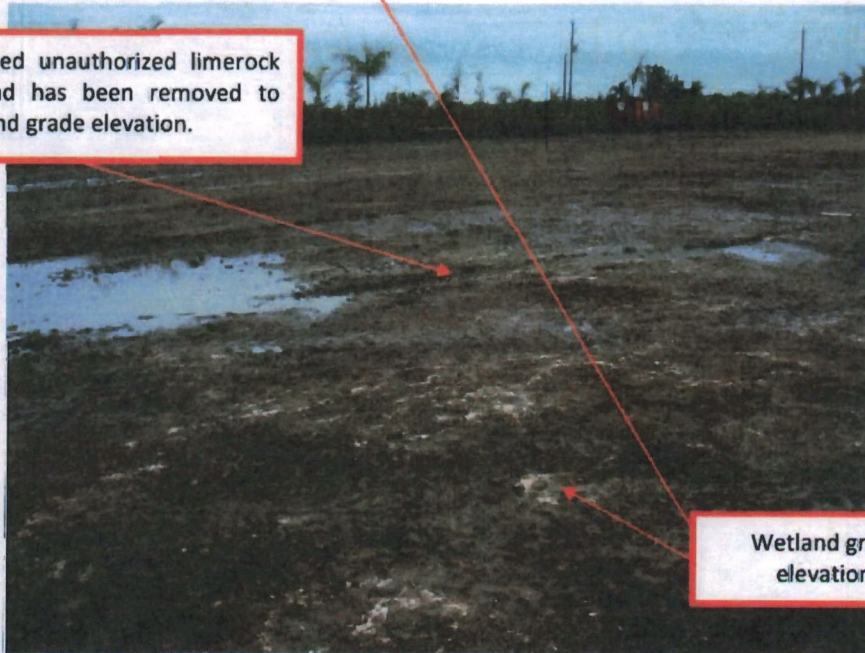
Description: View from the south portion of the subject property, along S.W. 136th Street, towards the north portion of said property. To date, the property has been restored to wetland grade elevation.

File #: FW 06-007
Property Owner: Chosica Ranch Corporation
Address: SW 207 Ave. & SW 136 St.
Folio #: 30-5815-000-0800

Inspector: BB
Section: Wetland Resources
Photo Taken By: BB
Date: December 1, 2008



Elevated unauthorized limerock fill pad has been removed to wetland grade elevation.



Wetland grade elevation.

Description: Views of the remaining portions of the subject property that have been restored to wetland grade elevation.

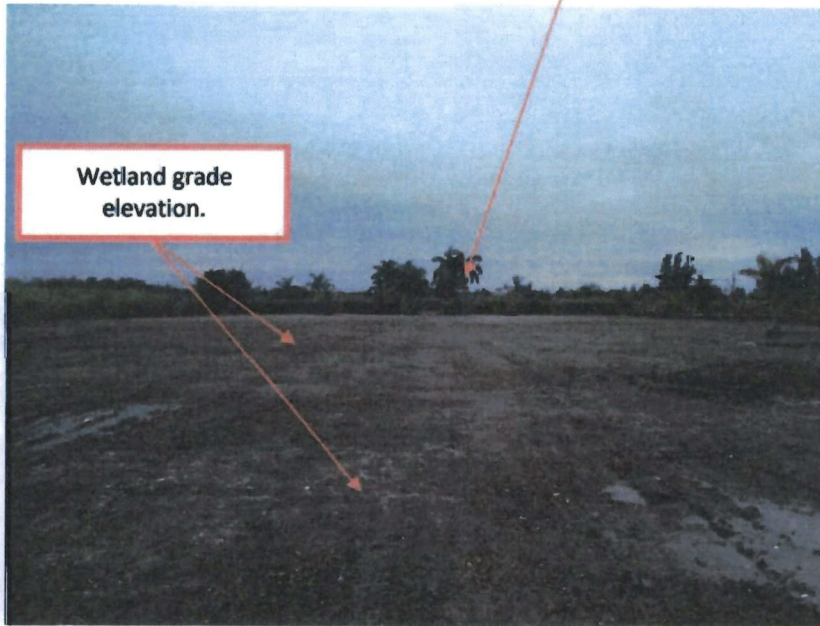
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Folio #: 30-5815-000-0800

Inspector: BB
Section: Wetland Resources
Photo Taken By: BB
Date: December 1, 2008



Unauthorized concrete fill pad and associated limerock fill has been removed from the south portion of the subject property.

Description: View from the north portion of the subject property towards the south portion of said property. To date, the property has been restored to wetland grade elevation.



Wetland grade elevation.

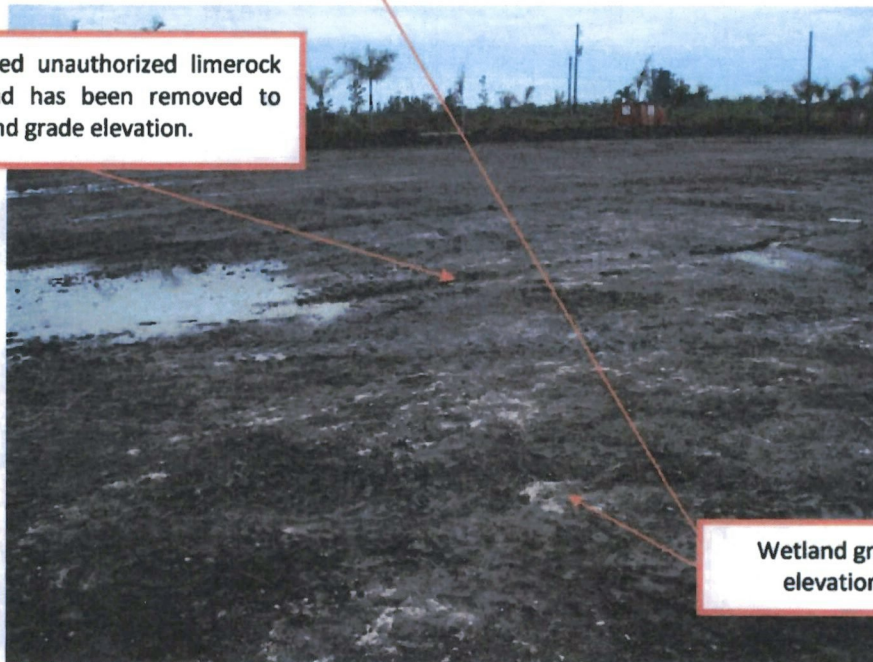
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File #: FW 06-007
Property Owner: Chosica Ranch Corporation
Address: SW 207 Ave. & SW 136 St.
Folio #: 30-5815-000-0800

Inspector: BB
Section: Wetland Resources
Photo Taken By: BB
Date: December 1, 2008



Elevated unauthorized limerock fill pad has been removed to wetland grade elevation.



Wetland grade elevation.

Description: Views of the remaining portions of the subject property that have been restored to wetland grade elevation.

File #: FW 06-007
Property Owner: Chosica Ranch Corporation
Address: SW 207 Ave. & SW 136 St.
Folio #: 30-5815-000-0800

Inspector: BB
Section: Wetland Resources
Photo Taken By: BB
Date: December 1, 2008

Memorandum



Date: November 4, 2008

To: Mark Pettit
Code Enforcement Officer II

From: Brandon Blue, Biologist II
Wetland Resources Section

Subject: Peruvian American Club, Inc., property located at, near, or in the vicinity of S.W. 136th Street and S.W. 207th Avenue, Section 15, Township 55 South, Range 38 East, Miami-Dade County, Florida (Folio# 30-5815-000-0800); DERM File FW 06-007.

On October 29, 2008 Section staff held an on-site meeting at the above referenced property with Mr. Wilson Alayo and representatives of Peruvian American Club, Inc. regarding a resolution to the violation(s) existing on the property. During this meeting, staff documented a considerable amount of restoration work had taken place on the property following the October 8, 2008 site inspection by staff. Specifically, a majority of the property had been restored to wetland grade elevation. However, impacts remain on the north portion of the property resulting from stockpiles of solid waste and soil material. In addition, impacts remain on the south portion of the property resulting from unauthorized fill material and associated concrete pad.

On November 3, 2008 Section staff completed an on-site inspection in order to document current site conditions. This inspection revealed restoration work was continuing on the property. This work entailed the beginning efforts to remove the unauthorized limerock fill and associated concrete pad from the property as well as the continued removal of the stockpiles of solid waste and soil material; photographs provided.

IN THE CIRCUIT COURT OF THE 11TH
JUDICIAL CIRCUIT IN AND FOR
MIAMI-DADE COUNTY, FLORIDA

GENERAL JURISDICTION DIVISION

CASE NO. 07-28328 CA 22

MIAMI-DADE COUNTY,

Plaintiff,

vs.

PERUVIAN-AMERICAN
CLUB, INC. and CHOSICA
RANCH CORP.,

Defendants.

NOTICE OF CANCELLATION

TO: Brandon L. Biondo Esquire
Two Alhambra Plaza, Penthouse 1B
Coral Gables, Florida 33134

PLEASE TAKE NOTICE that Miami-Dade County's Motion to Enforce Agreed
Final Order scheduled for hearing on Tuesday, November 4, 2008 at 8:30 a.m., before the
Honorable David C. Miller is hereby cancelled.

Respectfully submitted,

R. A. CUEVAS, JR.
Miami-Dade County Attorney
Stephen P. Clark Center
111 N.W. 1st Street, Suite 2810
Miami, Florida 33128

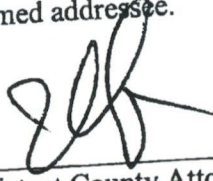
Official Use	FW 06-007
Court 11/4/08	

By: 

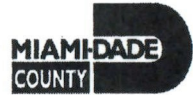
Thomas H. Robertson
Assistant County Attorney
Florida Bar No. 301991
Phone: (305) 375-5151
Facsimile: (305) 375-5611
Email: Robert@miamidade.gov

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing was mailed
this 7th day of November, 2008 to the above-named addressee.

By: 
Assistant County Attorney

Memorandum



Date: November 4, 2008

To: Mark Pettit
Code Enforcement Officer II

From: Brandon Blue, Biologist II
Wetland Resources Section

Official Use	FW 06-007
Inspection Report	
11/4/08	

Subject: Peruvian American Club, Inc., property located at, near, or in the vicinity of S.W. 136th Street and S.W. 207th Avenue, Section 15, Township 55 South, Range 38 East, Miami-Dade County, Florida (Folio# 30-5815-000-0800); DERM File FW 06-007.

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On November 3, 2008 Section staff completed an on-site inspection in order to document current site conditions. This inspection revealed restoration work was continuing on the property. This work entailed the beginning efforts to remove the unauthorized limerock fill and associated concrete pad from the property as well as the continued removal of the stockpiles of solid waste and soil material; photographs provided.

MIAMI-DADE COUNTY,

Plaintiff,

vs.

PERUVIAN-AMERICAN
CLUB, INC. and CHOSICA
RANCH CORP.,

Defendants.

IN THE CIRCUIT COURT OF THE 11TH
JUDICIAL CIRCUIT IN AND FOR
MIAMI-DADE COUNTY, FLORIDA

GENERAL JURISDICTION DIVISION

CASE NO. 07-28328 CA 22

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(MOTION CALENDAR)

TO: Brandon L. Biondo, Esquire
Two Alhambra Plaza, Penthouse 1B
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Respectfully submitted,

R. A. CUEVAS, JR.
Miami-Dade County Attorney
Stephen P. Clark Center
111 N.W. 1st Street, Suite 2810
Miami, Florida 33128

By: _____

Thomas H. Robertson
Assistant County Attorney
Florida Bar No. 301991
Phone: (305) 375-5151
Facsimile: (305) 375-5611
Email: Robert@miamidadegov

Official Use	FW 06-007
Court	
11/4/08	

CERTIFICATE OF SERVICE

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By: 
Assistant County Attorney



Unauthorized concrete fill pad and associated limerock fill being removed from the south portion of the subject property.

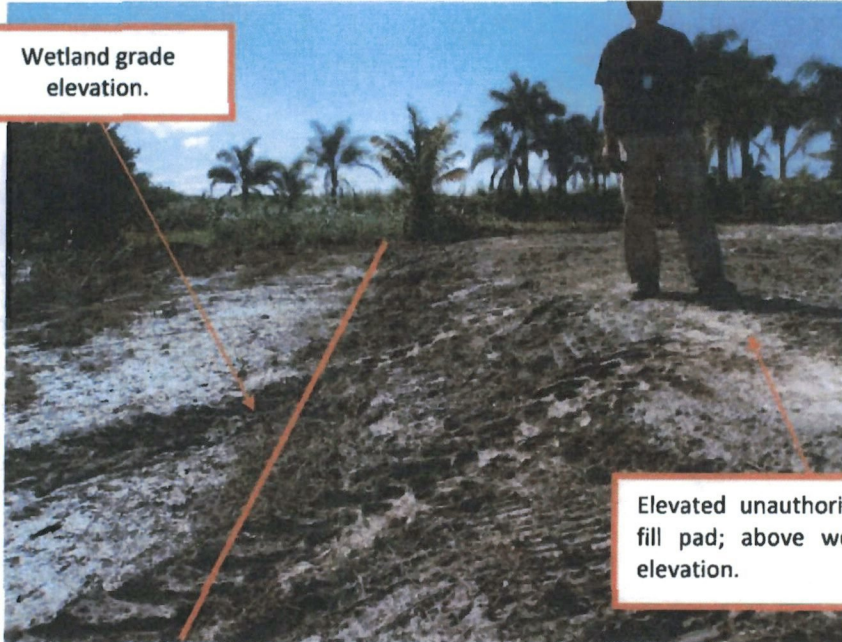


Description: View from the south portion of the subject property, along SW 136th Street, towards the north portion of said property. To date, a majority of the property has been restored to wetland grade elevation, however, additional work is needed to bring the property into compliance (i.e. removal of vegetative debris, soil stockpiles, minor scattered solid waste, etc.). In addition, the unauthorized concrete fill pad and associated limerock fill has begun to be removed from the property following the October 29, 2008 on-site inspection.

File #: FW 06-007
Property Owner: Chosica Ranch Corporation
Address: SW 207 Ave. & SW 136 St.
Folio #: 30-5815-000-0800

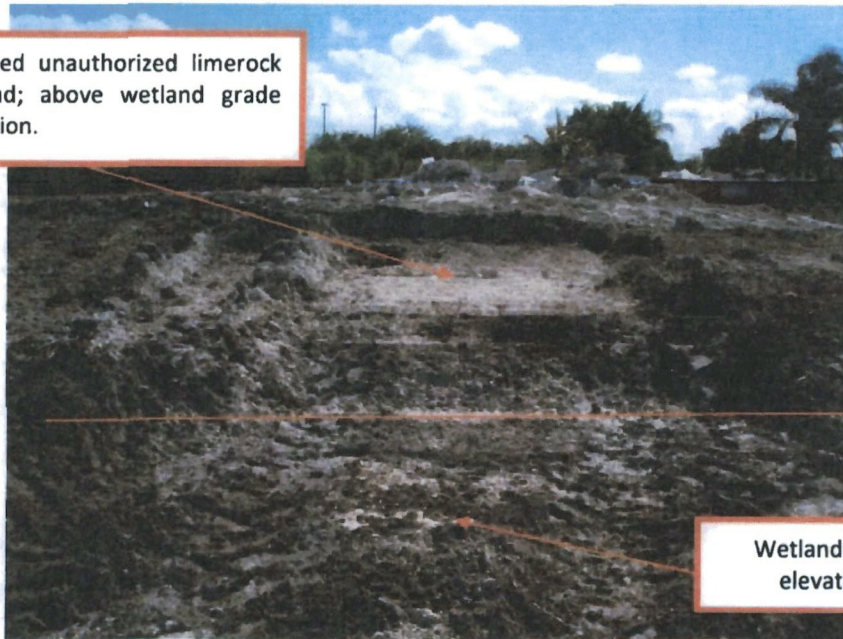
Inspector: BB
Section: Wetland Resources
Photo Taken By: BB
Date: November 3, 2008

Wetland grade elevation.



Elevated unauthorized limerock fill pad; above wetland grade elevation.

Elevated unauthorized limerock fill pad; above wetland grade elevation.



Wetland grade elevation.

Description: Views of remaining unauthorized limerock fill and soil that is required to be removed from the property to wetland grade elevation.

File #: FW 06-007
Property Owner: Chosica Ranch Corporation
Address: SW 207 Ave. & SW 136 St.
Folio #: 30-5815-000-0800

Inspector: BB
Section: Wetland Resources
Photo Taken By: BB
Date: November 3, 2008



Description: View towards the north portion of the subject property. To date, a majority of the north portion has been restored to wetland grade elevation. However, additional work is needed to bring the property into compliance (i.e. removal of vegetative debris, soil stockpiles, minor scattered solid waste, etc.).



Description: View towards the south portion of the subject property. To date, a majority of the south portion has been restored to wetland grade elevation. However, the remaining unauthorized concrete fill pad and associated limerock fill is required to be removed.

File #: FW 06-007
Property Owner: Chosica Ranch Corporation
Address: SW 207 Ave. & SW 136 St.
Folio #: 30-5815-000-0800

Inspector: BB
Section: Wetland Resources
Photo Taken By: BB
Date: November 3, 2008



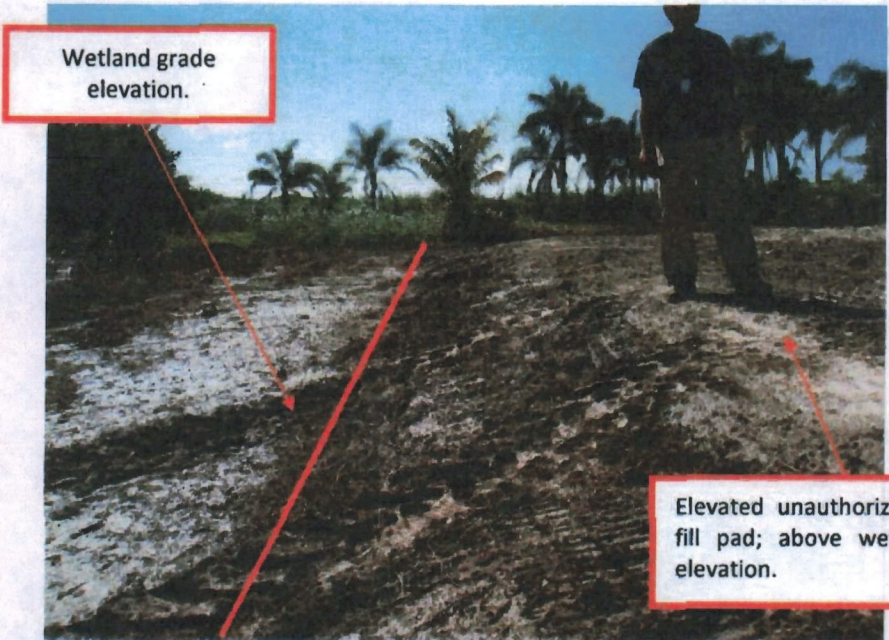
Unauthorized concrete fill pad and associated limerock fill being removed from the south portion of the subject property.



Description: View from the south portion of the subject property, along SW 136th Street, towards the north portion of said property. To date, a majority of the property has been restored to wetland grade elevation, however, additional work is needed to bring the property into compliance (i.e. removal of vegetative debris, soil stockpiles, minor scattered solid waste, etc.). In addition, the unauthorized concrete fill pad and associated limerock fill has begun to be removed from the property following the October 29, 2008 on-site inspection.

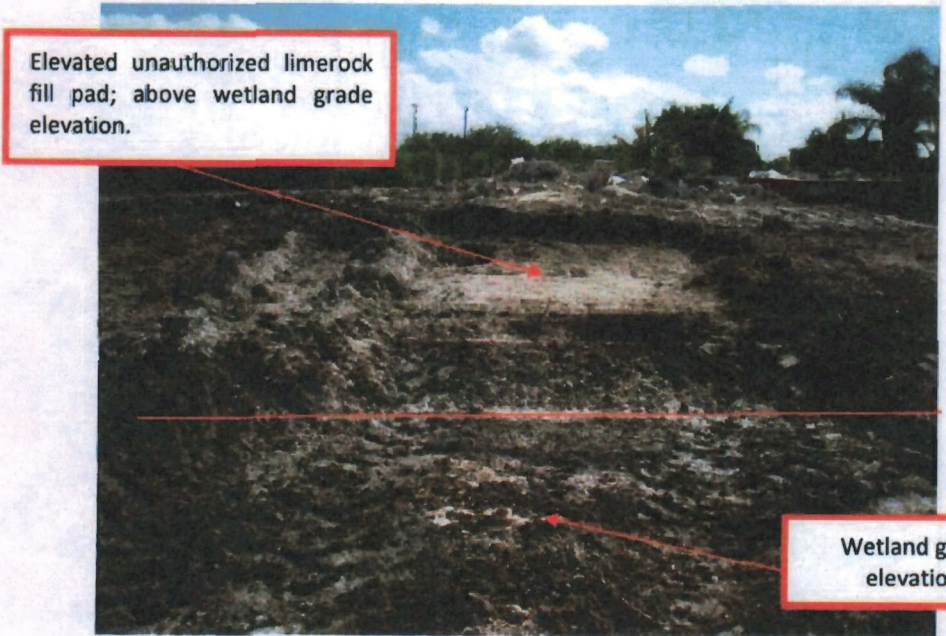
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Folio #: 30-5815-000-0800

Inspector: BB
Section: Wetland Resources
Photo Taken By: BB
Date: November 3, 2008



Wetland grade elevation.

Elevated unauthorized limerock fill pad; above wetland grade elevation.



Elevated unauthorized limerock fill pad; above wetland grade elevation.

Wetland grade elevation.

Description: Views of remaining unauthorized limerock fill and soil that is required to be removed from the property to wetland grade elevation.

File #: FW 06-007
Property Owner: Chosica Ranch Corporation
Address: SW 207 Ave. & SW 136 St.
Folio #: 30-5815-000-0800

Inspector: BB
Section: Wetland Resources
Photo Taken By: BB
Date: November 3, 2008



Description: View towards the north portion of the subject property. To date, a majority of the north portion has been restored to wetland grade elevation. However, additional work is needed to bring the property into compliance (i.e. removal of vegetative debris, soil stockpiles, minor scattered solid waste, etc.).

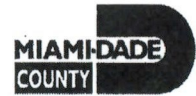


Description: View towards the south portion of the subject property. To date, a majority of the south portion has been restored to wetland grade elevation. However, the remaining unauthorized concrete fill pad and associated limerock fill is required to be removed.

File #: FW 06-007
Property Owner: Chosica Ranch Corporation
Address: SW 207 Ave. & SW 136 St.
Folio #: 30-5815-000-0800

Inspector: BB
Section: Wetland Resources
Photo Taken By: BB
Date: November 3, 2008

Memorandum



Date: October 20, 2008

To: Mark Pettit
Code Enforcement Officer II

From: Brandon Blue, Biologist II
Wetland Resources Section

Official Use	FW06-007
Inspection Report	
10/20/08	

Subject: Peruvian American Club, Inc., property located at, near, or in the vicinity of S.W. 136th Street and S.W. 207th Avenue, Section 15, Township 55 South, Range 38 East, Miami-Dade County, Florida (Folio# 30-5815-000-0800); DERM File FW 06-007.

On August 6, 2008, Section staff held an on-site meeting at the above referenced property with Mr. Wilson Alayo and other representatives of Peruvian American Club, Inc. regarding a resolution to the violation(s) existing on the property. During this meeting, staff documented that the unauthorized agricultural operation (i.e. palm tree nursery) located in the north portion of the property had been removed. However, impacts (i.e. unauthorized limerock fill, soil material, scattered solid waste, etc.) remained scattered throughout the property.

Based on the above, this meeting provided the opportunity to show Mr. Alayo where the remaining unauthorized limerock fill, soil material, and solid waste was located on the subject property. Department staff also provided guidance on restoring the remaining impacted areas to a natural wetland elevation by locating areas throughout the property as sufficient reference points in determining target elevation.

This Department acknowledged Mr. Alayo's efforts to comply with the February 21, 2006 "Notice of Violation and Orders for Corrective Action" and requested his continued effort to complete the restoration of the on-site wetlands. Mr. Alayo requested additional time to complete the required restoration of the impacted portions of the property. Subsequently, staff advised Mr. Alayo to contact the assigned Code Enforcement Officer to inquire if this Department would be able to allow an additional extension of time.

However, a recent site inspection conducted on October 8, 2008, revealed the unauthorized impacts described above remain on the property despite the recent attempt to remove exotic vegetation; photographs provided. As of the date of this memo, restoration of the property has not been satisfactorily completed as required nor has a complete Class IV Permit Application been submitted to this Department for the unpermitted fill material located on the south portion of the property.

Memorandum



Date: October 20, 2008

To: Mark Pettit
Code Enforcement Officer II

From: Brandon Blue, Biologist II
Wetland Resources Section

Subject: Peruvian American Club, Inc., property located at, near, or in the vicinity of S.W. 136th Street and S.W. 207th Avenue, Section 15, Township 55 South, Range 38 East, Miami-Dade County, Florida (Folio# 30-5815-000-0800); DERM File FW 06-007.

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However, a recent site inspection conducted on October 8, 2008, revealed the unauthorized impacts described above remain on the property despite the recent attempt to remove exotic vegetation; photographs provided. As of the date of this memo, restoration of the property has not been satisfactorily completed as required nor has a complete Class IV Permit Application been submitted to this Department for the unpermitted fill material located on the south portion of the property.



Description: View from the south portion of the subject property, along SW 136th Street, towards the north portion of said property. To date, the unauthorized agricultural operation (i.e. palm nursery, etc.) along the north portion of the property has been removed. However, impacts (i.e. unauthorized limerock fill and soil material, scattered solid waste, etc.) remain throughout the property despite the recent attempt to remove exotic vegetation.



Description: View from the west portion of the property towards the east.

File #: FW 06-007
Property Owner: Chosica Ranch Corporation
Address: SW 207 Ave. & SW 136 St.
Folio #: 30-5815-000-0800

Inspector: BB
Section: Wetland Resources
Photo Taken By: BB
Date: October 8, 2008



Description: Views of scattered solid waste, construction debris, and unauthorized fill and soil material scattered through the property.

File #: FW 06-007
Property Owner: Chosica Ranch Corporation
Address: SW 207 Ave. & SW 136 St.
Folio #: 30-5815-000-0800

Inspector: BB
Section: Wetland Resources
Photo Taken By: BB
Date: October 8, 2008



Description: Views of scattered solid waste, construction debris, and unauthorized fill and soil material scattered through the property.

File #: FW 06-007

Property Owner: Chosica Ranch Corporation

Address: SW 207 Ave. & SW 136 St.

Folio #: 30-5815-000-0800

Inspector: BB

Section: Wetland Resources

Photo Taken By: BB

Date: October 8, 2008



Description: Views of scattered solid waste, construction debris, and unauthorized fill and soil material scattered through the property.

File #: FW 06-007
Property Owner: Chosica Ranch Corporation
Address: SW 207 Ave. & SW 136 St.
Folio #: 30-5815-000-0800

Inspector: BB
Section: Wetland Resources
Photo Taken By: BB
Date: October 8, 2008



Description: View from the south portion of the subject property, along SW 136th Street, towards the north portion of said property. To date, the unauthorized agricultural operation (i.e. palm nursery, etc.) along the north portion of the property has been removed. However, impacts (i.e. unauthorized limerock fill and soil material, scattered solid waste, etc.) remain throughout the property despite the recent attempt to remove exotic vegetation.



Description: View from the west portion of the property towards the east.

File #: FW 06-007
Property Owner: Chosica Ranch Corporation
Address: SW 207 Ave. & SW 136 St.
Folio #: 30-5815-000-0800

Inspector: BB
Section: Wetland Resources
Photo Taken By: BB
Date: October 8, 2008



Description: Views of scattered solid waste, construction debris, and unauthorized fill and soil material scattered through the property.

File #: FW 06-007
Property Owner: Chosica Ranch Corporation
Address: SW 207 Ave. & SW 136 St.
Folio #: 30-5815-000-0800

Inspector: BB
Section: Wetland Resources
Photo Taken By: BB
Date: October 8, 2008



Description: Views of scattered solid waste, construction debris, and unapproved fill and soil material scattered through the property.

File #: FW 06-007
Property Owner: Chosica Ranch Corporation
Address: SW 207 Ave. & SW 136 St.
Folio #: 30-5815-000-0800

Inspector: BB
Section: Wetland Resources
Photo Taken By: BB
Date: October 8, 2008



Description: Views of scattered solid waste, construction debris, and unauthorized fill and soil material scattered through the property.

File #: FW 06-007
Property Owner: Chosica Ranch Corporation
Address: SW 207 Ave. & SW 136 St.
Folio #: 30-5815-000-0800

Inspector: BB
Section: Wetland Resources
Photo Taken By: BB
Date: October 8, 2008

IN THE CIRCUIT COURT OF THE 11TH
JUDICIAL CIRCUIT IN AND FOR
MIAMI-DADE COUNTY, FLORIDA

MIAMI-DADE COUNTY,

Plaintiff,

vs.

GENERAL JURISDICTION DIVISION

CASE NO. 07-28328 CA 22

PERUVIAN-AMERICAN
CLUB, INC. and CHOSICA
RANCH CORP.,

NOTICE OF CANCELLATION

Defendants.
_____ /

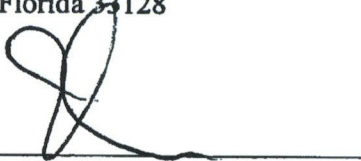
TO: Brandon L. Biondo Esquire
Two Alhambra Plaza, Penthouse 1B
Coral Gables, Florida 33134

PLEASE TAKE NOTICE that Miami-Dade County's Motion to Enforce Agreed Final Order scheduled for hearing on Thursday, October 2, 2008 at 8:30 a.m., before the Honorable David C. Miller is hereby cancelled.

Respectfully submitted,

R. A. CUEVAS, JR.
Miami-Dade County Attorney
Stephen P. Clark Center
111 N.W. 1st Street, Suite 2810
Miami, Florida 33128

Official Use	FW 06-007
Court+	
10/2/08	

By: 
Thomas H. Robertson
Assistant County Attorney
Florida Bar No. 301991
Phone: (305) 375-5151
Facsimile: (305) 375-5611
Email: Robert@miamidade.gov

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing was mailed
this 30th day of September, 2008 to the above-named addressee.

By: 

Assistant County Attorney

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY	
<ul style="list-style-type: none"> ■ Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. ■ Print your name and address on the reverse so that we can return the card to you. ■ Attach this card to the back of the mailpiece, or on the front if space permits. 	<p>A. Signature <input type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>X <i>FABIOLA I Cuadra</i></p>	
<p>1. Article Addressed to:</p> <p>Wilson J. Alayo, President Chosica Ranch Corp. 2307 SW 37 Avenue Miami, Fl 33145 Case No. 07-28328 CA 22,MP</p>	<p>B. Received by (Printed Name)</p> <p><i>FABIOLA Cuadra</i></p>	<p>C. Date of Delivery</p> <p><i>9/17/00</i></p>
<p>2. Article Number <i>(Transfer from service label)</i></p>	<p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p><i>If YES, enter delivery address below</i></p> <p style="font-size: 2em; text-align: center;">RECEIVED</p> <p style="text-align: center;">SEP 17 2000</p>	
<p>PS Form 3811, February 2004</p>	<p>3. Service Type</p> <p><input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail</p> <p><input type="checkbox"/> Registered <input checked="" type="checkbox"/> Return Receipt for Merchandise</p> <p><input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p> <p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>	
<p>7002 0860 0001 5293 8634</p> <p style="text-align: right;">102595-02-M-1540</p>		

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MIAMI FL 331



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MIAMI-DADE COUNTY-DERM DE248997
Environmental Resources Regulation Div.
701 NW 1st Court, 6th Floor-West
Miami, FL 33136-3902



IN THE CIRCUIT COURT OF THE 11TH
JUDICIAL CIRCUIT IN AND FOR
MIAMI-DADE COUNTY, FLORIDA

GENERAL JURISDICTION DIVISION

CASE NO. 07-28328 CA 22

MIAMI-DADE COUNTY, etc.,

Plaintiff,

vs.

PERUVIAN-AMERICAN CLUB, INC.
and CHOSICA RANCH CORP.,

Defendants.

Official Use	FW 06-007
Court	
9/12/08	

MOTION TO ENFORCE AGREED FINAL ORDER

COMES NOW MIAMI-DADE COUNTY, by and through undersigned counsel and moves this Court to enforce the Agreed Final Order in this cause and as grounds therefore would state:

1. By Agreed Final Order dated January 4, 2008, the Defendants and Miami-Dade County entered into an agreement for the resolution of this matter.
2. Pursuant to the provisions of that Agreed Final Order, the Defendants are under the obligation to conduct an appropriate remediation of the violations at the property identified in the complaint.
3. The Defendants have failed to comply with the provisions of that Agreed Final Order.

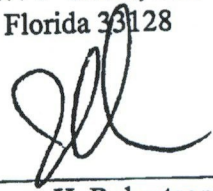
4. Miami-Dade County is entitled to enforce the terms and provisions of the Agreed Final Order, including seeking injunctive relief and seeking additional penalties in this matter.

WHEREFORE, MIAMI-DADE COUNTY, moves this Court to enforce the Agreed Final Order in this matter.

I HEREBY CERTIFY that a true and correct copy of the foregoing was mailed this 12th day of September, 2008 to Brandon L. Biondo, Esquire, Murai Wald Biondo Moreno & Brochin, P.A., Two Alhambra Plaza, Penthouse 1B, Coral Gables, Florida 33134.

Respectfully submitted,

R. A. CUEVAS, JR.
Miami-Dade County Attorney
Stephen P. Clark Center
111 N.W. 1st Street, Suite 2810
Miami, Florida 33128

By: 
Thomas H. Robertson
Assistant County Attorney
Florida Bar No. 301991
Phone: (305) 375-5151
Facsimile: (305) 375-5611
Email: Robert@miamidade.gov

IN THE CIRCUIT COURT OF THE 11TH
JUDICIAL CIRCUIT IN AND FOR
MIAMI-DADE COUNTY, FLORIDA

MIAMI-DADE COUNTY,

Plaintiff,

GENERAL JURISDICTION DIVISION

CASE NO. 07-28328 CA 22

vs.

NOTICE OF HEARING
(MOTION CALENDAR)

PERUVIAN-AMERICAN
CLUB, INC. and CHOSICA
RANCH CORP.,

Defendants.

_____/

TO: Brandon L. Biondo, Esquire
Two Alhambra Plaza, Penthouse 1B
Coral Gables, Florida 33134

PLEASE TAKE NOTICE that Miami-Dade County's Motion to Enforce Agreed Final Order will be heard before the Honorable David C. Miller, one of the Judges of the above Court, in his Chambers at the Dade County Courthouse, 73 West Flagler Street, Room 414, Miami, Florida 33130 on Thursday, October 2, 2008 at 8:30 a.m., or as soon thereafter as the matter may be heard.

Respectfully submitted,

R. A. CUEVAS, JR.
Miami-Dade County Attorney
Stephen P. Clark Center
111 N.W. 1st Street, Suite 2810
Miami, Florida 33128


Official Use	FW 06-007
Court 9/12/08	

By: _____


Thomas H. Robertson
Assistant County Attorney
Florida Bar No. 301991
Phone: (305) 375-5151
Facsimile: (305) 375-5611
Email: Robert@miamidadegov

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing was mailed this 12th day of September, 2008 to the above-named addressee.

By: 
Assistant County Attorney



Carlos Alvarez, Mayor

Department of Environmental Resources Management
Environmental Resources Regulation Division
701 NW 1st Court, 6th Floor
Miami, Florida 33136-3912
T 305-372-6567 F 305-372-6407

miamidade.gov

September 8, 2008

Wilson J. Alayo, President
Chosica Ranch Corp.
2307 SW 37 Avenue
Miami, Florida 33145

Certified Mail No. 7002 0860 0001 5293 8634
Return Receipt Requested

Re: Miami-Dade County vs. Peruvian-American Club, Inc. and Chosica Ranch Corp.
Case No. 07-28328 CA 22.

Dear Mr. Alayo:

The Department of Environmental Resources Management (DERM) reviewed your request for an extension of time in order to comply with the requirements of the January 4, 2008 Agreed Final Order issued in the above-referenced case. Please be advised that DERM does not have the authority to modify Judge David Miller's orders in this matter. DERM's correspondence dated July 15, 2008 was meant to serve as a reminder of your obligations and that failure to comply with the requirements of said Order would result in this case being referred to the Office of the County Attorney for appropriate legal action.

If you have any questions concerning the above, please contact the undersigned at (305) 372-6919. Please govern yourself accordingly.

Sincerely,

Mark J. Pettit
Code Enforcement Officer II
Environmental Resources Regulation Division

Official Use	FW06-007
Correspondence out	
9/8/08	

Cc: Thomas H. Robertson, Assistant County Attorney

Delivering Excellence Every Day



Carlos Alvarez, Mayor

Department of Environmental Resources Management
Environmental Resources Regulation Division
701 NW 1st Court, 6th Floor
Miami, Florida 33136-3912
T 305-372-6567 F 305-372-6407

miamidade.gov

September 8, 2008

Wilson J. Alayo, President
Chosica Ranch Corp.
2307 SW 37 Avenue
Miami, Florida 33145

Certified Mail No. 7002 0860 0001 5293 8634
Return Receipt Requested

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Sincerely,

Mark J. Pettit
Code Enforcement Officer II
Environmental Resources Regulation Division

Cc: Thomas H. Robertson, Assistant County Attorney

Official Use
FW06-007 Enforcement letter

Delivering Excellence Every Day

CHOSICA RANCH CORP.
2307 Douglas Road Suite #500
Miami, Florida 33145
PH 305-445-9001 FAX 305-445-0684
Email walayo@ismiami.com

RECEIVED
AUG 21 2008

DERM
Environmental Resources Regulation Division

August 19, 2008

Mark J. Pettit
Code Enforcement Officer II
Environmental Resources Regulation Division
701 NW 1st Court, 6th Floor
Miami, Florida 33136-3912

Re: Miami-Dade County vs. Peruvian-American Club and Chosica Ranch
Corp. Case No. 07-28328 CA 22

Dear Mr. Pettit:

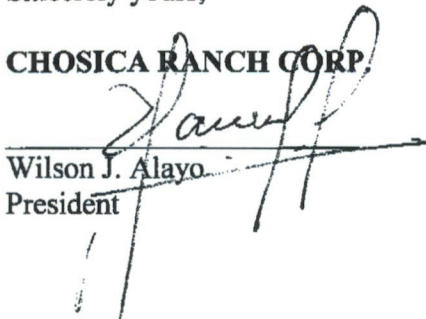
We received your letter dated July 15, 2008 on which you mention that our Class IV permit has not been obtained, we want to express that we are doing all our efforts to comply with the Agreed Final Order, we presented all the documentation but Dade County Zoning department rejected our first application and we had to applied again as soon as we been notify by Mr. Brandon Blue that our application has been approved immediately we request a reservation letter from ENP to comply with the mitigation credits necessary to get our Class IV permit, enclosed please find a copy.

Also when we received your letter we made an appointment with Mr. Brandon Blue on the property on August 6, 2008 to inspect the work done and to clarify what is missing to restore the subject site, according with Mr. Blue we already comply with removing all the debris and palms from the property but still we have to scrap the site at some parts to bring it up to compliance.

Mr. Pettit as we explain to you the persons that own this property are not wealthy citizens and in order to comply with the final determinations of DERM we need more time, on the first place the site is completely underwater because we are on the rainy season and second to get the money to pay for the work and the mitigation our associates request from your office to allow us at least another 180 days to finish the work since for the following 60 to 90 days will be impossible to work getting equipment and trucks to remove the excess material at the site.

Sincerely yours,

CHOSICA RANCH CORP.


Wilson J. Alayo
President


Eli R. Alayo
Secretary

Official Use

FW 06-007
Correspondence In



United States Department of the Interior
NATIONAL PARK SERVICE

Everglades and Dry Tortugas National Parks
40001 State Road 9336
Homestead, Florida 33034



IN REPLY REFER TO:

HID 2008-19A
August 11, 2008

Chosica Ranch Corp.
2307 Douglas Road Suite # 500
Miami, FL, 33145

Dear :

As the manager of the Hole-in-the-Donut Wetland Restoration and Mitigation Banking Program at Everglades National Park, it is my intent to provide 0.35 acres of freshwater herbaceous wetland restoration for mitigation for the Chosica Ranch Corp. project, with permit application numbers and property information as follows:

Permit/Application Numbers

DERM: FW 06-007

SFWMD:

Corps:

Property Information

The cost for each restored acre will be \$45,984.52, for a total of \$16,094.58, payable to the National Park Foundation, 1201 I Street NW #550B, Washington, DC 20005. The Foundation currently adds a \$100.00 transaction fee to the cost listed above. If the aforementioned restoration credits are not purchased within one year of the date of this reservation, the offer to sell is withdrawn and the reserved credits will be released for sale to other buyers.

The Hole-in-the-Donut Wetland Resources Mitigation Bank operates according to permits issued by the Florida Department of Environmental Protection (permit #132416479) and the U.S. Army Corps of Engineers (permit #1993-01691), both of which expire on February 15, 2015. Thank you for supporting the Hole-in-the-Donut wetland restoration project. If the Hole-in-the-Donut Wetland Resources Mitigation Bank can be of assistance to you as a source of wetland mitigation credits in the future, please contact me.

Sincerely,

Jonathan Taylor
HID Project Manager

HOLE-IN-THE-DONUT MITIGATION CREDIT PAYMENT FORM

National Park Foundation Project AEVEA

To purchase the reserved credits, please include a copy of this page with a check payable to the National Park Foundation for the indicated amount.

Reference: 2008-19A

Project: Chosica Ranch Corp.

Purchase of .35 freshwater herbaceous wetland mitigation credits.

Mitigation Credit Cost	\$16,094.58
National Park Foundation Service Fee	\$100.00
Total Amount Due	\$16,194.58

Mailing address: ATTN: Celeste Regan
National Park Foundation
1201 Eye Street NW #550B
Washington, DC 20005

CHOSICA RANCH CORP.
2307 Douglas Road Suite #500
Miami, Florida 33145
PH 305-445-9001 FAX 305-445-0684
Email walayo@ isrmiami.com

RECEIVED
AUG 21 2008

DERM
Environmental Resources Regulation Division

August 19, 2008

Mark J. Pettit
Code Enforcement Officer II
Environmental Resources Regulation Division
701 NW 1st Court, 6th Floor
Miami, Florida 33136-3912

Official Use	FW 06-007
Correspondence In	
8/19/08	

Re: Miami-Dade County vs. Peruvian-American Club and Chosica Ranch
Corp. Case No. 07-28328 CA 22

Dear Mr. Pettit:

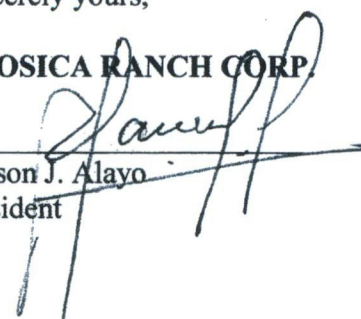
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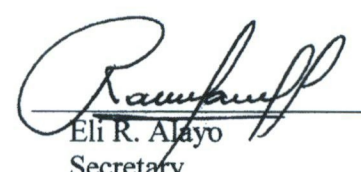
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Mr. Pettit as we explain to you the persons that own this property are not wealthy citizens and in order to comply with the final determinations of DERM we need more time, on the first place the site is completely underwater because we are on the rainy season and second to get the money to pay for the work and the mitigation our associates request from your office to allow us at least another 180 days to finish the work since for the following 60 to 90 days will be impossible to work getting equipment and trucks to remove the excess material at the site.

Sincerely yours,

CHOSICA RANCH CORP.


Wilson J. Alayo
President


Eli R. Alayo
Secretary



United States Department of the Interior
NATIONAL PARK SERVICE

Everglades and Dry Tortugas National Parks
40001 State Road 9336
Homestead, Florida 33034



IN REPLY REFER TO:

HID 2008-19A
August 11, 2008

Chosica Ranch Corp.
2307 Douglas Road Suite # 500
Miami, FL, 33145

Official Use	FW 06-007
Payment Receipt	
8/11/08	
HID payment	

Dear :

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Permit/Application Numbers

DERM: FW 06-007

SFWMD:

Corps:

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Sincerely,

Jonathan Taylor
HID Project Manager

HOLE-IN-THE-DONUT MITIGATION CREDIT PAYMENT FORM

National Park Foundation Project AEVEA

To purchase the reserved credits, please include a copy of this page with a check payable to the National Park Foundation for the indicated amount.

Reference: 2008-19A

Project: Chosica Ranch Corp.

Purchase of .35 freshwater herbaceous wetland mitigation credits.

Mitigation Credit Cost	\$16,094.58
National Park Foundation Service Fee	\$100.00
<hr/>	
Total Amount Due	\$16,194.58

Mailing address: ATTN: Celeste Regan
National Park Foundation
1201 Eye Street NW #550B
Washington, DC 20005

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Wilson J. Alayo, President
Chosica Ranch Corp.
2307 SW 37 Avenue
Miami, Florida 33145
FW 06-007, BB

COMPLETE THIS SECTION ON DELIVERY

A. Signature
x Fabiola Cuadra Agent Addressee

B. Received by (Printed Name) Restricted Delivery

D. Is delivery address different from item 1? Yes No
If YES, enter delivery address below:

RECEIVED
JUL 28 2008

DERM
Environmental Resources Regulation Division

3. Service Type
 Certified Mail Express Mail
 Registered Return Receipt for Merchandise
 Insured Mail C.O.D.

4. Restricted Delivery? (Extra Fee) Yes

2. Article Number
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MIAMI-DADE COUNTY-DERM DE248997
Environmental Resources Regulation Div.
701 NW 1st Court, 6th Floor-West
Miami, FL 33136-3902

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Wilson J. Alayo, President
Chosica Ranch Corp.
2307 SW 37 Avenue
Miami, Florida 33145
Case No. 07-28328 CA22,MP

7/20/03

COMPLETE THIS SECTION ON DELIVERY

A. Signature
X Fabiola Cuadro Agent
 Addressee

B. Received by (Printed Name) C. Date of Delivery

D. Is delivery address different from item? Yes
If YES, enter delivery address below: No

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DERM

3. Service Type
 Certified Mail Express Mail
 Registered Return Receipt for Merchandise
 Insured Mail C.O.D.

4. Restricted Delivery? (Extra Fee) Yes

2. Article Number
(Transfer from service label)

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MIAMI-DADE COUNTY-DERM DE248997
Environmental Resources Regulation Div.
701 NW 1st Court, 6th Floor-West
Miami, FL 33136-3902





Carlos Alvarez, Mayor

Department of Environmental Resources Management
Environmental Resources Regulation Division
701 NW 1st Court, 6th Floor
Miami, Florida 33136-3912
T 305-372-6567 F 305-372-6407

miamidade.gov

July 21, 2008

CERTIFIED MAIL NO. 7002 0860 0001 5293 4469
RETURN RECEIPT REQUESTED

Wilson J. Alayo, President
Chosica Ranch Corp.
2307 SW 37 Avenue
Miami, Florida 33145

Re: Miami-Dade County Class IV Permit Application FW 06-007 for the wetland properties located at, near or in the vicinity of S.W. 136th Street and S.W. 207th Avenue, Section 15, Township 55 South, Range 38 East, Miami-Dade County, Florida (folio no. 30-5815-000-0800).

Dear Mr. Skiles:

Please accept this letter as a follow-up to the deactivation letter you received on December 20, 2007. The file has remained active at your request; however, the items outlined in the DERM letter dated February 20, 2008 have not been received by the Department and are still required to continue the processing of your Class IV permit application (copy attached).

Pursuant to Section 24-48.3(9) of the Code of Miami-Dade County, in no event shall an incomplete permit application be deemed activated more than three hundred thirty (330) days from the original deactivation date (July 23, 2007). Please be advised that your Class IV Permit application will deactivate on September 15, 2008.

If you have any questions regarding this matter, please contact me at (305) 372-6596.

Sincerely,

A handwritten signature in black ink, appearing to read "Brandon Blue", written over a horizontal line.

Brandon Blue, Biologist II
Wetland Resources Section

Delivering Excellence Every Day



Carlos Alvarez, Mayor

Department of Environmental Resources Management
Environmental Resources Regulation Division
701 NW 1st Court, 6th Floor
Miami, Florida 33136-3912
T 305-372-6567 F 305-372-6407

miamidade.gov

July 15, 2008

Wilson J. Alayo, President
Chosica Ranch Corp.
2307 SW 37 Avenue
Miami, Florida 33145

Certified Mail No. 7008 0500 0001 5571 4469
Return Receipt Requested

Re: Miami-Dade County vs. Peruvian-American Club, Inc. and Chosica Ranch Corp.
Case No. 07-28328 CA 22.

Dear Mr. Alayo:

On January 4, 2008, Judge David C. Miller entered an Agreed Final Order (copy enclosed) in the above-referenced case that addresses the unauthorized clearing and filling of wetlands at the property located at or in the vicinity of SW 136th Street and SW 207th Avenue, Miami-Dade County, Florida and further described as folio no. 30-5815-000-0800. Pursuant to paragraph 2 of the Agreed Final Order, you are required to obtain a Class IV Permit for the work that has occurred in jurisdictional wetlands on the subject property or restore said property by removing all unauthorized fill and returning the site to a natural grade and elevation. A review of Department records reveals that said permit has not been obtained and an inspection performed on July 2, 2008 revealed that the subject site has not been properly restored.

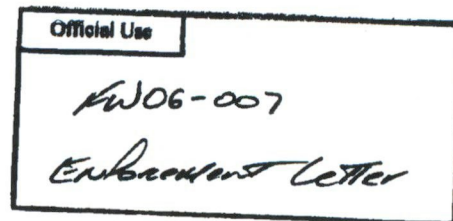
In order to avoid additional enforcement action, you are hereby required to:

Within thirty (30) days of receipt of this correspondence, complete the Class IV Permit process and obtain said permit or restore the subject site pursuant to paragraph 2 of the January 4, 2008 Agreed Final Order.

Be advised, failure to comply with the above will result in DERM referring this matter to the Office of the County Attorney for appropriate legal action. If you have any questions concerning the above, please contact the Brandon Blue of the Wetlands Resources Section of this office at 305-372-6585 or undersigned at 305-372 6919.

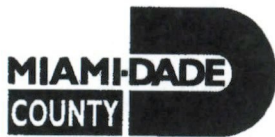
Sincerely,

Mark J. Pettit
Code Enforcement Officer II
Environmental Resources Regulation Division



Cc: Thomas H. Robertson, Assistant County Attorney

Delivering Excellence Every Day



Carlos Alvarez, Mayor

Department of Environmental Resources Management
Environmental Resources Regulation Division
701 NW 1st Court, 6th Floor
Miami, Florida 33136-3912
T 305-372-6567 F 305-372-6407

miamidade.gov

July 15, 2008

Wilson J. Alayo, President
Chosica Ranch Corp.
2307 SW 37 Avenue
Miami, Florida 33145

Certified Mail No. 7008 0500 0001 5571 4469
Return Receipt Requested

Re: Miami-Dade County vs. Peruvian-American Club, Inc. and Chosica Ranch Corp.
Case No. 07-28328 CA 22.

Dear Mr. Alayo:

On January 4, 2008, Judge David C. Miller entered an Agreed Final Order (copy enclosed) in the above-referenced case that addresses the unauthorized clearing and filling of wetlands at the property located at or in the vicinity of SW 136th Street and SW 207th Avenue, Miami-Dade County, Florida and further described as folio no. 30-5815-000-0800. Pursuant to paragraph 2 of the Agreed Final Order, you are required to obtain a Class IV Permit for the work that has occurred in jurisdictional wetlands on the subject property or restore said property by removing all unauthorized fill and returning the site to a natural grade and elevation. A review of Department records reveals that said permit has not been obtained and an inspection performed on July 2, 2008 revealed that the subject site has not been properly restored.

In order to avoid additional enforcement action, you are hereby required to:

Within thirty (30) days of receipt of this correspondence, complete the Class IV Permit process and obtain said permit or restore the subject site pursuant to paragraph 2 of the January 4, 2008 Agreed Final Order.

Be advised, failure to comply with the above will result in DERM referring this matter to the Office of the County Attorney for appropriate legal action. If you have any questions concerning the above, please contact the Brandon Blue of the Wetlands Resources Section of this office at 305-372-6585 or undersigned at 305-372 6919.

Sincerely,

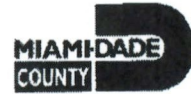
Mark J. Pettit
Code Enforcement Officer II
Environmental Resources Regulation Division

Official Use	FW 06-007
Correspondence Out	
7/15/08	

Cc: Thomas H. Robertson, Assistant County Attorney


Delivering Excellence Every Day

Memorandum



Date: April 22, 2008

To: Brandon Blue, Biologist II
Wetlands Resources Section, DERM

From: 
Maria Teresa Fojo, Acting Assistant Director for Zoning
Department of Planning and Zoning

Subject: Class IV Permit FW 06-007
Chosica Ranch Corporation

The proposed usage of the property upon which the proposed work would occur does not violate any zoning law applicable to the area of the proposed work. This property is located within Management Area 1, East Everglades Area of Critical Concern. Property in this area requires a minimum of forty (40) acres as a buildable site. Properties with a minimum of five (5) acres may be utilized for seasonal agricultural use only.

Should you have any question regarding this matter, please contact this office at extension 2813.

MTF/dah

RECEIVED
JUN 16 2008


DERM
Environmental Resources Regulation Division

Memorandum



Date: April 15, 2008

To: Maria Teresa Fojo, Interim Assistant Director, Zoning
Department of Planning And Zoning

From: Brandon Blue, Biologist II 
Wetlands Resources Section, DERM

Subject: Class IV Wetland Permit Application FW 06-007, by Chosica Ranch Corporation, for the after-the-fact approval to impact 0.35-acres of wetlands located at, near or in the vicinity of S.W. 136th Street and S.W. 207th Avenue, Section 15, Township 55 South, Range 38 East, Miami-Dade County, Florida; Folio No. 30-5815-000-0800.

Please review the work proposed in the Professional Engineer signed and sealed plans (P.E. No. 43510), dated February 22, 2008, attached to the Class IV Wetland Permit Application FW 06-007 for compliance with zoning laws. Your comments can be returned directly to the above-referenced biologist.

As provided, please find the \$123.12 review fee (Check #1023), the signed & sealed site plans, and a copy of the Class IV Wetland Permit Application form.

As you may recall, there is specific language in Section 24-48.2(I)(B)(1)(d) of the Code of Miami-Dade County that the County Attorney's Office requires to be used in the written approval DERM is requesting. The correct phrase, according to the Code, is "The proposed usage of the property upon which the proposed work would occur does not violate any zoning law applicable to the area of the proposed work." Thank you for your understanding in this matter.

If you have any questions, please contact me at (305) 372-6566.

Handwritten notes:
Cfd
Management Area
Reviewed April 15, 2008



Class IV Wetland
Permit Application

For Official Use Only CORPS Application Number: DEP/SFWMD Application Number:	Date Received	Application Number <u>FW06-007</u>
---	---------------	---------------------------------------

1. Applicant Information:

Name: Chosica Ranch.
 Address: 2307 Douglas Road Suite #500
Hialeah, FL
 Zip Code: 33145 Phone # 305 445-9001
 Email welate@1stmiamicounty.com Fax # 305-445-0689

2. Applicant's authorized permit agent:

Name: _____
 Address: _____
 Zip Code: _____ Phone _____
 Email _____ Fax # _____

3. Location where proposed activity exists or will occur:
N.E Corner of SW 136th Street & 207 Ave

Street, road, or other descriptive location

Section: 15 unincorporated
 Township: 55 South Incorporated city or town
 Range: 38 East 30-5815-000-0800
 Folio Number

4. Proposed use:

Private Single Dwelling	<input type="checkbox"/>	Commercial	<input type="checkbox"/>
Multi-Family Dwelling	<input type="checkbox"/>	Agricultural	<input checked="" type="checkbox"/>
Multi-Single Family	<input type="checkbox"/>	Public	<input type="checkbox"/>
Please explain:		Other	<input type="checkbox"/>

Field pad for seasonal agricultural use.

5. Description of Project (Use additional sheets, if necessary)

Total Acreage of Wetlands to be Impacted 0.35

A. Lake Excavation or Dredging:

1. Total wetland acreage to be excavated or dredged _____

2. Cubic yards: Total for Project _____

a. Depth of excavated/dredged area _____

b. Type of material to be excavated/dredged _____

B. Placement of Fill

1. Total wetland acreage to be filled 0.35

a. Cubic yards 1000

2. Type of material to be used Crushed limestone & lake fill

3. Source of fill material to be used Reclaimed materials

CONTINUED ON NEXT PAGE

5. Description of Project (continued)

C. Agriculture

1. Total wetland area to be cleared and/or plowed _____

2. Total area to be bedded for planting _____

3. Type of agriculture to be conducted (check any that apply):

a. Row Crops

b. Grove

c. Field Nursery

d. Container Nursery

e. Shade House Nursery

f. Other

(please explain)

Seasonal Agriculture

4. If proposed project involves the construction of any drainage, water containment or conveyance facilities (i.e. ditches, diked areas, ponds, swales), please describe the proposed facilities:

NOTE: If the project involves construction of any residential, office, storage facilities or other structures, or if the project involves the placement of a trailer on the property, separate approval from Miami-Dade County Building and Zoning Department (305-375-2500) is required:

6. Date activity is proposed to commence _____
Date activity is proposed to be completed _____

7. Previous permits for this project (or any part thereof) have been:

A. Denied (date) _____ State* _____ Corps* _____

B. Issued (date) _____ State* _____ Corps* _____

C. Other (please explain) previous owner did not apply for permits

*Differentiate between existing work and proposed work on the drawings.

8. ADDITIONAL ITEMS REQUIRED FOR APPLICATION SUBMITTAL. (Please note that, in addition to the information requested on this application form, there are several other items which must be submitted with your application. See Instruction pamphlet for the additional information required for this application.)

9. AFFIDAVIT OF OWNERSHIP OR CONTROL of the property on which the proposed project is to be undertaken.

I CERTIFY THAT I AM THE RECORD OWNER, LESSEE, OR RECORD EASEMENT HOLDER OF THE PROPERTY DESCRIBED BELOW.

NOTE: Lessees must provide a signed, notarized statement from the property owner indicating that the owner has reviewed the proposed project, including all proposed plans, and has agreed to allow the proposed project to occur on his or her lands.

LEGAL DESCRIPTION OF PROPERTY SITUATED IN MIAMI-DADE COUNTY, FLORIDA

(use additional sheets if necessary)

- The N.W 1/4 of S.W 1/4 of the S.W 1/4 of the S.W 1/4 of Section 15 Township 55 South, Range 38 East, lying and being in Miami Dade County, Florida
- The S.W 1/4 of the S.W 1/4, of the S.W 1/4 of the S.W 1/4 of Section 15 Township 55 South, range 38 east, lying and being in Miami Dade County, Florida

[Signature]

Signature

Chosica Ranch Corp

Print Name

Wilson J. Alayo - President

Official Title

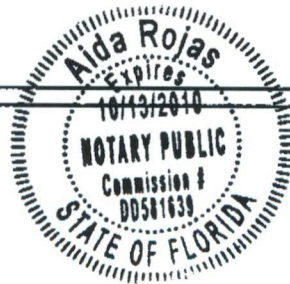
Sworn and subscribed before me at Dade

county, this 1st day of April, 2008

[Signature]

Notary Public

My commission expires: _____



10. APPLICATION IS MADE FOR A PERMIT(S) TO AUTHORIZE THE ACTIVITIES DESCRIBED HEREIN.

- A. I authorize the agent listed in Item #2 to negotiate modifications or revisions, when necessary, and accept or assent to any requirements on my behalf.
- B. I agree to provide entry to the project site for inspectors with proper identification or documents from Miami-Dade County Department of Environmental Resources Management for the purpose of making preliminary analyses of the site. Further, I agree to provide entry to the project site for such inspectors to monitor permitted work if a permit is granted.
- C. Further, I hereby acknowledge the obligation and responsibility for obtaining all of the required state, federal or local permits **before** commencement of construction activities. I also understand that before commencement of this proposed project I must be granted separate permits or authorizations from the U.S. Army Corps of Engineers, the Department of Environmental Protection and the South Florida Water Management District, as necessary.

I certify that I am familiar with the information contained in this application, and that to the best of my knowledge and belief such information is true, complete and accurate. I further certify that I possess the authority to undertake the proposed activities.

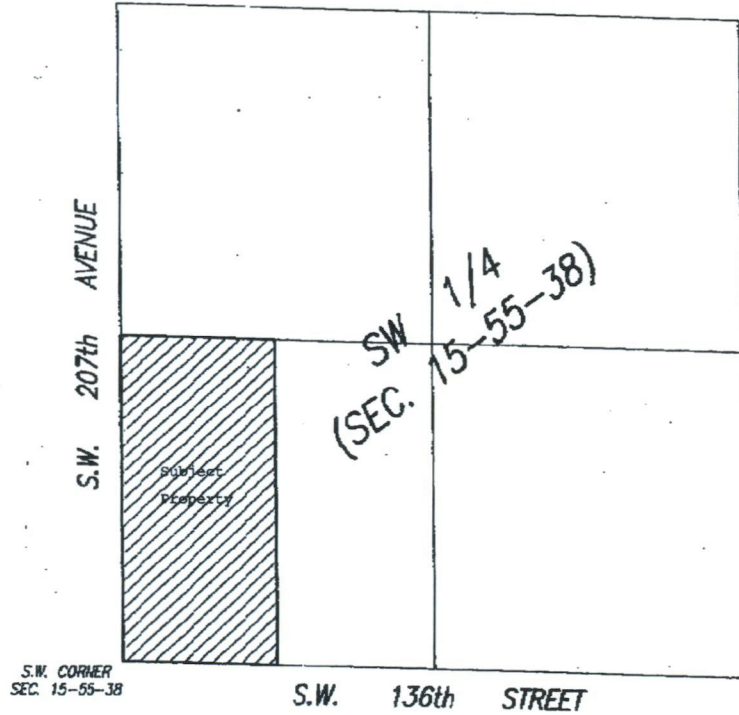
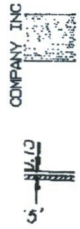
_____ Signature of Applicant(s)	_____ Date
_____ Print Name	
_____ Official Title	
_____ Signature of Applicant(s)	_____ Date
_____ Print Name	
_____ Official Title	

NOTE: THIS APPLICATION MUST BE SIGNED by the person(s) who desires to undertake the proposed activity or by an authorized agent. If an agent is applying on behalf of the applicant, attach proof of authority for the agent to sign and bind the applicant.

NOTICE TO PERMIT APPLICANTS

This is a Class IV Permit Application; It is **NOT** A Class IV Permit! You Must Obtain **ALL** Required Local, State, and Federal Authorizations or Permits **BEFORE** Commencing work!!

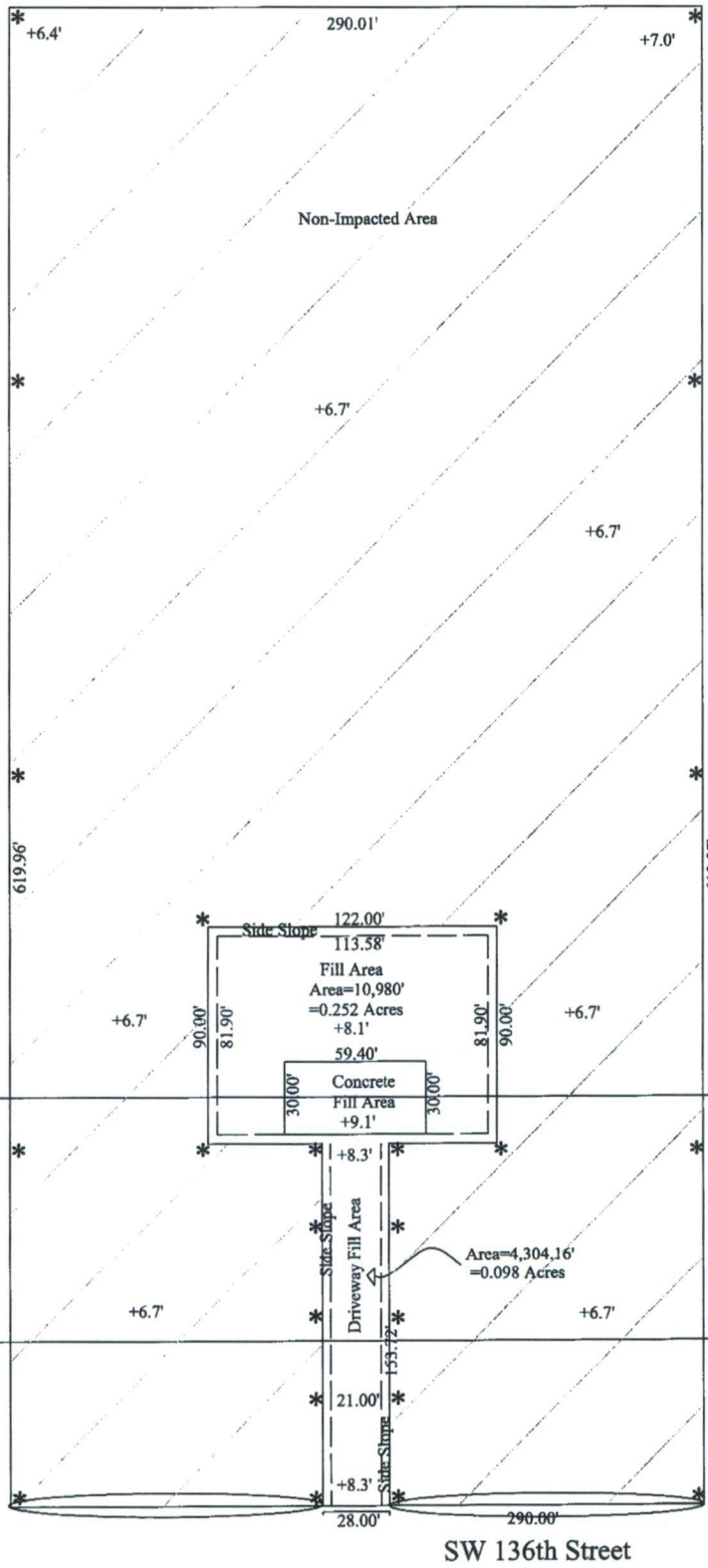
Revised 6-7-07



LOCATION SKETCH
N.T.S.



Handwritten signature and date:
20/11/08
[Signature]



SITE LOCATION
 Folio #
 30-5815-000-0800
 Miami-Dade County, Florida

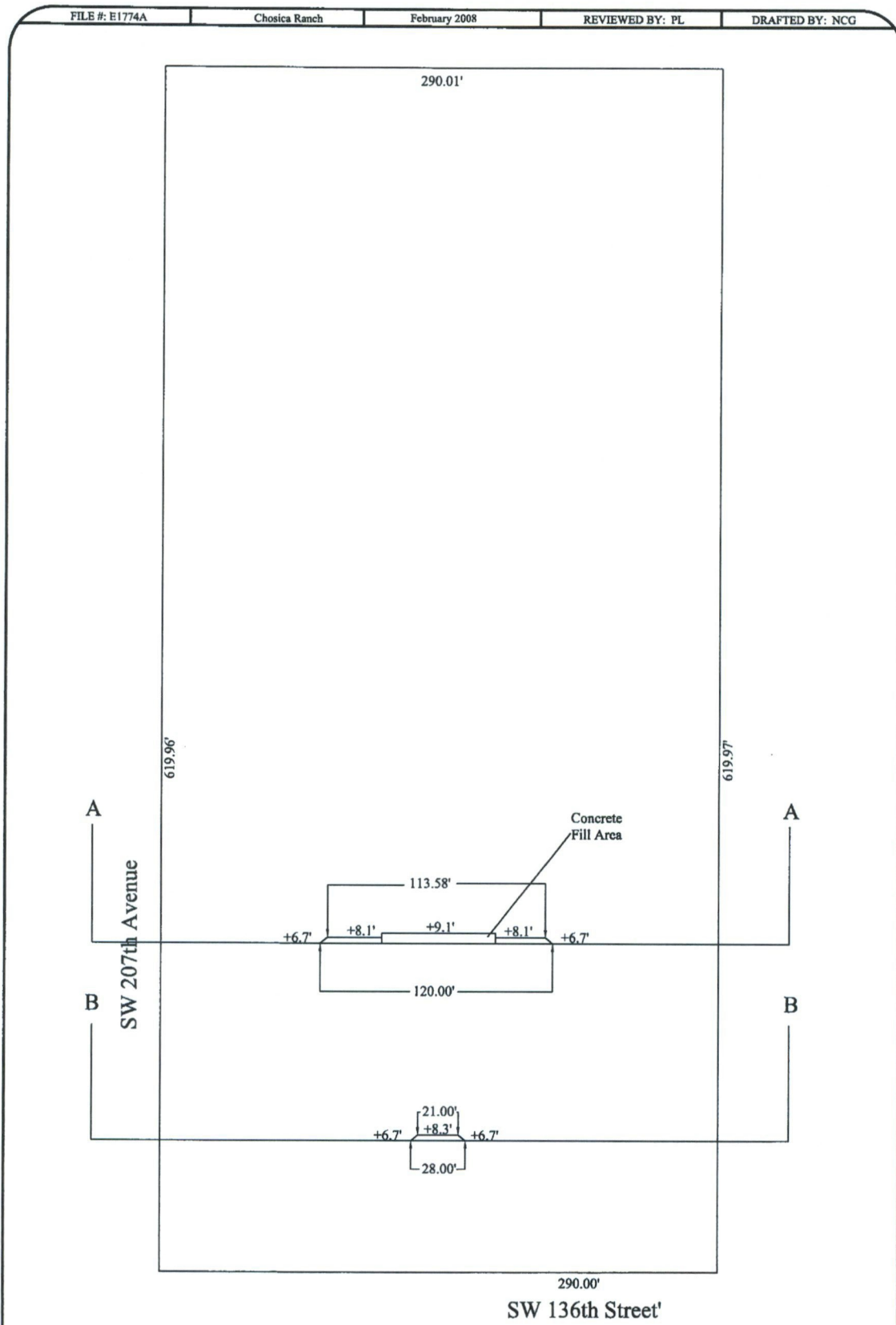
Sitemap:
 Class IV Wetland Permit
 Application FW06-007

APPROXIMATE SCALE
 1" = 50'

- Legend:**
- * Palms
 - * Hedges
 - +6.7' = Elevation
 - Impacted Area=0.35 Acres
 - Non-Impacted Area=3.77 Acres



Handwritten signature and date:
 P. Stodh
 2/2/08



SITE LOCATION
 Folio #
 30-5815-000-0800
 Miami-Dade County, Florida

Cross-Section Sitemap:
 Class IV Wetland Permit
 Application FW06-007

APPROXIMATE SCALE
 1" = 50'

LEGEND:
 +6.7' = Elevation



Handwritten signature and date: P. J. ... 2/2/08

CHOSICA RANCH CORP

2307 S DOUGLAS RD STE # 500

MIAMI, FL 33145

TEL: 305-445-9001-FAX: 305-445-0684

May 13, 2008

Department of Environmental
Resources Management .

Mr. Brandon Blue, Biologist II

~~Wetland Resources Section.~~

701 NW 1st Court 6th Floor

Miami, Fl 33136-3912

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MAY 14 2008

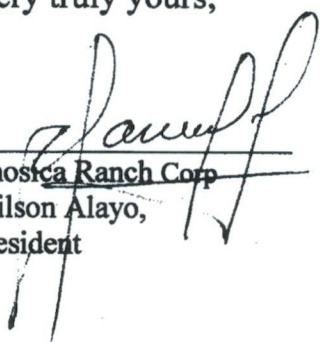
DERM
Environmental Resources Regulation Division

Re: Update Request for Additional Information (RAI) for Class IV Wetland Permit Application FW 06-007 by Chosica Ranch Corporation for the property located at, near, or in the vicinity of S.W. 136th Street and S.W. 207th Avenue, Section 15, Township 55 South, Range 38 East Miami-Dade County, Florida (Folio number 30-5815-000-0800).

Dear Mr. Blue,

We received your evaluation letter dated April 18, 2008 and following your recommendation we contract Mr. Craig Smith of the ENP and requested to purchase .35 credits within the H I D; Mr. Smith advised us that their Department is on reorganization and are not selling credits until probably the month of October. So if our permit is approved please let us have the time necessary to be able to buy this credits to comply with your requirement.

Very truly yours;


Chosica Ranch Corp
Wilson Alayo,
President



Carlos Alvarez, Mayor

Department of Environmental Resources Management
Environmental Resources Regulation Division
701 NW 1st Court, 6th Floor
Miami, Florida 33136-3912
T 305-372-6567 F 305-372-6407

miamidade.gov

April 18, 2008

Chosica Ranch Corp.
c/o: Wilson J. Alayo, President
2307 SW 37 Avenue
Miami, Florida 33145

Certified Mail No. 70020860000152934049
Return Receipt Requested

Re: Updated Request for Additional Information (RAI) for Class IV Wetland Permit Application FW 06-007 by Chosica Ranch Corporation for the property located at, near, or in the vicinity of S.W. 136th Street and S.W. 207th Avenue, Section 15, Township 55 South, Range 38 East, Miami-Dade County, Florida (Folio number 30-5815-000-0800).

Dear Mr. Alayo,

On February 1, 2008 this Department received a proposed mitigation plan submitted by Environmental Risk Management, Inc. on behalf of Chosica Ranch Corporation to offset the existing after-the-fact wetland impacts on the above referenced site located in the East Everglades Wetland Basin. At this time, through the implementation of the Unified Mitigation Assessment Methodology (UMAM), this Department has evaluated the mitigation proposal for the adverse impacts to .35-acres of freshwater wetlands.

Based on our evaluation, in order to offset the adverse impacts to the wetland property and remain consistent with State reviewing agencies (please see attached UMAM worksheets), this Department has determined that the appropriate amount of mitigation credits to be purchased is .35 mitigation credits from the Everglades National Park (ENP) "Hole in the Donut" (HID) Regional Offsite Mitigation Area.

Please contact Craig Smith at (305)242-7849 of the ENP and advise him this Department is requiring you to purchase 0.35 credits within the HID. If your permit is approved, a permit fee and proof of mitigation (i.e. verification letter) will be required prior to actual permit issuance. Be advised, it is the responsibility of the applicant to contact the U.S. Army Corps of Engineers, the Florida Department of Environmental Protection, and the South Florida Water Management District to inquire if additional permits and mitigation is required for this project.

Also be advised that receipt of this RAI does not authorize the applicant to do any work on the subject property. As defined by the County Code, work means any site alteration, including clearing, tree removal, dredging or filling. Any work performed on the subject property prior to receiving an executed permit will require at a minimum, in civil penalties and the payment of all departmental costs incurred in the investigation and settlement of this case. This requirement will apply even if authorization to proceed from the US Army Corps of Engineers, the Florida Department of Environmental Protection, or the South Florida Water Management District has been granted.

Delivering Excellence Every Day

If you have any questions, please call me at 305-372-6566.

Sincerely,

A handwritten signature in black ink, appearing to read 'B. Blue', with a stylized flourish extending to the right.

Brandon Blue, Biologist II
Wetland Resources Section

cc: Environmental Risk Management, Inc., Nick Gallant

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FEB 01 2008

DERM
Environmental Resources Regulation Division

**PART I – Qualitative Description
(See Section 62-345.400, F.A.C.)**

Site/Project Name	Application Number	Assessment Area Name or Number	
Chosica Ranch	FW06-007	Folio # 30-5815-000-0800 Impact Area	
FLUCCs code	Further classification (optional)	Impact or Mitigation Site?	Assessment Area Size
643	Wet Prairie	Impact	0.35 acres
Basin/Watershed Name/Number	Affected Waterbody (Class)	Special Classification (i.e. OFW, AP, other local/state/federal designation of importance)	

Geographic relationship to and hydrologic connection with wetlands, other surface water, uplands:

There is development on three of the four adjacent parcels. The undeveloped property to the west is hydrologically disconnected because of SW 207th Avenue. There is no direct connectivity to a similar 643 wetland system. Connectivity is limited by development, ditches and roads.

Assessment area description:

The assessment area is a 643 system with some exotic infestation and a somewhat reduced hydrology. The site is located in Miami-Dade County.

Uniqueness (considering the relative rarity in relation to the regional landscape.):

The subject property is not unique.

Mitigation for previous permit/other historic use:

No

Significant nearby features:

Major roads, roadside ditches, residential and agricultural development. No named wetlands were identified in the area.

Anticipated Wildlife Utilization Based on Literature Review (List of species that are representative of the assessment area and reasonably expected to be found):

cricket, frog, chorus frog, little grass frog, black racer, yellow rat snake, cottonmouth, pygmy rattlesnake, northern harrier, southeastern kestrel, killdeer, long-billed marsh wren, red-winged blackbird, marsh rabbit, cotton rat, and cotton mouse.

Anticipated Utilization by Listed Species (List species, their legal classification (E, T, SSC), type of use, and intensity of use of the assessment area):

None are anticipated due to development of the area, and the location within the surrounding landscape. However, it is possible that the Florida Panther-E(*Puma concolor coryi*), Florida Black Bear-I(*Ursus americanus*) and various listed wading birds, ex. *Mycteria americana* and *Egretta spp.* may utilize the general area.

Observed Evidence of Wildlife Utilization (List species directly observed, or other signs such as tracks, droppings, casings, nests, etc.):

None

Additional relevant factors:

None

Assessment conducted by: ERMI - Nick Gallant, CFEA, LEP **Assessment Date:** January 17, 2007

RECEIVED
FEB 01 2008

DERM
Environmental Resources Regulation Division

PART II – Quantification of Assessment Area (impact or mitigation)
(See Sections 62-345.500 and .600, F.A.C.)

Site/Project Name	Application Number	Assessment Area Name or Number
Chosica Ranch	FW06-007	Folio # 30-5815-000-0800 Impact Area
Impact or Mitigation	Assessment conducted by:	Assessment date:
Impact	ERMI - Nick Gallant, CFEA, LEP	January 17, 2007

.500(6)(a) Location and Landscape Support

w/o preservation or current: 6
with: 0

Supporting Details: The surrounding area is significantly developed with residential and agricultural land uses. Development, major roads and roadside ditches cut off the subject property from the surrounding system. The subject property is adjacent (separated by a road) to a similar system that is also cut off from any other wetland system. The subject property itself is not a unique system.

.500(6)(b) Water Environments (n/a for uplands)

w/o preservation or current: 7
with: 0

Supporting Details: The subject property appears to have a reduced hydrology. Algal mats were the only hydrologic indicator observed. Area observations and historical research have indicated that the property was previously comprised of a 643 Wet Prairie system. The site does not appear to be inundated for the typical duration of a 643 system. Ditches, roads, canals and development have significantly cut the property off from the surrounding hydrology.

.500(6)(c) Community structure

w/o preservation or current: 5
with: 0

Supporting Details: There is significant exotic infestation, predominantly in the perimeter areas, in the form of Brazilian Pepper and Elephant Grass. The reduced hydrology appears to be supporting the introduction of upland and exotic vegetation. Area observations and historical research have indicated that the property was previously comprised of a 643 Wet Prairie system lacking in canopy and subcanopy and consisting of but not limited to vegetation such as Saw Grass, Yellow-eyed Grass, Broom Grass, Muhly Grass and White-top Sedge. Exotics such as Elephant Grass and Brazilian Pepper appear to be quite prevalent in the general area.

Score = sum of above scores/30 (if uplands, divide by 20)

w/o preservation or current: .60
with: 0

Delta = [with-current]: 0.60

If preservation as mitigation

Preservation adjustment factor =

Adjusted mitigation delta =

If mitigation

Time lag (t-factor) =

Risk factor =

0.60 ÷ 0.55* = 1.09
RATIO = 1:1
RATIO * ACRES
1 * .35 = .35 CREDITS

For impact assessment areas

FL = delta x acres =
0.60 x 0.35 = 0.21

For mitigation assessment areas

RFG = delta/(t-factor x risk) =

*ASS: BUILT IN TIME/LAG AND RISK FACTOR IMPLEMENTED BY STATE REVIEWING AGENCIES



Class IV Wetland Permit Application

For Official Use Only CORPS Application Number: DEP/SFWMDC Application Number:	Date Received	Application Number
--	---------------	--------------------

1. Applicant Information:

Name: Chosica Ranch
 Address: 2307 Douglas Road Suite # 100
Miami, FL
 Zip Code: 33145 Phone # 305 445-9001
 Email walaya@1stmiami.com Fax # 305-445-0689

2. Applicant's authorized permit agent:

Name: _____
 Address: _____
 Zip Code: _____ Phone _____
 Email _____ Fax # _____

3. Location where proposed activity exists or will occur:
N.E Corner of SW 136th Street & 207 Ave

Street, road, or other descriptive location

Section: 15 City near parcel
 Township: 55 South Incorporated city or town
 Range: 38 East 30-5815-000-0800
 Folio Number

4. Proposed use:

Private Single Dwelling	<input type="checkbox"/>	Commercial	<input type="checkbox"/>
Multi-Family Dwelling	<input type="checkbox"/>	Agricultural	<input checked="" type="checkbox"/>
Multi-Single Family	<input type="checkbox"/>	Public	<input type="checkbox"/>
Please explain:		Other	<input type="checkbox"/>

Fill pad for seasonal agricultural use.

5. Description of Project (Use additional sheets, if necessary)

Total Acreage of Wetlands to be Impacted 0.35

A. Lake Excavation or Dredging:

1. Total wetland acreage to be excavated or dredged _____

2. Cubic yards: Total for Project _____

a. Depth of excavated/dredged area _____

b. Type of material to be excavated/dredged _____

B. Placement of Fill

1. Total wetland acreage to be filled 0.35

a. Cubic yards 1000

2. Type of material to be used Crushed limestone & lake fill

3. Source of fill material to be used Revised materials

CONTINUED ON NEXT PAGE

5. Description of Project (continued)

C. Agriculture

1. Total wetland area to be cleared and/or plowed _____

2. Total area to be bedded for planting _____

3. Type of agriculture to be conducted (check any that apply):

a. Row Crops

b. Grove

c. Field Nursery

d. Container Nursery

e. Shade House Nursery

f. Other

(please explain)

Seasonal Agriculture

4. If proposed project involves the construction of any drainage, water containment or conveyance facilities (i.e. ditches, diked areas, ponds, swales), please describe the proposed facilities:

NOTE: If the project involves construction of any residential, office, storage facilities or other structures, or if the project involves the placement of a trailer on the property, separate approval from Miami-Dade County Building and Zoning Department (305-375-2500) is required:

6. Date activity is proposed to commence _____

Date activity is proposed to be completed _____

7. Previous permits for this project (or any part thereof) have been:

A. Denied (date) _____ State* _____ Corps* _____

B. Issued (date) _____ State* _____ Corps* _____

C. Other (please explain) previous owner did not apply for permits

*Differentiate between existing work and proposed work on the drawings.

8. ADDITIONAL ITEMS REQUIRED FOR APPLICATION SUBMITTAL. (Please note that, in addition to the information requested on this application form, there are several other items which must be submitted with your application. See Instruction pamphlet for the additional information required for this application.)

9. AFFIDAVIT OF OWNERSHIP OR CONTROL of the property on which the proposed project is to be undertaken.

I CERTIFY THAT I AM THE RECORD OWNER, LESSEE, OR RECORD EASEMENT HOLDER OF THE PROPERTY DESCRIBED BELOW.

NOTE: Lessees must provide a signed, notarized statement from the property owner indicating that the owner has reviewed the proposed project, including all proposed plans, and has agreed to allow the proposed project to occur on his or her lands.

LEGAL DESCRIPTION OF PROPERTY SITUATED IN MIAMI-DADE COUNTY, FLORIDA
(use additional sheets if necessary)

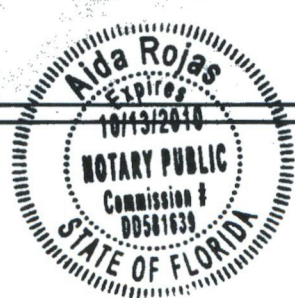
- The N.W 1/4 of SW 1/4 of the SW 1/4 of the SW 1/4 of Section 15 Township 55 South, Range 38 East, lying and being in Miami Dade County, Florida
- The SW 1/4 of the SW 1/4, of the SW 1/4 of the SW 1/4 of Section 15 Township 55 South, range 38 east, lying and being in Miami Dade County, Florida

[Signature]
 Signature
Chosica Ranch Corp
 Print Name
Wilson J. Alayo - President
 Official Title

Sworn and subscribed before me at Dade county, this 4th day of April 2008

[Signature]
 Notary Public

My commission expires: _____



10. APPLICATION IS MADE FOR A PERMIT(S) TO AUTHORIZE THE ACTIVITIES DESCRIBED HEREIN.

- A. I authorize the agent listed in Item #2 to negotiate modifications or revisions, when necessary, and accept or assent to any requirements on my behalf.
- B. I agree to provide entry to the project site for inspectors with proper identification or documents from Miami-Dade County Department of Environmental Resources Management for the purpose of making preliminary analyses of the site. Further, I agree to provide entry to the project site for such inspectors to monitor permitted work if a permit is granted.
- C. Further, I hereby acknowledge the obligation and responsibility for obtaining all of the required state, federal or local permits **before** commencement of construction activities. I also understand that before commencement of this proposed project I must be granted separate permits or authorizations from the U.S. Army Corps of Engineers, the Department of Environmental Protection and the South Florida Water Management District, as necessary.

I certify that I am familiar with the information contained in this application, and that to the best of my knowledge and belief such information is true, complete and accurate. I further certify that I possess the authority to undertake the proposed activities.

_____ Signature of Applicant(s)	_____ Date
_____ Print Name	
_____ Official Title	
_____ Signature of Applicant(s)	_____ Date
_____ Print Name	
_____ Official Title	

NOTE: THIS APPLICATION MUST BE SIGNED by the person(s) who desires to undertake the proposed activity or by an authorized agent. If an agent is applying on behalf of the applicant, attach proof of authority for the agent to sign and bind the applicant.

NOTICE TO PERMIT APPLICANTS

This is a Class IV Permit Application; It is NOT A Class IV Permit! You Must Obtain ALL Required Local, State, and Federal Authorizations or Permits BEFORE Commencing work!

Revised 6-7-07

CHOSICA RANCH CORP.
2307 S.W. 37TH AVE., STE. 500
MIAMI, FL 33145

1023

Date 4/4/08

Pay to the Order of Miami, Dade County \$ 123.¹²/₁₀₀
One hundred twenty three 12/100 Dollars

© 2007 American Express

Security features are included. Details on back.



U.S. CENTURY BANK
3001 Ponce De Leon Blvd
Coral Gables, Florida 33134

Money Market Account

For Zontana

Anthony J. Gausoff NP

⑆0670153

Memorandum



Date: March 21, 2008

To: Brandon Blue, Biologist II
Wetlands Resources Section, DERM

From: ~~Brandon Blue~~
María Teresa Fojo, Acting Assistant Director for Zoning
Department of Planning and Zoning

Subject: Class 1V Permit FW 06-007
Chosica Ranch Corporation

The proposed usage of the property upon which the proposed work would occur violates zoning laws applicable to the area of the proposed work. This property is located within Management Area 1, East Everglades Area of Critical Concern. Property in this area requires a minimum of forty (40) acres as a buildable site. Properties with a minimum of five (5) acres may be utilized for seasonal agricultural use only.

Should you have any questions regarding this matter, please contact me at extension 2117.

MTF/dah

Memorandum



Date: February 29, 2008

To: Maria Teresa Fojo, Interim Assistant Director, Zoning
Department of Planning And Zoning

From: Brandon Blue, Biologist II 
Wetlands Resources Section, DERM

Subject: Class IV Wetland Permit Application FW 06-007, by Chosica Ranch Corporation, for the after-the-fact approval to impact 0.35-acres of wetlands located at, near or in the vicinity of S.W. 136th Street and S.W. 207th Avenue, Section 15, Township 55 South, Range 38 East, Miami-Dade County, Florida; Folio No. 30-5815-000-0800.

Please review the work proposed in the Professional Engineer signed and sealed plans (P.E. No. 43510), dated February 22, 2008, attached to the Class IV Wetland Permit Application FW 06-007 for compliance with zoning laws. Your comments can be returned directly to the above-referenced biologist.

As provided, please find the \$123.12 review fee (Check #1019), the signed & sealed site plans, and a copy of the Class IV Wetland Permit Application form.

As you may recall, there is specific language in Section 24-48.2(I)(B)(1)(d) of the Code of Miami-Dade County that the County Attorney's Office requires to be used in the written approval DERM is requesting. The correct phrase, according to the Code, is "The proposed usage of the property upon which the proposed work would occur does not violate any zoning law applicable to the area of the proposed work." Thank you for your understanding in this matter.

If you have any questions, please contact me at (305) 372-6566.

*Gu - (Au - trend)
5 Acres
No fees*



RECEIVED
 Class Wetland
 FEB 28 2008
 Permit Application

DERM
 Environmental Resources Regulation Division

For Official Use Only CORPS Application Number: DEP/SFWMDC Application Number:	Date Received Application Number <p style="text-align: center; font-size: 1.2em;"><i>FW06-007</i></p>
--	---

1. Applicant Information:

Name: Chosica Ranch Corp
 Address: 2307 Douglas Road Suite 500
Miami, FL
 Zip Code: 33145 Phone #: (305) 472-9001
 Email: _____ Fax #: (305) 475-0661

2. Applicant's authorized permit agent:

Name: _____
 Address: _____
 Zip Code: _____ Phone: _____
 Email: _____ Fax #: _____

3. Location where proposed activity exists or will occur:

NE Corner of SW 136th St & 207th Ave

Street, road, or other descriptive location

Section: 15 Unincorporated
 Township: 55 South Incorporated city or town
 Range: 38 East
30-5815-000-0800
 Folio Number

4. Proposed use:

Private Single Dwelling	<input type="checkbox"/>	Commercial	<input type="checkbox"/>
Multi-Family Dwelling	<input type="checkbox"/>	Agricultural	<input type="checkbox"/>
Multi-Single Family	<input type="checkbox"/>	Public	<input type="checkbox"/>
Please explain:		Other	<input type="checkbox"/>

Fill pad to build a shelter
(Agriculture Machine & Tools)

5. Description of Project (Use additional sheets, if necessary)

Total Acreage of Wetlands to be Impacted 0.35

A. Lake Excavation or Dredging:

1. Total wetland acreage to be excavated or dredged _____

2. Cubic yards: Total for Project _____

a. Depth of excavated/dredged area _____

b. Type of material to be excavated/dredged _____

B. Placement of Fill

1. Total wetland acreage to be filled 0.35

a. Cubic yards 1,000

2. Type of material to be used Crushed limestone & lake fill

3. Source of fill material to be used Banker Materials

CONTINUED ON NEXT PAGE

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FEB 28 2008

DERM
Environmental Resources Regulation Division

5. Description of Project (continued)

C. Agriculture

1. Total wetland area to be cleared and/or plowed _____

2. Total area to be bedded for planting _____

3. Type of agriculture to be conducted (check any that apply):

a. Row Crops

b. Grove

c. Field Nursery

d. Container Nursery

e. Shade House Nursery

f. Other

(please explain) _____

4. If proposed project involves the construction of any drainage, water containment or conveyance facilities (i.e. ditches, diked areas, ponds, swales), please describe the proposed facilities:

NOTE: If the project involves construction of any residential, office, storage facilities or other structures, or if the project involves the placement of a trailer on the property, separate approval from Miami-Dade County Building and Zoning Department (305-375-2500) is required:

6. Date activity is proposed to commence 2006
Date activity is proposed to be completed 2007

7. Previous permits for this project (or any part thereof) have been:

A. Denied (date) _____ State* _____ Corps* _____

B. Issued (date) _____ State* _____ Corps* _____

C. Other (please explain) Previous owner didn't apply for permits

*Differentiate between existing work and proposed work on the drawings.

8. ADDITIONAL ITEMS REQUIRED FOR APPLICATION SUBMITTAL. (Please note that, in addition to the information requested on this application form, there are several other items which must be submitted with your application. See Instruction pamphlet for the additional information required for this application.)

RECEIVED
FEB 28 2008

9. AFFIDAVIT OF OWNERSHIP OR CONTROL of the property on which the proposed project is to be undertaken.

I CERTIFY THAT I AM THE RECORD OWNER, LESSEE, OR RECORD EASEMENT HOLDER OF THE PROPERTY DESCRIBED BELOW.

DERM
Environmental Resources Regulation Division

NOTE: Lessees must provide a signed, notarized statement from the property owner indicating that the owner has reviewed the proposed project, including all proposed plans, and has agreed to allow the proposed project to occur on his or her lands.

LEGAL DESCRIPTION OF PROPERTY SITUATED IN MIAMI-DADE COUNTY, FLORIDA
(use additional sheets if necessary)

- The NW 1/4 of SW 1/4 of the SW 1/4 of the SW 1/4 of Section 15 Township 55 south, Range 38 East, lying and being in Miami Dade County, Florida
- The SW 1/4 of the SW 1/4 of the SW 1/4 of the SW 1/4 of Section 15 Township 55 south, range 38 east, lying and being in Miami-Dade County, Florida

[Signature]

 Signature
 Wilson J. Alayo

 Print Name
 President

 Official Title

Sworn and subscribed before me at Dade county, this 4 day of January, 2008

NOTARY PUBLIC
 STATE OF FLORIDA
 Notary Public State of Florida
 Jenny Marte
 My Commission DD395677
 Expires 02/13/2009

[Signature]

 Notary Public

My commission expires: _____

CHOSICA RANCH CORP.
2307 S.W. 37TH AVE., STE. 500
MIAMI, FL 33145

1019

Date 1/24/08

Pay to the Order of Miami-Dade County \$ 123.¹²/₁₀₀

One hundred twenty three 12/100 Dollars

Security features are included. Details on back.



U.S. CENTURY BANK

3001 Ponce De Leon Blvd
Coral Gables, Florida 33134

Money Market Account

For _____

Mark Gault MP





ENVIRONMENTAL RISK MANAGEMENT, INC.

Licensed Engineering and Geology Firm • Assessment & Remediation Consultants

ENGINEER LETTER OF CERTIFICATION

February 22, 2008

DERM Main Building
701 N. W. 1st Court, 6th Floor
Miami, FL 33136

RECEIVED
FEB 28 2008

DERM
Environmental Resources Regulation Division

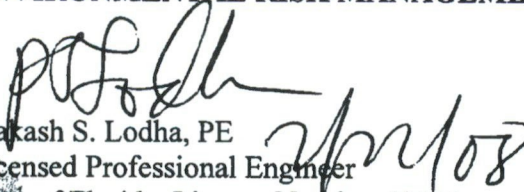
RE: Class IV Short Form Permit Application Number FW06-007, by Chosica Ranch Corporation for the after-the fact approval to impact 0.35-acres of freshwater wetlands located at, near or in the vicinity of S.W. 136th Street and S.W. 207th Avenue, Section 15, Township 55 South, Range 38 East, Miami-Dade County, Florida; Folio No. 30-5815-000-0800.

This letter will certify that I am an engineer registered in the State of Florida, qualified by education and experience in the area of construction, and that to the best of my knowledge and belief, the proposed work does not violate any laws of the State of Florida or any provision of the Code of Miami Dade County which may be applicable, that diligence and recognized standard practices of the engineering profession have been exercised in the engineer's design process for the proposed work, and in my opinion based upon my knowledge and belief, the following will not occur:

- a. Harmful obstruction or undesirable alteration of the natural flow of the water within the area of the proposed work.
- b. Harmful or increased erosion, shoaling of channels or stagnant areas of water. (Not applicable to Class IV permits)
- c. Material injury to adjacent property.
- d. Adverse environmental impacts from changes in water quality or quantity. (Applicable to Class IV permits only)

Further, I have been retained by the applicant to provide inspections throughout the construction period and shall prepare a set of reproducible record prints of drawings showing changes made during the construction process based upon the marked-up prints, drawings, and other data furnished by the contractor to me.

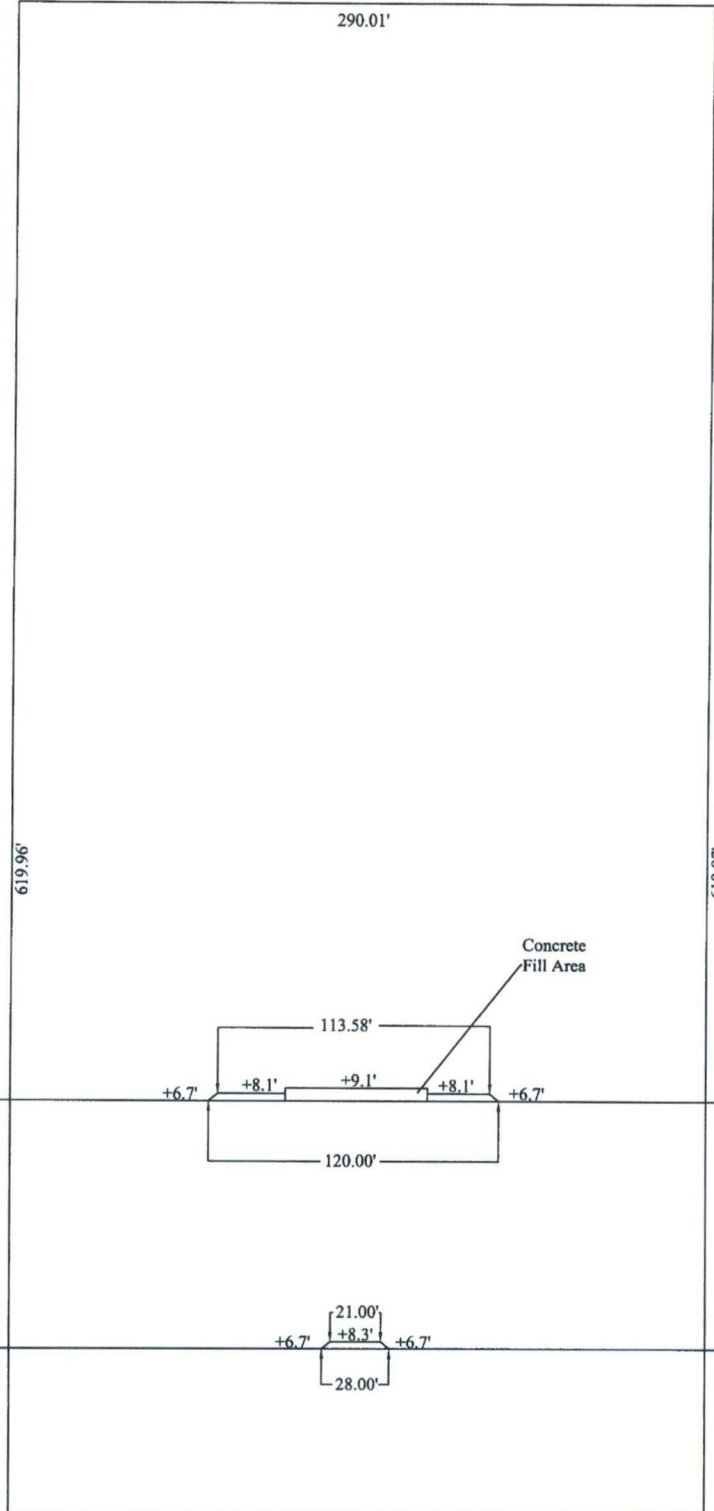
Sincerely,
ENVIRONMENTAL RISK MANAGEMENT, INC.


Prakash S. Lodha, PE
Licensed Professional Engineer
State of Florida, License Number 43510

RECEIVED

FEB 28 2008

DERM
Environmental Resources Regulation Division



A

B

SW 207th Avenue

Concrete Fill Area

A

B

SW 136th Street'

SITE LOCATION
 Folio #
 30-5815-000-0800
 Miami-Dade County, Florida

Cross-Section Sitemap:
 Class IV Wetland Permit
 Application FW06-007

APPROXIMATE SCALE
 1" = 50'

LEGEND:
 +6.7' = Elevation



ENVIRONMENTAL RISK MANAGEMENT, INC.
 Licensed Engineering and Geology Firm • Assessment & Remediation Consultants

Handwritten signature and date: P. N. 2/21/08

RECEIVED
FEB 28 2008
DERM
Environmental Resources Regulation Division

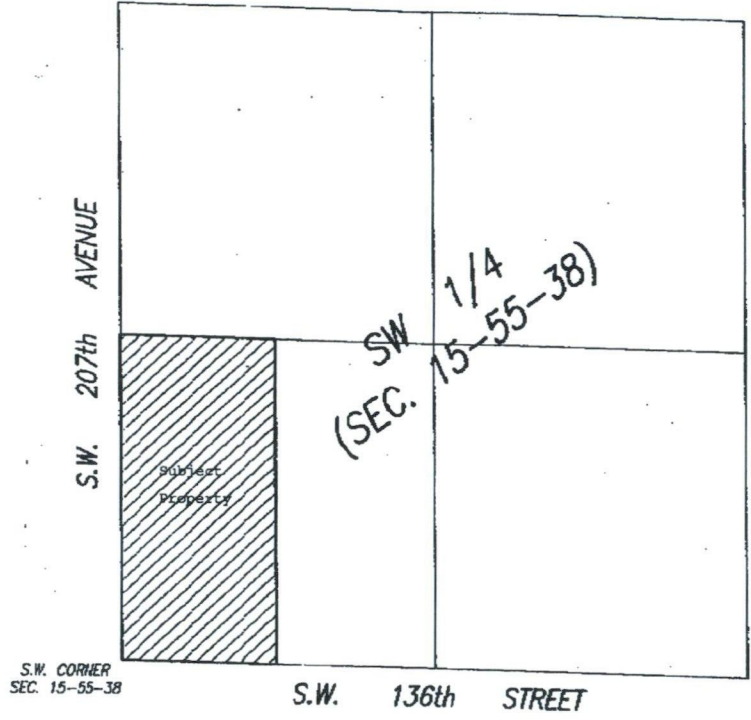
01/04/2008 18:08

3854456564



COMPANY INC

PAGE 12/12



LOCATION SKETCH
N.T.S.



Handwritten signature
2/28/08

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Chosica Ranch Corporation
c/o Wilson J Alayo, President
2307 SW 37th Avenue
Miami, FL 33145
FW06-007 BB

2. Article
(Trans)

7002 0860 0001 5293 2731

COMPLETE THIS SECTION ON DELIVERY

A. Signature

x *Fabiola Cuadra* Agent
 Addressee

B. Received by (Printed Name)

Fabiola Cuadra

C. Date of Delivery

2/25/08

Yes
 No

Is delivery address different from item 1?
Yes, enter new address below

RECEIVED

FEB 25 2008

DERM

Environmental Resources Regulation Division

- Certified Mail Express Mail
- Registered Return Receipt for Merchandise
- Insured Mail C.O.D.

4. Restricted Delivery? (Extra Fee) Yes

UNITED STATES POSTAL SERVICE MIAMI FL 331

22 FEB 2008 PM 11

POSTAGE & FEES PAID
Permit No. G-10

• Sender: Please print your name, address, and ZIP+4 in this box •

MIAMI-DADE COUNTY - DERM DE248997
Environmental Resources Regulation Div.
701 NW 1st Court, 6th Floor - West
Miami, Florida 33136-3902

302





Carlos Alvarez, Mayor

Department of Environmental Resources Management
Environmental Resources Regulation Division
701 NW 1st Court, Ste-400
Miami, Florida 33136-3912
T 305-372-6567 F 305-372-6208

miamidade.gov

- ADA Coordination
Agenda Coordination
Art in Public Places
Audit and Management Services
Aviation
Building Code Compliance
Building
Business Development
Capital Improvements
Citizen's Independent Transportation Trust
Communications
Community Action Agency
Community & Economic Development
Community Relations
Consumer Services
Corrections & Rehabilitation
Countywide Healthcare Planning
Cultural Affairs
Elections
Emergency Management
Employee Relations
Enterprise Technology Services
Environmental Resources Management
Fair Employment Practices
Finance
Fire Rescue
General Services Administration
Historic Preservation
Homeless Trust
Housing Agency
Housing Finance Authority
Human Services
Independent Review Panel
International Trade Consortium
Juvenile Assessment Center
Medical Examiner
Metropolitan Planning Organization
Park and Recreation
Planning and Zoning
Police
Procurement Management
Property Appraiser
Public Library System
Public Works
Safe Neighborhood Parks
Seaport
Solid Waste Management
Strategic Business Management
Team Metro
Transit
Urban Revitalization Task Force
Vizcaya Museum and Gardens
Water and Sewer

February 20, 2008

Chosica Ranch Corp.
c/o: Wilson J. Alayo, President
2307 SW 37 Avenue
Miami, Florida 33145

Certified Mail No. 70020860000152932731
Return Receipt Requested

Re: Updated Request for Additional Information (RAI) for Class IV Wetland Permit Application FW 06-007 by Chosica Ranch Corporation for the property located at, near, or in the vicinity of S.W. 136th Street and S.W. 207th Avenue, Section 15, Township 55 South, Range 38 East, Miami-Dade County, Florida (Folio number 30-5815-000-0800).

Dear Mr. Alayo,

This Department has reviewed the items submitted by Environmental Risk Management, Inc. on February 1, 2008 on behalf of Chosica Ranch Corporation for the after-the-fact filling and associated impacts of wetlands located at the above referenced site. Our application review has indicated that items are still needed for the technical completion of this application. Please be advised that due to the complexity of the issues surrounding this project, this Department may require additional information prior to the issuance of the Class IV Wetland Permit. Please be advised of the following:

- 1. A revised Class IV Wetland Permit Application completed in it's entirety, with signatures and notarization where required, as follows:
a. Page 1, Item 4 identifies the 'Proposed Use' as a "fill pad to build shelter." Therefore, Section staff will require a detailed explanation regarding aforesaid "shelter,"
b. Page 1, Item 5 identifies the 'Total Acreage of Wetlands to be Impacted' as "0.30." In addition, Item 5(B)(1) identifies the 'Total wetland acreage to be filled as "0.30." However, site plans recently submitted depict .35-acres of impacts resulting from an existing "Driveway Fill Area" and "Concrete Fill Area/Fill Area," and,
c. Page 2, Item 5(C)(3) identifies "palms and hedges" as the 'Type of agriculture to be conducted.' However, Page 2, Item 5(C)(1) and Item 5(C)(2) of said Application does not identify the 'Total wetland area to be cleared and/or plowed' and/or the 'Total area to be bedded for planting.' Therefore, please revise the aforesaid portions accordingly and submit the revised Application with signatures and notarization where required.

Delivering Excellence Every Day

2. Copies of the proposed Engineer Letter of Certification statement have been submitted by Environmental Risk Management, Inc., however, said copies shall be revised as follows:
 - a. All Engineer Letter of Certification statements shall be signed with an original signature and sealed by a professional engineer registered in the State of Florida, and,
 - b. The subject heading shall include the correct acreages of impacts as depicted in the site plans recently submitted (i.e. Re: Class IV Short Form Permit Application Number FW 06-007 by Chosica Ranch Corporation for after-the-fact approval to impact **.35-acres** of freshwater wetlands located at, near, or in the vicinity of S.W. 136th Street and S.W. 207th Avenue, Section 15, Township 55 South, Range 38 East, Miami-Dade County, Florida; Folio No. 30-5815-000-0800).
3. Three (3) sets of site plans submitted on February 1, 2008 (copies provided) shall be revised as follows:
 - a. The acreage of the "Non-Impacted Area" surrounding the "Driveway Fill Area" and "Concrete Fill Area/Fill Area" to be restored to natural grade elevation,
 - b. All site plans shall show that the "Non-Impacted Area" has been restored to the target elevation (i.e. natural grade elevation) through the depiction of associated elevation data,
 - c. Property boundaries shall be delineated with location in relationship to the section corners, and
 - d. All site plans shall be signed with an original signature and sealed by a professional surveyor, architect, or engineer registered in the State of Florida.

Please be advised, said plans must include the elevations as outlined above (i.e. 3(b.)) and all information necessary to allow for a preliminary review for required water quality, flood protection and relevant fill encroachment criteria required by Miami-Dade County Code. Additional flood routing and drainage calculations may also be required to demonstrate compliance with the above criteria. Specific questions regarding these requirements should be directed to the Water Control Section at 305-372-6681.

Be advised, approval must be obtained from the Water Control Section for a stormwater retention plan designed by a registered engineer in accordance with the fill encroachment criteria for the relevant wetland basin.

4. This Department is in receipt of the required Zoning review fee of \$123.12 (Check No. 1019). However, submittal of revised, P.E. signed and sealed, site plans referenced above are required prior to submittal to Miami-Dade County Zoning Department for review.
5. A proposed mitigation plan has been submitted by Environmental Risk Management, Inc. to offset the existing after-the-fact wetland impacts on the subject property. Staff is reviewing this plan and will provide a written determination of this mitigation plan under separate cover once this review is complete.

Once all the indicated items have been submitted, this office will continue processing this permit application. If your permit is approved, a permit fee and proof of mitigation will be required prior to actual permit issuance.

Be advised, it is the responsibility of the applicant to contact the U.S. Army Corps of Engineers, the Florida Department of Environmental Protection, and the South Florida Water Management District to inquire if additional permits and mitigation is required for this project. Also be advised that receipt of this RAI does not authorize the applicant to do any work on the subject property. As defined by the County Code, work means any site alteration, including clearing, tree removal, dredging or filling. Any work performed on the subject property prior to receiving an executed permit will require at a minimum, in civil penalties and the payment of all departmental costs incurred in the investigation and settlement of this case. This requirement will apply even if authorization to proceed from the US Army Corps of Engineers, the Florida

Department of Environmental Protection, or the South Florida Water Management District has been granted.

If you have any questions, please call me at 305-372-6566.

Sincerely,

A handwritten signature in black ink, appearing to read 'B. Blue', with a long horizontal flourish extending to the right.

Brandon Blue, Biologist II
Wetland Resources Section

cc: Environmental Risk Management, Inc., Prakash S. Lodha, P.E.
Environmental Risk Management, Inc., Nick Gallant
International Sunshine Reality, Armando J. Amaro



ENVIRONMENTAL RISK MANAGEMENT, INC.

Licensed Engineering and Geology Firm • Assessment & Remediation Consultants

ENGINEER LETTER OF CERTIFICATION

January 16, 2008

DERM Main Building
701 N. W. 1st Court, 6th Floor
Miami, FL 33136

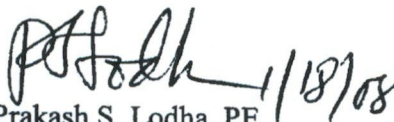
RE: Class IV Short Form Permit Application Number FW06-007, by Chosica Ranch Corporation for the after-the fact approval to impact 30-acres of freshwater wetlands located at, near or in the vicinity of S.W. 136th Street and S.W. 207th Avenue, Section 15, Township 55 South, Range 38 East, Miami-Dade County, Florida; Folio No. 30-5815-000-0800.

This letter will certify that I am an engineer registered in the State of Florida, qualified by education and experience in the area of construction, and that to the best of my knowledge and belief, the proposed work does not violate any laws of the State of Florida or any provision of the Code of Miami Dade County which may be applicable, that diligence and recognized standard practices of the engineering profession have been exercised in the engineer's design process for the proposed work, and in my opinion based upon my knowledge and belief, the following will not occur:

- a. Harmful obstruction or undesirable alteration of the natural flow of the water within the area of the proposed work.
- b. Harmful or increased erosion, shoaling of channels or stagnant areas of water. (Not applicable to Class IV permits)
- c. Material injury to adjacent property.
- d. Adverse environmental impacts from changes in water quality or quantity. (Applicable to Class IV permits only)

Further, I have been retained by the applicant to provide inspections throughout the construction period and shall prepare a set of reproducible record prints of drawings showing changes made during the construction process based upon the marked-up prints, drawings, and other data furnished by the contractor to me.

Sincerely,
ENVIRONMENTAL RISK MANAGEMENT, INC.


Prakash S. Lodha, PE
Licensed Professional Engineer
State of Florida, License Number 43510

RECEIVED
FEB 01 2008

DERM
Environmental Resources Regulation Division

Biological Report (UMAM)

PROJECT/ACTIVITY DESCRIPTION:

Class IV Short Form Permit Application Number FW06-007, by Chosica Ranch Corporation for the after-the fact approval to impact freshwater wetlands located at, near or in the vicinity of S.W. 136th Street and S.W. 207th Avenue, Section 15, Township 55 South, Range 38 East, Miami-Dade County, Florida; Folio No. 30-5815-000-0800.

DESCRIPTION OF GENERAL PROJECT/ACTIVITY AREA:

The subject property consists of approximately 4.12 acres. The subject property is located on the northeast corner of SW 207th Avenue and SW 136th Street in Miami-Dade County, Florida and is not within an area of Fill Encroachment Requirements. The surrounding area is both undeveloped and developed with agricultural and residential land uses. The undeveloped property adjacent west was observed to consist of a 643 Wet Prairie system.

BIOPHYSICAL CHARACTERISTICS OF THE SPECIFIC PROJECT/ACTIVITY SITE:

The subject property was observed to have been previously impacted. This evaluation is based on the site visit, neighboring ecosystem analysis and historical research. It is believed that the entire parcel would have previously been classified as a 643 Wet Prairie system. Ultimately, approximately 0.35 acres of this 643 Wet Prairie system is proposed to be impacted.

EXPECTED IMPACTS OF PROJECT/ACTIVITY:

The subject property is proposed to consist of 0.35 acres of impacted area and 3.77 acres of non-impacted area.

MITIGATION:

Offsite mitigation through an approved mitigation bank. Hole in the Donut is the proposed mitigation bank.

RECOMMENDATIONS:

Impacts to the wetland ecosystems located on the subject property will be mitigated through an appropriate mitigation bank through the purchasing of mitigation credits. Other restoration agreements have been made through a separate process.

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**PART I – Qualitative Description
(See Section 62-345.400, F.A.C.)**

DERM
Environmental Resources Regulation Division

Site/Project Name Chosica Ranch	Application Number FW06-007	Assessment Area Name or Number Folio # 30-5815-000-0800 Impact Area	
FLUCCs code 643	Further classification (optional) Wet Prairie	Impact or Mitigation Site? Impact	Assessment Area Size 0.35 acres
Basin/Watershed Name/Number	Affected Waterbody (Class)	Special Classification (i.e.OFW, AP, other local/state/federal designation of importance)	

Geographic relationship to and hydrologic connection with wetlands, other surface water, uplands:

There is development on three of the four adjacent parcels. The undeveloped property to the west is hydrologically disconnected because of SW 207th Avenue. There is no direct connectivity to a similar 643 wetland system. Connectivity is limited by development, ditches and roads.

Assessment area description:

The assessment area is a 643 system with some exotic infestation and a somewhat reduced hydrology. The site is located in Miami-Dade County.

Uniqueness (considering the relative rarity in relation to the regional landscape.):

The subject property is not unique.

Mitigation for previous permit/other historic use:

No

Significant nearby features:

Major roads, roadside ditches, residential and agricultural development. No named wetlands were identified in the area.

Anticipated Wildlife Utilization Based on Literature Review (List of species that are representative of the assessment area and reasonably expected to be found):

cricket, frog, chorus frog, little grass frog, black racer, yellow rat snake, cottonmouth, pygmy rattlesnake, northern harrier, southeastern kestrel, killdeer, long-billed marsh wren, red-winged blackbird, marsh rabbit, cotton rat, and cotton mouse.

Anticipated Utilization by Listed Species (List species, their legal classification (E, T, SSC), type of use, and intensity of use of the assessment area):

None are anticipated due to development of the area, and the location within the surrounding landscape. However, it is possible that the Florida Panther-E(*Puma concolor coryi*), Florida Black Bear-T(*Ursus americanus*) and various listed wading birds, ex. *Mycteria americana* and *Egretta spp.* may utilize the general area.

Observed Evidence of Wildlife Utilization (List species directly observed, or other signs such as tracks, droppings, casings, nests, etc.):

None

Additional relevant factors:

None

Assessment conducted by: ERMI - Nick Gallant, CFEA, LEP **Assessment Date:** January 17, 2007

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Environmental Resources Regulation Division

PART II – Quantification of Assessment Area (impact or mitigation)
(See Sections 62-345.500 and .600, F.A.C.)

Site/Project Name	Application Number	Assessment Area Name or Number
Chosica Ranch	FW06-007	Folio # 30-5815-000-0800 Impact Area
Impact or Mitigation	Assessment conducted by:	Assessment date:
Impact	ERMI - Nick Gallant, CFEA, LEP	January 17, 2007

.500(6)(a) Location and Landscape Support

w/o preservation or current: 6
with: 0

Supporting Details: The surrounding area is significantly developed with residential and agricultural land uses. Development, major roads and roadside ditches cut off the subject property from the surrounding system. The subject property is adjacent (separated by a road) to a similar system that is also cut off from any other wetland system. The subject property itself is not a unique system.

.500(6)(b) Water Environments (n/a for uplands)

w/o preservation or current: 7
with: 0

Supporting Details: The subject property appears to have a reduced hydrology. Algal mats were the only hydrologic indicator observed. Area observations and historical research have indicated that the property was previously comprised of a 643 Wet Prairie system. The site does not appear to be inundated for the typical duration of a 643 system. Ditches, roads, canals and development have significantly cut the property off from the surrounding hydrology.

.500(6)(c) Community structure

w/o preservation or current: 5
with: 0

Supporting Details: There is significant exotic infestation, predominantly in the perimeter areas, in the form of Brazilian Pepper and Elephant Grass. The reduced hydrology appears to be supporting the introduction of upland and exotic vegetation. Area observations and historical research have indicated that the property was previously comprised of a 643 Wet Prairie system lacking in canopy and subcanopy and consisting of but not limited to vegetation such as Saw Grass, Yellow-eyed Grass, Broom Grass, Muhly Grass and White-top Sedge. Exotics such as Elephant Grass and Brazilian Pepper appear to be quite prevalent in the general area.

Score = sum of above scores/30 (if uplands, divide by 20)

w/o preservation or current: .60
with: 0

Delta = [with-current]: 0.60

If preservation as mitigation

Preservation adjustment factor =

Adjusted mitigation delta =

If mitigation

Time lag (t-factor) =

Risk factor =

For impact assessment areas

FL = delta x acres =

0.60 x 0.35 = **0.21**

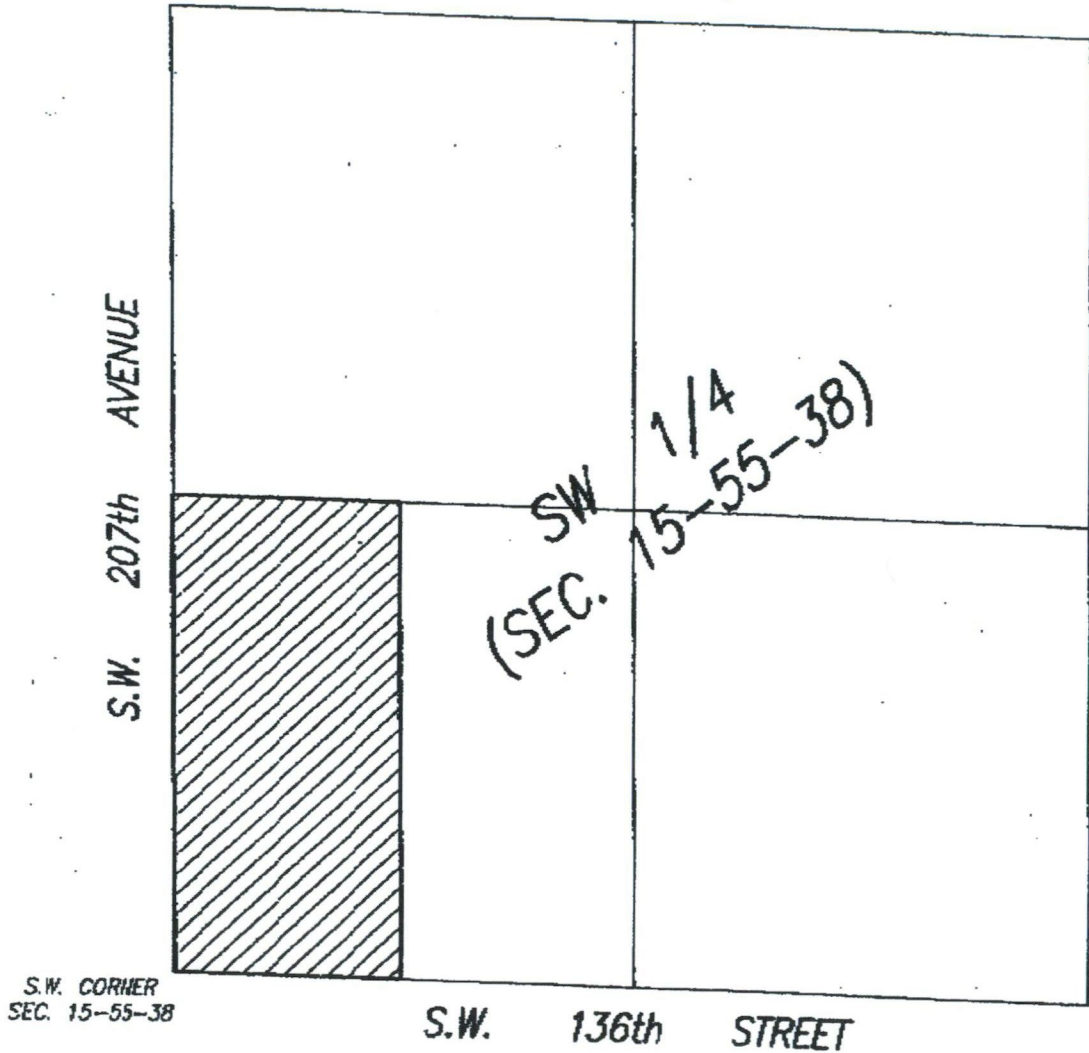
For mitigation assessment areas

RFG = delta/(t-factor x risk) =



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FEB 01 2008

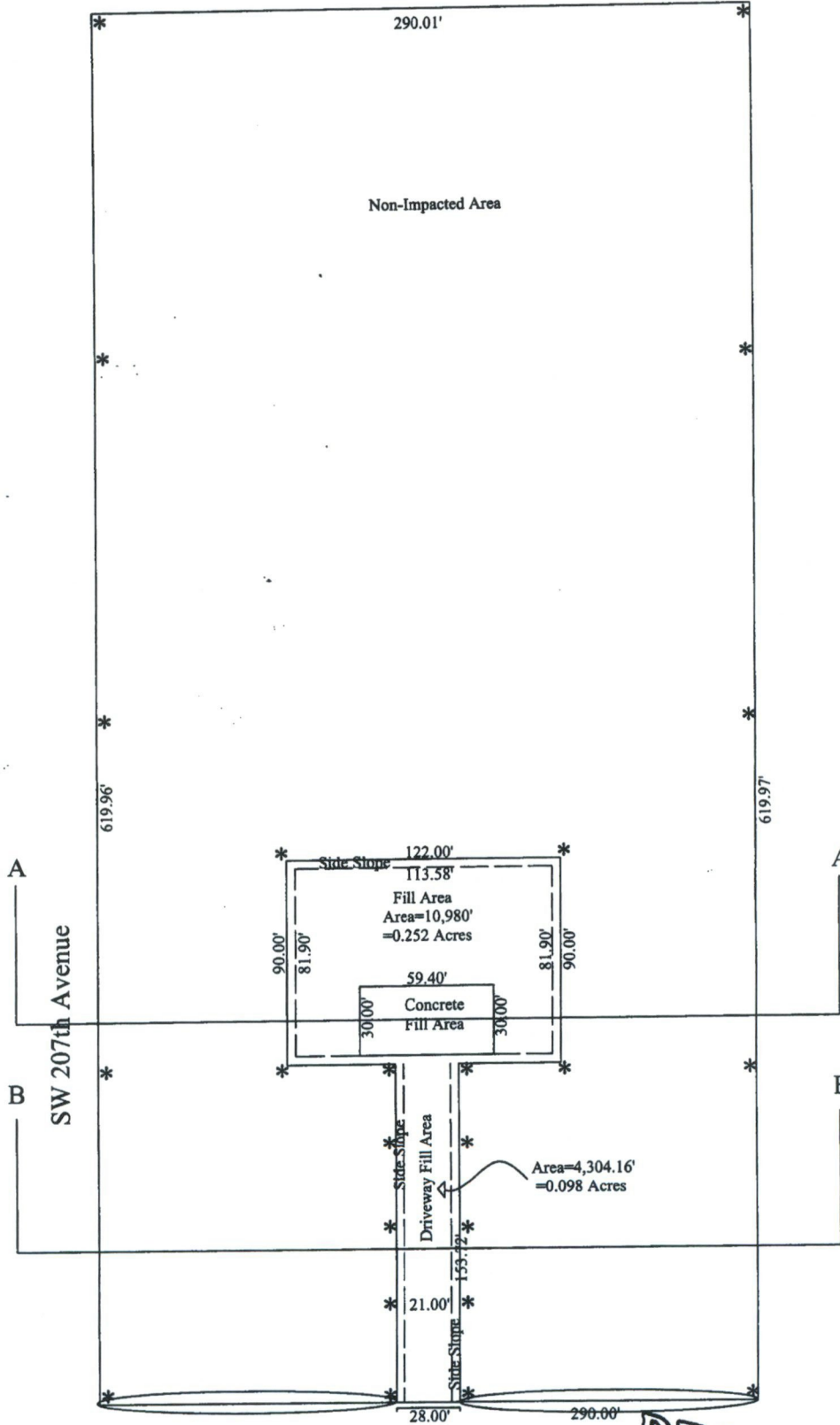
DERM
Environmental Resources Regulation Division



LOCATION SKETCH
N.T.S.



PDF
1-18-08



SW 136th Street

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Hobbs

SITE LOCATION
 Folio #
 30-5815-000-0800
 Miami-Dade County, Florida

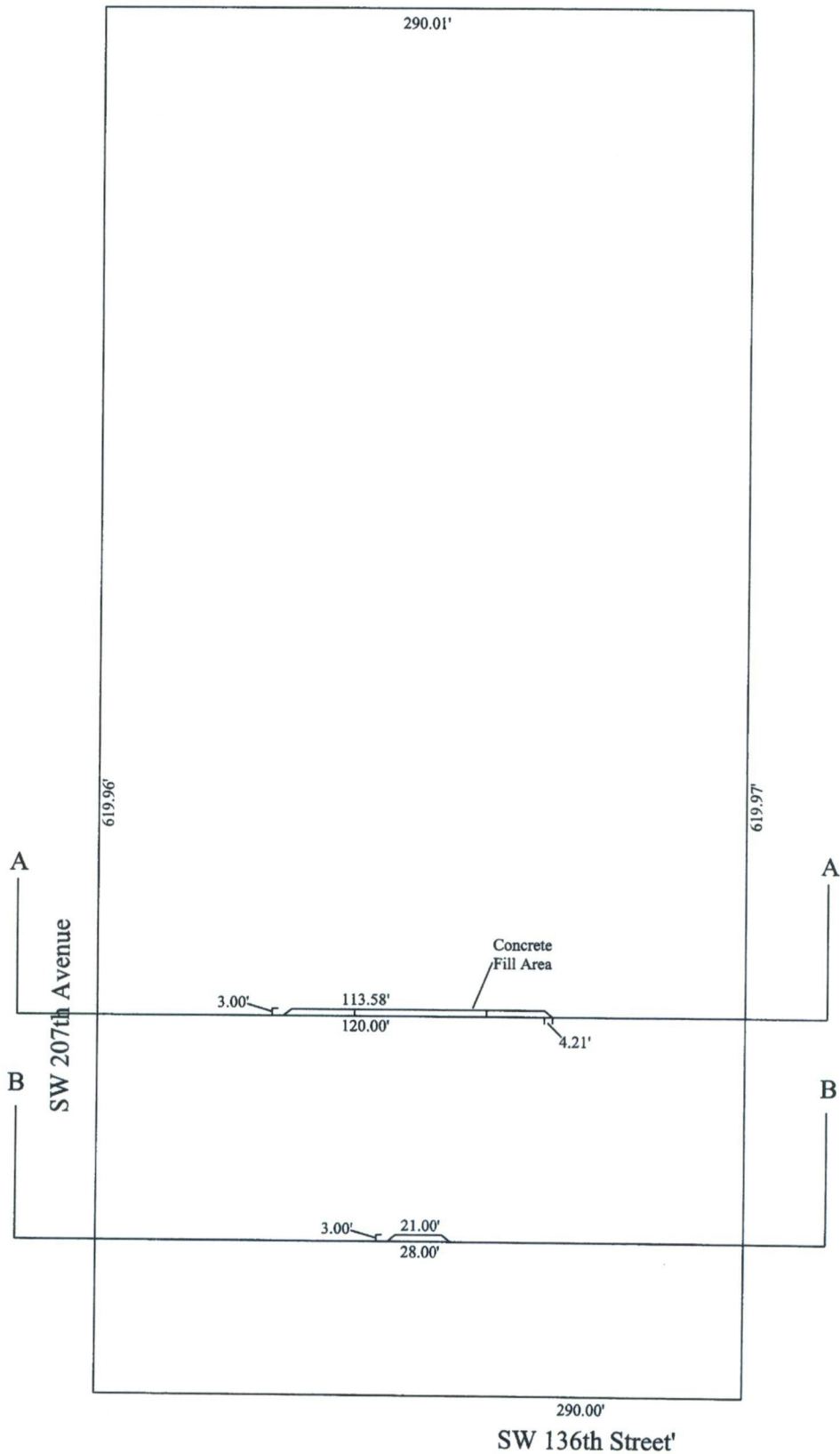
Sitemap:
 Class IV Wetland Permit
 Application FW06-007

APPROXIMATE SCALE
 1" = 50'

Legend:

- * Palms
- * Hedgerow
- Impacted Area = 3.35 Acres
- Non-Impacted Area = 3.77 Acres





<p>SITE LOCATION Folio # 30-5815-000-0800 Miami-Dade County, Florida</p>	<p>Cross-Section Sitemap: Class IV Wetland Permit Application FW06-007</p>	<p>APPROXIMATE SCALE 1" = 50'</p>
--	--	---------------------------------------

 **ENVIRONMENTAL RISK MANAGEMENT, INC.**
Licensed Engineering and Geology Firm • Assessment & Remediation Consultants

Handwritten signature and date:
12/17/07

2008 JAN -9 AM 11:51

MIAMI-DADE
COUNTY ATTORNEY

IN THE CIRCUIT COURT OF THE
11TH JUDICIAL CIRCUIT IN AND
FOR MIAMI-DADE COUNTY, FLORIDA

GENERAL JURISDICTION DIVISION

CASE NO. 07-28328 CA 22

MIAMI-DADE COUNTY, a political
subdivision of the State of Florida, by and
through CARLOS ESPINOSA, as Director of
the Miami-Dade County Department of
Environmental Resources Management,

Plaintiff,

v.

PERUVIAN-AMERICAN CLUB, INC.
and CHOSICA RANCH CORP.

Defendants.

Official Use
FW06-007 Court

AGREED FINAL ORDER

THIS CAUSE came on to be heard and the Court being advised that the Plaintiff and the Defendants are in agreement and being otherwise duly advised in the premises, it is

ORDERED AND ADJUDGED as follows:

1. The Defendants admit the allegations of the Complaint only for the purposes of the entry of this Agreed Final Order.
2. The Defendants shall submit to Plaintiff a complete Class IV permit application for the work that has occurred in jurisdictional wetlands at the subject property (located at SW 136th Street and SW 207th Avenue, Miami-Dade County, Florida and further described as folio no.: 30-5815-000-0800) within ninety (90) days of the date of this Agreed Final Order; shall

obtain all required approvals from federal, state, and local agencies having jurisdiction in this matter and obtain said permit from the Department of Environmental Resources Management no later than one hundred twenty (120) days from the date of this Agreed Final Order. If the Defendants are unable to obtain the required approvals and the Class IV permit application is denied, the Defendants shall within one hundred fifty (150) days from the date of this Agreed Final Order remove all unauthorized fill from the affected area(s) of the subject site and restore the site to natural grade and elevation and allow the site to naturally vegetate with native wetland plant species.

3. The Defendants shall pay to Miami-Dade County the sum of \$943.00 as and for Plaintiff's costs and expenses in this matter. Payment of said sum shall be payable to Miami-Dade County and it shall be delivered to Mark J. Pettit, Code Enforcement Officer II at Miami-Dade County DERM, 701 NW 1st Court, Suite 400, Miami, Florida 33136. Payment by Defendants to Plaintiff of said sum shall be made within thirty (30) days from the date of this Agreed Final Order.

4. The Defendants shall pay to Miami-Dade County the sum of \$5,000.00 as and for civil penalties in this matter. Payment of said sum shall be payable to Miami-Dade County and it shall be delivered to Mark J. Pettit, Code Enforcement Officer II at Miami-Dade County DERM, 701 NW 1st Court, Suite 400, Miami, Florida 33136. Payment by Defendants to Plaintiff of said sum shall be made within ninety (90) days from the date of this Agreed Final Order.

5. In the event payments by Defendants to Plaintiff are not made in accordance with paragraphs 3 & 4 of this Agreed Final Order, Plaintiff shall be entitled to a Final Judgment in the amount of the unpaid sum(s) with interest at the statutory rate upon the filing of an affidavit of

non-payment with this Court and upon entry of said Final Judgment for said unpaid sum(s) and interest execution shall issue forthwith.

6. The Court shall retain jurisdiction to enforce all the provisions of this Agreed Final Order and to grant such other relief as may be deemed necessary and appropriate.

7. All other matters in this case have been amicably settled between Plaintiff and Defendants.

8. The provisions of Paragraph No. 2 herein are hereby granted as and constitute agreed permanent injunctive relief. In the event the Defendants fail to comply with Paragraph No. 2 herein, the Plaintiff may seek enforcement of same by contempt proceedings, civil or criminal, or any other method provided by law or the Florida Rules of Court, against the Defendants, including the award of attorney's fees to Plaintiff.

9. In the event the Defendants fail to comply with any of the provisions of this Settlement Agreement, the Defendants agree to pay to Miami-Dade County the sum of \$500.00 per day, per violation until such time as the terms and provisions of this settlement agreement have been complied with.

DONE AND ORDERED in Chambers at Miami-Dade County, Florida this _____ day of _____, 200_____.

David C. Miller
Circuit Court Judge

JAN 04 2008

CIRCUIT COURT JUDGE

Conformed Copy

Copies furnished to:
Thomas H. Robertson, Assistant County Attorney
Brandon Biondo, Esquire

PAYMENT TRANSMITTAL

TO: ENFORCEMENT SECTION

DATE: 2-1-08

FROM: Mark Pettis

SIGNATURE: [Signature]

DIVISION/SECTION: ERRD

CASE NAME / PERMIT #: Peruvian-American Club, Inc

ADDRESS: _____

UCVN #: _____ (FW06-007)

The following items are being forwarded for processing:

- Check # 1018 Amount \$ 943.00
- Copy of letter / Agreement / Court Order
- Payment Notice Form
- Other (specify) _____

Comments: Admin COSTS - \$ 943.00

Penalty (\$5,000) due in 90 days

Revenues to be deposited into the Biscayne Bay Environmental Enhancement Trust Fund:
(Check applicable restoration projects below)

CHOSICA RANCH CORP.
2307 S.W. 37TH AVE., STE. 500
MIAMI, FL 33145

1018

Date 1/23/08

Pay to the Order of Miami - Dade County \$ 943.00

Nine hundred forty three 00/100 Dollars

U.S. CENTURY BANK
3001 Ponce De Leon Blvd
Coral Gables, Florida 33134
Money Market Account

For Final order case
For 07-28328 CA 22

[Signature]

Received by: _____

Date received: _____

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul style="list-style-type: none"> ■ Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. ■ Print your name and address on the reverse so that we can return the card to you. ■ Attach this card to the back of the mailpiece, or on the front if space permits. 	<p>A. Signature <input checked="" type="checkbox"/> Addressee <i>x Fabiola Cardenas</i> <input type="checkbox"/> Agent</p> <p>B. Received by (Printed Name)</p> <p>C. Date of Delivery <i>1/3/08</i></p>
<p>1. Article Addressed to:</p> <p>Chosica Ranch Corp. c/o: Wilson J. Alayo, President 2307 SW 37th Avenue Miami, Florida 33145 FW06-007 BB</p>	<p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>RECEIVED JAN 07 2008</p> <p>3. Service Type <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p> <p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>
<p>2. Article Number (Transfer from service label)</p>	<p>7002 0860 0001 5293 6203 <i>6th FL</i></p>
<p>PS Form 3811, February 2004</p>	<p>Domestic Return Receipt 102505-02-M-1540</p>

UNITED STATES POSTAL SERVICE
MIAMI FL 331

03 JAN 2008 PM 6 T

First Class Mail
Postage & Fees Paid
USPS
Permit No. 416

• Sender: Please print your name, address, and ZIP+4 in this box •

MIAMI-DADE COUNTY - DERM DE248997
Environmental Resources Regulation Div.
701 NW 1st Court, 6th Floor
Miami, Florida 33136-3902

512



JAN -9 AM 11:51

MIAMI-DADE
COUNTY ATTORNEY

IN THE CIRCUIT COURT OF THE
11TH JUDICIAL CIRCUIT IN AND
FOR MIAMI-DADE COUNTY, FLORIDA

GENERAL JURISDICTION DIVISION

CASE NO. 07-28328 CA 22

MIAMI-DADE COUNTY, a political
subdivision of the State of Florida, by and
through CARLOS ESPINOSA, as Director of
the Miami-Dade County Department of
Environmental Resources Management,

Plaintiff,

v.

PERUVIAN-AMERICAN CLUB, INC.
and CHOSICA RANCH CORP.

Defendants.

Official Use	FW 06-007
Court	
1/4/08	
Agreed Final Order	

AGREED FINAL ORDER

THIS CAUSE came on to be heard and the Court being advised that the Plaintiff and the Defendants are in agreement and being otherwise duly advised in the premises, it is

ORDERED AND ADJUDGED as follows:

1. The Defendants admit the allegations of the Complaint only for the purposes of the entry of this Agreed Final Order.
2. The Defendants shall submit to Plaintiff a complete Class IV permit application for the work that has occurred in jurisdictional wetlands at the subject property (located at SW 136th Street and SW 207th Avenue, Miami-Dade County, Florida and further described as folio no.: 30-5815-000-0800) within ninety (90) days of the date of this Agreed Final Order; shall

CASE NO. 07-28328 CA 22
Page 2

obtain all required approvals from federal, state, and local agencies having jurisdiction in this matter and obtain said permit from the Department of Environmental Resources Management no later than one hundred twenty (120) days from the date of this Agreed Final Order. If the Defendants are unable to obtain the required approvals and the Class IV permit application is denied, the Defendants shall within one hundred fifty (150) days from the date of this Agreed Final Order remove all unauthorized fill from the affected area(s) of the subject site and restore the site to natural grade and elevation and allow the site to naturally vegetate with native wetland plant species.

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non-payment with this Court and upon entry of said Final Judgment for said unpaid sum(s) and interest execution shall issue forthwith.

6. The Court shall retain jurisdiction to enforce all the provisions of this Agreed Final Order and to grant such other relief as may be deemed necessary and appropriate.

7. All other matters in this case have been amicably settled between Plaintiff and Defendants.

8. The provisions of Paragraph No. 2 herein are hereby granted as and constitute agreed permanent injunctive relief. In the event the Defendants fail to comply with Paragraph No. 2 herein, the Plaintiff may seek enforcement of same by contempt proceedings, civil or criminal, or any other method provided by law or the Florida Rules of Court, against the Defendants, including the award of attorney's fees to Plaintiff.

9. In the event the Defendants fail to comply with any of the provisions of this Settlement Agreement, the Defendants agree to pay to Miami-Dade County the sum of \$500.00 per day, per violation until such time as the terms and provisions of this settlement agreement have been complied with.

DONE AND ORDERED in Chambers at Miami-Dade County, Florida this _____ day of _____, 200_____.

David C. Miller
Circuit Court Judge

JAN 04 2008

CIRCUIT COURT JUDGE

Conformed Copy

Copies furnished to:
Thomas H. Robertson, Assistant County Attorney
Brandon Biondo, Esquire

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DEC 28 2007

DERM
Environmental Resources Regulation Division

December 27, 2007

DERM Main Building
701 NW 1 Court, 6th Floor
Miami, Florida 33136

Attn: Brandon Blue, Biologist II
Wetland Resources Section

Re: Miami-Dade County Class IV Permit Application FW 06-007 for the wetland property located at, near or in the vicinity of SW 136th Street and SW 207th Avenue, Section 05, Township 55 South, Range 38 East, Miami-Dade County, Florida (folio number 30-5815-000-0800).

Dear Mr. Blue:

I, Wilson J. Alayo, a representative of Chosica Ranch Corp. would like to request that the Class IV Wetland Permit Application FW06-007 for the property located at, near, or in the vicinity of SW 136th Street and SW 207th Avenue, Section 05, Township 55 South, Range 38 East, Miami-Dade County, Florida (Folio #30-5805-000-0800) remain "Active".

If you have any questions concerning this matter please contact me at (305) 445-9001.

Sincerely,

CHOSICA RANCH CORP.


Wilson Alayo
President

Mr. Wilson Alayo / President
Chosica Ranch Corp
2307 Douglas Rd Suite No. 500
Miami, Fl 33145

RECEIVED
DEC 28 2007

DERM
Environmental Resources Regulation Division

7004 2890 0000 8036 6991

PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT
OF THE RETURN ADDRESS, FOLD AT DOTTED LINE

CERTIFIED MAIL™



7004 2890 0000 8036 6991

DERM Mian Building
701 NW 1 Court, 6th Floor
Miami, Florida 33136
Attn: Brandon Blue, Biologist II
Wetland Resources Section



0000



33136

U.S. POSTAGE
PAID
MIAMI, FL
33134
DEC 27, 07
AMOUNT

\$3.06
00099816-07

33136+3912





Carlos Alvarez, Mayor

Department of Environmental Resources Management

Environmental Resources Regulation Division
701 NW 1st Court, Ste-400
Miami, Florida 33136-3912
T 305-372-6567 F 305-372-6208

miamidade.gov

ADA Coordination
Agenda Coordination
Art in Public Places

December 27, 2007

Audit and Management Services
Aviation
Building Code Compliance
Building
Business Development
Capital Improvements

Chosica Ranch Corp.
c/o: Wilson J. Alayo, President
2307 SW 37 Avenue
Miami, Florida 33145

Certified Mail No. 70020860000152936203
Return Receipt Requested

Citizen's Independent Transportation Trust
Communications
Community Action Agency
Community & Economic Development
Community Relations
Consumer Services
Corrections & Rehabilitation
Countywide Healthcare Planning
Cultural Affairs

Re: Updated Request for Additional Information (RAI) for Class IV Wetland Permit Application FW 06-007 by Chosica Ranch Corporation for the property located at, near, or in the vicinity of S.W. 136th Street and S.W. 207th Avenue, Section 15, Township 55 South, Range 38 East, Miami-Dade County, Florida (Folio number 30-5815-000-0800).

Dear Mr. Alayo,

Elections
Emergency Management
Employee Relations
Enterprise Technology Services
Environmental Resources Management
Fair Employment Practices
Finance
Fire Rescue
General Services Administration
Historic Preservation
Homeless Trust
Housing Agency
Housing Finance Authority
Human Services
Independent Review Panel
International Trade Consortium
Juvenile Assessment Center
Medical Examiner
Metropolitan Planning Organization
Park and Recreation
Planning and Zoning
Police
Procurement Management
Property Appraiser
Public Library System
Public Works
Safe Neighborhood Parks
Seaport
Solid Waste Management
Strategic Business Management
Team Metro
Transit
Urban Revitalization Task Force
Vizcaya Museum and Gardens
Water and Sewer

This Department has reviewed the signed and sealed site plans dated December 17, 2007 and submitted by Environmental Risk Management, Inc. on December 24, 2007 on behalf of Chosica Ranch Corp. for the after-the-fact filling and associated impacts of freshwater wetlands located at the above referenced site. Our application review has indicated that items are still needed for the technical completion of this application. Please be advised that due to the complexity of the issues surrounding this project, this Department may require additional information prior to the issuance of the Class IV Wetland Permit. Please be advised of the following:

- 1. Page 1, Item 4 of the Class IV Wetland Permit Application identifies the 'Proposed Use' as a "fill pad to build shelter." Therefore, Section staff will require a detailed explanation regarding aforesaid "shelter." In addition, Page 2, Item 5(C)(3) of the subject Application identifies "palms and hedges" as the 'Type of agriculture to be conducted.' However, Page 2, Item 5(C)(1) of said Application does not identify the 'Total wetland area to be cleared and/or plowed.' Therefore, please revise the aforesaid portions accordingly and submit the up-dated pages.
2. An Engineer Letter of Certification statement typed verbatim per the Class IV Wetland Permit Application Package with an original signature and seal by a professional engineer registered in the State of Florida. Please include in the subject heading a detailed description and location of the proposed work, acreage of wetland impacts and the Section's file number (i.e. Re: Class IV Short Form Permit Application Number FW 06-007 by Chosica Ranch Corporation for after-the-fact approval to impact 30-acres of freshwater wetlands located at, near, or in the vicinity of S.W. 136th Street and S.W. 207th Avenue, Section 15, Township 55 South, Range 38 East, Miami-Dade County, Florida; Folio No. 30-5815-000-0800). Be advised, at this time, the proposed work is a short form project in which DERM, through administrative authority, can review and approve without a public hearing. Therefore, this Department will require the letter that was submitted on December 14, 2007 to be revised accordingly.

Dear Mr. Alayo, Excellence & Integrity

3. Three (3) sets of signed and sealed site plans dated December 17, 2007 and submitted on December 24, 2007 are not acceptable and shall be revised as follows:
 - a. Please be aware, the subject property is located in the East Everglades Area of Critical Concern as designated by Chapter 33B of the Code of Miami-Dade County, Florida. Subsequently, the maximum area that can be permitted for filling within the specified area is ½-acre per parcel. Therefore, identify the type and location of all work that is proposed for after-the-fact authorization (i.e. Are the row and furrows located on the north portion of the subject property to be removed or are they to remain?),
 - b. The acreage of the filled areas to remain,
 - c. The acreage of the areas surrounding the "Driveway Fill Area" and "Concrete Fill Area" to be restored to natural grade elevation,
 - d. Property boundaries delineated with location in relationship to the section corners, and,
 - e. Applicable cross-sections with associated elevation data (i.e. Areas of the property to remain at natural grade elevation following the completion of restoration activities.).

Based on the above, three (3) sets of revised signed and sealed site plans will be required. Said plans prepared by a surveyor, architect, or engineer registered in the State of Florida shall show the extent of existing after-the-fact work, as well as proposed work, with all applicable revisions described above.

In addition, said plans must include the existing and proposed elevations and all information necessary to allow for a preliminary review for required water quality, flood protection and relevant fill encroachment criteria required by Miami-Dade County Code. Additional flood routing and drainage calculations may also be required to demonstrate compliance with the above criteria. Specific questions regarding these requirements should be directed to the Water Control Section at 305-372-6681.

Be advised, approval must be obtained from the Water Control Section for a stormwater retention plan designed by a registered engineer in accordance with the fill encroachment criteria for the relevant wetland basin.

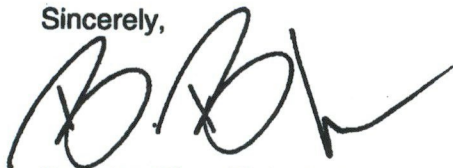
4. Zoning review fee of \$123.12 (Please submit a separate check for this fee made payable to Miami-Dade County) following submittal of signed and sealed site plans referenced above.
5. Submittal of an approvable mitigation plan to appropriately offset the after-the-fact and proposed wetland impacts on the subject property.

Once all the indicated items have been submitted, this office will continue processing this permit application. If your permit is approved, a permit fee and proof of mitigation will be required prior to actual permit issuance. Please be advised that this enforcement case has been referred to the Enforcement Officer and the County Attorney's Office.

Be advised, it is the responsibility of the applicant to contact the U.S. Army Corps of Engineers, the Florida Department of Environmental Protection, and the South Florida Water Management District to inquire if additional permits and mitigation is required for this project. Also be advised that receipt of this RAI does not authorize the applicant to do any work on the subject property. As defined by the County Code, work means any site alteration, including clearing, tree removal, dredging or filling. Any work performed on the subject property prior to receiving an executed permit will require at a minimum, in civil penalties and the payment of all departmental costs incurred in the investigation and settlement of this case. This requirement will apply even if authorization to proceed from the US Army Corps of Engineers, the Florida Department of Environmental Protection, or the South Florida Water Management District has been granted.

If you have any questions, please call me at 305-372-6566.

Sincerely,

A handwritten signature in black ink, appearing to be 'B. Blue', with a stylized flourish at the end.

Brandon Blue, Biologist II
Wetland Resources Section

cc: Environmental Risk Management, Inc., Prakash S. Lodha, P.E.
Environmental Risk Management, Inc., Nick Gallant

E006-007

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DEC 24 2007



ENVIRONMENTAL RISK MANAGEMENT, INC.

Licensed Engineering and Geology Firm • Assessment & Remediation Consultants

DERM
Environmental Remediation Division

Transmittal Cover

Date	12/19/2007
Attn	Brandon Blue
FAX	
Phone	305-372-6789
Company/Dept	Miami-Dade County Department of Environmental Resources Management
Address	701 NW 1st Court Miami, Florida 33136
From	Nick Gallant
ERMI File #	E1774A

Delivery Method: First Class Mail

Copies	Date	Document Type
6	12/2007	Cross Section Site Maps - Chosica Ranch

Message:

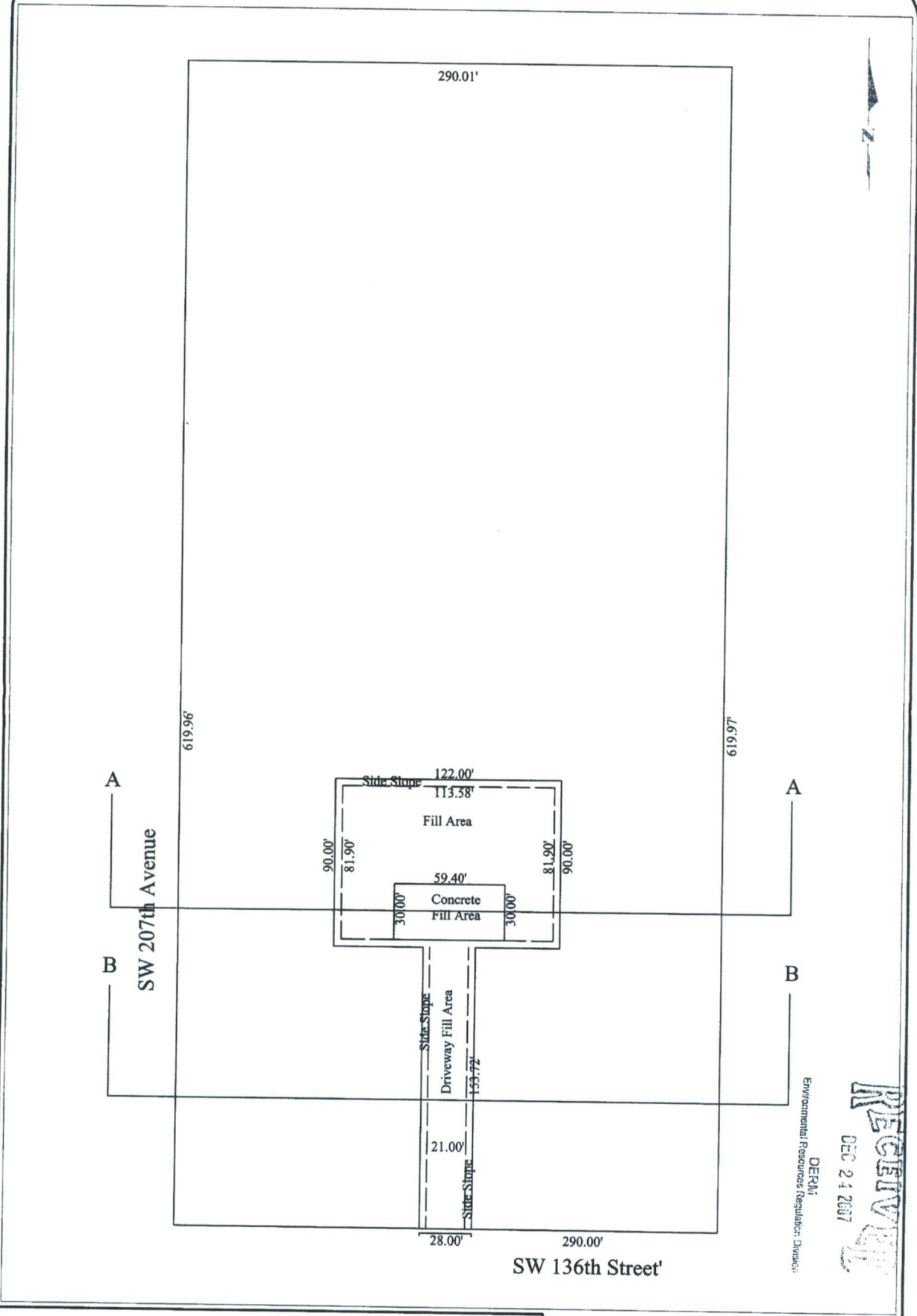
Mr. Blue:

Enclosed please find 6 Sealed Cross Section Site Maps for Chosica Ranch. Should you have any questions, please feel free to call me at 1-888-ENV-MGMT (1-888-368-6468) or locally at 239-415-6406.

Thank you,

Nick Gallant

Headquarters • 15248 Tamiami Trail South #800 • Fort Myers, Florida 33908
1-888-ENV-MGMT (1-888-368-6468) • Fax 1-888-368-6329 • www.ermi.net



DEPM
 Environmental Resources Regulation Division
 DEC 24 2007

RECEIVED

<p>SITE LOCATION Folio # 30-5815-000-0800 Miami-Dade County, Florida</p>	<p>Sitemap: Class IV Wetland Permit Application FW06-007</p>	<p>APPROXIMATE SCALE 1" = 50'</p>
<p>ENVIRONMENTAL RISK MANAGEMENT, INC. Licensed Engineering and Geology Firm - Assessment & Remediation Consultants</p>		

Handwritten signature and date:
 12/17/07

RECEIVED

DEC 24 2007

DERM

Environmental Resource Regulatory Division

290.01'

619.96'

619.97'

A

A

SW 207th Avenue

Concrete Fill Area

3.00'

113.58'

120.00'

4.21'

B

B

3.00'

21.00'

28.00'

290.00'

SW 136th Street'

SITE LOCATION
Folio #
30-5815-000-0800
Miami-Dade County, Florida

Cross-Section Sitemap:
Class IV Wetland Permit
Application FW06-007

APPROXIMATE SCALE
1" = 50'



ENVIRONMENTAL RISK MANAGEMENT, INC.
Licensed Engineering and Geology Firm • Assessment & Remediation Consultants

*Patricia
12/17/07*

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to

Wilson J. Alayo
 Chosica Ranch Corp.
 2307 SW 37th Avenue, Suite 500
 Miami, Florida 33145
 FW06-007 BB

A. Signature

x *Fabiola Cuadra*

- Agent
- Addressee

B. Received by (Printed Name)

C. Date of Delivery

12/24/07

D. Is delivery restricted? Yes No
 If Restricted Delivery is desired, show restricted address below

RECEIVED
 DEC 24 2007

3. Service Type **DERM**

- Registered Mail Return Receipt for Merchandise
- Registered Mail Express Mail
- Insured Mail C.O.D.

4. Restricted Delivery? (Extra Fee)

- Yes

2. Article Number

(Transfer from service label)

7007 2560 0001 2759 7820

6th Fl.

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY	
<ul style="list-style-type: none"> Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. 	<p>A. Signature</p> <p><i>x Fabiola Cuadra</i> <input type="checkbox"/> Agent <input type="checkbox"/> Addressee</p>	
<p>1. Article Addressed to:</p> <p>Chosica Ranch Corp. C/O: Wilson J. Alayo, President 2307 SW 37th Avenue Miami, Florida 33145 FW06-007 BB</p>	<p>B. Received by (Printed Name)</p>	<p>C. Date of Delivery</p> <p><i>12/20/07</i></p>
<p>2. Article Number (Transfer from service label)</p>	<p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>YES, enter delivery address below:</p> <p>RECEIVED</p> <p>DEC 24 2007</p> <p>DERM</p>	
<p>PS Form 3811, February 2004</p>	<p>3. Service type</p> <p>Environmental Resources Regulation Division</p> <p><input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p> <p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>	
<p>Domestic Return Receipt</p>	<p>7002 0860 0001 5293 1703 <i>6th FL</i></p> <p>102585-02-M-1540</p>	

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• Sender. Please print your name, address, and ZIP+4 in this box •

MIAMI-DADE COUNTY – DERM DE248997
Environmental Resources Regulation Div.
701 NW 1st Court, 6th Floor
Miami, Florida 33136-3902

312





Carlos Alvarez, Mayor

Department of Environmental Resources Management

Environmental Resources Regulation Division

701 NW 1st Court, Ste-400

Miami, Florida 33136-3912

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Cultural Affairs

Elections

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General Services Administration

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Homeless Trust

Housing Agency

Housing Finance Authority

Human Services

Independent Review Panel

International Trade Consortium

Juvenile Assessment Center

Medical Examiner

Metropolitan Planning Organization

Park and Recreation

Planning and Zoning

Police

Procurement Management

Property Appraiser

Public Library System

Public Works

Safe Neighborhood Parks

Seaport

Solid Waste Management

Strategic Business Management

Team Metro

Transit

Urban Revitalization Task Force

Vizcaya Museum and Gardens

Water and Sewer

December 18, 2007

Chosica Ranch Corp.
c/o: Wilson J. Alayo, President
2307 SW 37 Avenue
Miami, Florida 33145

Certified Mail No. 70020860000152931703
Return Receipt Requested

Re: Updated Request for Additional Information (RAI) for Class IV Wetland Permit Application FW 06-007 by Chosica Ranch Corporation for the property located at, near, or in the vicinity of S.W. 136th Street and S.W. 207th Avenue, Section 15, Township 55 South, Range 38 East, Miami-Dade County, Florida (Folio number 30-5815-000-0800).

Dear Mr. Alayo,

This Department has reviewed the item submitted by Environmental Risk Management, Inc. on December 14, 2007 on behalf of Chosica Ranch Corp. for the after-the-fact filling and associated impacts of freshwater wetlands located at the above referenced site. Our application review has indicated that items are still needed for the technical completion of this application. Please be advised that due to the complexity of the issues surrounding this project, this Department may require additional information prior to the issuance of the Class IV Wetland Permit. Please be advised of the following:

- 1. Page 2, Item 5(C)(3) of the Class IV Wetland Permit Application identifies "palms and hedges" as the 'Type of agriculture to be conducted.' However, Page 2, Item 5(C)(1) of said Application does not identify the 'Total wetland area to be cleared and/or plowed.' Therefore, please revise the aforesaid portions accordingly and submit the up-dated page.
2. An Engineer Letter of Certification statement verbatim per the Class IV Wetland Permit Application Package with an original signature and seal by a professional engineer registered in the State of Florida. Please include in the subject heading a detailed description and location of the proposed work, acreage of wetland impacts and the Section's file number. Be advised, at this time, the proposed work is a short form project in which DERM through administrative authority can review and approve without a public hearing. Therefore, this Department will require the letter that was submitted on December 14, 2007 to be revised accordingly (copy and example attached).

Delivering Envelope...

3. Three (3) sets of signed and sealed site plans will be required. Said plans prepared by a surveyor, architect, or engineer registered in the State of Florida shall show the extent of existing after-the-fact work as well as proposed work. In addition, said plans must include the existing and proposed elevations and all information necessary to allow for a preliminary review for required water quality, flood protection and relevant fill encroachment criteria required by Miami-Dade County Code. Additional flood routing and drainage calculations may also be required to demonstrate compliance with the above criteria. Specific questions regarding these requirements should be directed to the Water Control Section at 305-372-6681.

Be advised, approval must be obtained from the Water Control Section for a stormwater retention plan designed by a registered engineer in accordance with the fill encroachment criteria for the relevant wetland basin.

4. Zoning review fee of \$123.12 (Please submit a separate check for this fee made payable to Miami-Dade County) following submittal of signed and sealed site plans referenced above.
5. Submittal of an approvable mitigation plan to appropriately offset the after-the-fact and proposed wetland impacts on the subject property.

Once all the indicated items have been submitted, this office will continue processing this permit application. If your permit is approved, a permit fee and proof of mitigation will be required prior to actual permit issuance. Please be advised that this enforcement case has been referred to the Enforcement Officer and the County Attorney's Office.

Be advised, it is the responsibility of the applicant to contact the U.S. Army Corps of Engineers, the Florida Department of Environmental Protection, and the South Florida Water Management District to inquire if additional permits and mitigation is required for this project.

Also be advised that receipt of this RAI does not authorize the applicant to do any work on the subject property. As defined by the County Code, work means any site alteration, including clearing, tree removal, dredging or filling. Any work performed on the subject property prior to receiving an executed permit will require at a minimum, in civil penalties and the payment of all departmental costs incurred in the investigation and settlement of this case. This requirement will apply even if authorization to proceed from the US Army Corps of Engineers, the Florida Department of Environmental Protection, or the South Florida Water Management District has been granted.

If you have any questions, please call me at 305-372-6566.

Sincerely,



Brandon Blue, Biologist II
Wetland Resources Section

cc: Environmental Risk Management, Inc., Prakash S. Lodha, P.E.
Environmental Risk Management, Inc., Nick Gallant



ENVIRONMENTAL RISK MANAGEMENT, INC.

Licensed Engineering and Geology Firm • Assessment & Remediation Consultants

RECEIVED
DEC 14 2007

ENGINEER LETTER OF CERTIFICATION DERM Environmental Resources Regulation Division

Northeast corner of SW 136 Street and SW 207 Avenue S 15, T 55 S, R 38 E

Miami-Dade County
Dollo #30-5815-000-0800
ERMI File No. E1774A

December 7, 2007

DERM Main Building
701 N. W. 1st Court, 6th Floor
Miami, FL 33138

PROPOSED PROJECT IS SUBJECT FORM PROJECT REVIEW EXAMPLE PROVIDED.

PLACE INFORMATION PROVIDED IN SUBJECT HEADING REVIEW EXAMPLE PROVIDED.

RE: Class IV Short/Standard Form Permit Application Number FW06-007, Wetlands Fill Project

This letter will certify that I am an engineer registered in the State of Florida, qualified by education and experience in the area of construction, and that to the best of my knowledge and belief, the proposed work does not violate any laws of the State of Florida or any provision of the Code of Miami Dade County which may be applicable, that diligence and recognized standard practices of the engineering profession have been exercised in the engineer's design process for the proposed work, and in my opinion based upon my knowledge and belief, the following will not occur:

- 1. Harmful obstruction or undesirable alteration of the natural flow of the water within the area of the proposed work.
- 2. Harmful or increased erosion, shoaling of channels or stagnant areas of water.
- 3. Material injury to adjacent property.
- 4. Adverse environmental impacts from changes in water quality or quantity. *(NOT APPLICABLE TO CLASS IV PERMITS ONLY)*

Further, I have been retained by the applicant to provide inspections throughout the construction period and shall prepare a set of reproducible record prints of drawings showing changes made during the construction process based upon the marked-up prints, drawings, and other data furnished by the contractor to me.

Sincerely,
ENVIRONMENTAL RISK MANAGEMENT, INC.

Prakash S. Lodha
Prakash S. Lodha, PE
Licensed Professional Engineer
State of Florida, License Number 43510

PLEASE REVISE VERBATIM AS SHOWN ON EXAMPLE PROVIDED.

PLEASE PLACE IN SAID LETTER VERBATIM REVIEW EXAMPLE PROVIDED.

ENGINEER LETTER OF CERTIFICATION

Note: Please insert applicable information

Miami-Dade County DERM
Wetland Resources Section
701 N.W. 1st Court, 6th Floor
Miami, Florida 33136

RE: Class IV Short Form Permit Application Number FW06-007
by CHUSICA CANCA CORPORATION TO IMPACT FRESHWATER
WETLANDS ON THE PROPERTY LOCATED AT THE N.E.
CORNER OF SW 136 STREET AND SW 207 AVENUE S15, T55 S,
Ladies and Gentlemen: E 38 E, MIAMI-DADE COUNTY, FLORIDA
(Folio No. 80-5815-000-6800)

This letter will certify that I am an engineer registered/licensed in the State of Florida, qualified by education and experience in the area of construction, and that to the best of my knowledge and belief, the proposed work does not violate any laws of the State of Florida or any provision of the Code of Miami Dade County which may be applicable, that diligence and recognized standard practices of the engineering profession have been exercised in the engineer's design process for the proposed work, and in my opinion based upon my knowledge and belief, the following will not occur:

- a. Harmful obstruction or undesirable alteration of the natural flow of the water within the area of the proposed work.
- b. Harmful or increased erosion, shoaling of channels or stagnant areas of water. (Not applicable to class IV permits)
- c. Material injury to adjacent property.
- d. Adverse environmental impacts from changes in water quality or quantity. (Applicable to class IV permits only)

Further, I have been retained by the applicant to provide inspections throughout the construction period and prepare a set of reproducible record prints of drawings showing changes made during the construction process based upon the marked-up prints, drawings, and other data furnished by the contractor to me.

Sincerely,

[SIGNATURE] [Print Name, P.E.] [P.E. #]



ENVIRONMENTAL RISK MANAGEMENT, INC.

Licensed Engineering and Geology Firm • Assessment & Remediation Consultants

ENGINEER LETTER OF CERTIFICATION

Northeast corner of SW 136 Street and SW 207 Avenue S 15, T 55 S, R 38 E

Miami-Dade County
Folio #30-5815-000-0800
ERMI File No. E1774A

RECEIVED
DEC 14 2007

December 7, 2007

DERM Main Building
701 N. W. 1st Court, 6th Floor
Miami, FL 33136

DERM
Environmental Resources Regulation Division

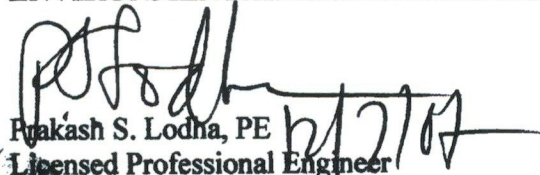
**RE: Class IV Short/Standard Form Permit Application Number FW06-007,
Wetlands Fill Project**

This letter will certify that I am an engineer registered in the State of Florida, qualified by education and experience in the area of construction, and that to the best of my knowledge and belief, the proposed work does not violate any laws of the State of Florida or any provision of the Code of Miami Dade County which may be applicable, that diligence and recognized standard practices of the engineering profession have been exercised in the engineer's design process for the proposed work, and in my opinion based upon my knowledge and belief, the following will not occur:

- Harmful obstruction or undesirable alteration of the natural flow of the water within the area of the proposed work.
- Harmful or increased erosion, shoaling of channels or stagnant areas of water.
- Material injury to adjacent property.
- Adverse environmental impacts from changes in water quality or quantity.

Further, I have been retained by the applicant to provide inspections throughout the construction period and shall prepare a set of reproducible record prints of drawings showing changes made during the construction process based upon the marked-up prints, drawings, and other data furnished by the contractor to me.

Sincerely,
ENVIRONMENTAL RISK MANAGEMENT, INC.


Prakash S. Lodha, PE
Licensed Professional Engineer
State of Florida, License Number 43510

Headquarters • 15248 Tamiami Trail South #800 • Fort Myers, Florida 33908
1-888-ENV-MGMT (1-888-368-6468) • Fax 1-888-368-6329 • www.ermi.net



Carlos Alvarez, Mayor

Department of Environmental Resources Management
Environmental Resources Regulation Division
701 NW 1st Court, Ste-400
Miami, Florida 33136-3912
T 305-372-6567 F 305-372-6208

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Enterprise Technology Services
Environmental Resources Management
Fair Employment Practices
Finance
Fire Rescue
General Services Administration
Historic Preservation
Homeless Trust
Housing Agency
Housing Finance Authority
Human Services
Independent Review Panel
International Trade Consortium
Juvenile Assessment Center
Medical Examiner
Metropolitan Planning Organization
Park and Recreation
Planning and Zoning
Police
Procurement Management
Property Appraiser
Public Library System
Public Works
Safe Neighborhood Parks
Seaport
Solid Waste Management
Strategic Business Management
Team Metro
Transit
Urban Revitalization Task Force
Vizcaya Museum and Gardens
Water and Sewer

December 13, 2007

CERTIFIED MAIL NO. 7007 2560 0001 2759 7820
RETURN RECEIPT REQUESTED

Wilson J. Alayo
Chosica Ranch Corp.
2307 SW 37th Avenue, Suite 500
Miami, Florida 33145

Re: Miami-Dade County Class IV Permit Application FW 06-007 for the wetland property located at, near or in the vicinity of SW 136th Street and SW 207th Avenue, Section 05, Township 55 South, Range 38 East, Miami-Dade County, Florida (folio number 30-5815-000-0800).

Dear Mr. Alayo:

Pursuant to Section 24-48.3(9) of the Code of Miami-Dade County, you are hereby notified that the above referenced permit application is incomplete and will therefore become deactivated within ninety (90) days of receipt of this letter (Copy of the application enclosed). If you request in writing and by certified mail within 90 days that the application remain active, the application shall remain active for 120 days beyond the original deactivation date.

If you have any questions regarding this matter, please contact me at (305) 372-6566.

Sincerely,

[Handwritten signature]

Brandon Blue, Biologist II
Wetland Resources Section

Handwritten note: Delivery 5/17/08 10:51 AM

From: Blue, Brandon (DERM)
Sent: Thursday, August 23, 2007 9:01 AM
To: 'NGallant@ermi.net'
Subject: RE: Chosica Ranch - FW07-007 (Folio#30-5815-000-0800)

Hello Brandon,

Thanks for getting back to me. Sorry I missed your call. I was wondering if you could send me an email reply stating all the required items that are missing for permitting. I will go ahead and start working on getting the information over to you. Also, could you please send me the contact information over at the county legal office.

Thanks,

Nick Gallant
ngallant@ermi.net
Environmental Risk Management, Inc.
15248 Tamiami Trail South, #800
Fort Myers, FL 33908
Local (239) 415-6406
Toll Free (888) ENV-MGMT
www.ermi.net
Mr. Gallant,

As a follow-up to your recent inquiry to the status of the above referenced subject file, the associated property owner♦s are required by this Department to either:

1. Restore the subject property to natural wetland elevation by removing all unpermitted fill material and associated structures; or,
1. Obtain an After-the-Fact Class IV Wetland Permit for all impacts that have occurred on said property as a result of the aforementioned fill and structures.

Please be advised, if the property owners decision is to obtain the After-the-Fact Class IV Permit approval, the following items would be required for submittal:

1. Three (3) copies of signed and sealed site plans prepared by a registered surveyor, architect, or engineer registered in the State of Florida showing the extent of the proposed or completed work with acreages, the location in relationship to the section corners, and cross-sections;
1. The required Department of Planning & Zoning review fee of \$123.12 with the aforementioned site plans (make check payable to Miami-Dade County);
1. The review and approval by the DERM Water Control Section for conformance with fill encroachment criteria (contact Manny Tobon at 305-372-6769);
1. The Professional Engineer Certification Statement verbatim per the Class IV Wetland Permit Application package with an original signature; and
1. A mitigation proposal that appropriately compensates for the impacts for the unavoidable adverse impacts to the jurisdictional wetlands in the East Everglades Wetland Basin.

This Department may require additional information or items during the application process. Be further advised, that receipt of this electronic message does not authorize any additional work on the subject

property. As defined by the County Code, work means any site alteration, including clearing, tree removal, dredging or filling. Any additional work performed on the subject property prior to receiving an executed permit will require at a minimum, civil penalties and the payment of all departmental costs incurred in the investigation and settlement of this case. This requirement will apply even if authorization to proceed from the US Army Corps of Engineers, the Florida Department of Environmental Protection, or the South Florida Water Management District has been granted.

Finally, this matter has been referred to the Miami-Dade County Attorney's Office for further enforcement action. If you have questions and/or concerns regarding further enforcement please contact Mark Pettit, Code Enforcement Officer II, at 305-372-6919 and/or Tom Robertson, Assistant County Attorney, at 305-375-5151. However, any questions in regards to permitting should be directed to me.

Sincerely,

Brandon Blue
Biologist II
Miami-Dade County
Environmental Resources Management
Environmental Resources Regulation Division
Wetland Resources Section
701 NW 1st Court, 6th Floor
Miami, Florida 33136-3902
Phone: 305-372-6566
Fax: 305-372-6479
BlueB@miamidade.gov
"Delivering Excellence Every Day"

-----Original Message-----

From: NGallant@ermi.net [mailto:NGallant@ermi.net]
Sent: Wednesday, August 22, 2007 9:01 AM
To: Blue, Brandon (DERM)
Subject: Chosica Ranch

CONFIDENTIALITY/PRIVILEGE NOTICE: This e-mail transmission, and any documents, files or previous e-mail messages attached to it, may contain confidential information which is legally privileged. If you are not the named addressee or the person responsible for delivering the message to the named addressee, please contact us at 1-888-368-6468 immediately. Thank you.

IN THE CIRCUIT COURT OF THE
11TH JUDICIAL CIRCUIT IN AND
FOR MIAMI-DADE COUNTY, FLORIDA

GENERAL JURISDICTION DIVISION

CASE NO. 07-28328 CA 22

Florida Bar No.

MIAMI-DADE COUNTY, a political
subdivision of the State of Florida, by and
through CARLOS ESPINOSA, as Director of
the Miami-Dade County Department of
Environmental Resources Management,

Plaintiff,

DRAFT

AGREED FINAL ORDER

v.

PERUVIAN-AMERICAN CLUB, INC.
and CHOSICA RANCH CORP.

Defendants.
_____ /

THIS CAUSE came on to be heard and the Court being advised that the Plaintiff and the Defendants are in agreement and being otherwise duly advised in the premises, it is

ORDERED AND ADJUDGED as follows:

1. The Defendants admit the allegations of the Complaint only for the purposes of the entry of this Agreed Final Order.

2. The Defendants shall submit to Plaintiff a complete Class IV permit application for the work that has occurred in jurisdictional wetlands at the subject property (located at SW 136th Street and SW 207th Avenue, Miami-Dade County, Florida and further described as folio no.: 30-5815-000-0800) within sixty (60) days of the date of this Agreed Final Order; shall

obtain all required approvals from federal, state, and local agencies having jurisdiction in this matter and obtain said permit from the Department of Environmental Resources Management no later than ninety (90) days from the date of this Agreed Final Order. If the Defendants are unable to obtain the required approvals and the Class IV permit application is denied, the Defendants shall within one hundred twenty (120) days from the date of this Agreed Final Order remove all unauthorized fill from the affected area(s) of the subject site and restore the site to natural grade and elevation and allow the site to naturally vegetate with native wetland plant species.

3. The Defendants shall pay to Miami-Dade County the sum of \$943.00 as and for Plaintiff's costs and expenses in this matter. Payment of said sum shall be payable to Miami-Dade County and it shall be delivered to Mark J. Pettit, Code Enforcement Officer II at Miami-Dade County DERM, 701 NW 1st Court, Suite 400, Miami, Florida 33136. Payment by Defendants to Plaintiff of said sum shall be made within thirty (30) days from the date of this Agreed Final Order.

4. The Defendants shall pay to Miami-Dade County the sum of \$10,000.00 as and for civil penalties in this matter. Payment of said sum shall be payable to Miami-Dade County and it shall be delivered to Mark J. Pettit, Code Enforcement Officer II at Miami-Dade County DERM, 701 NW 1st Court, Suite 400, Miami, Florida 33136. Payment by Defendants to Plaintiff of said sum shall be made within sixty (60) days from the date of this Agreed Final Order.

5. In the event payments by Defendants to Plaintiff are not made in accordance with paragraphs 3 & 4 of this Agreed Final Order, Plaintiff shall be entitled to a Final Judgment in the amount of the unpaid sum(s) with interest at the statutory rate upon the filing of an affidavit of

*Per conversation
with their
attorney
\$5K
acceptable
with DERM
MJP*

non-payment with this Court and upon entry of said Final Judgment for said unpaid sum(s) and interest execution shall issue forthwith.

6. The Court shall retain jurisdiction to enforce all the provisions of this Agreed Final Order and to grant such other relief as may be deemed necessary and appropriate.

7. All other matters in this case have been amicably settled between Plaintiff and Defendants.

8. The provisions of Paragraph No. 2 herein are hereby granted as and constitute agreed permanent injunctive relief. In the event the Defendants fail to comply with Paragraph No. 2 herein, the Plaintiff may seek enforcement of same by contempt proceedings, civil or criminal, or any other method provided by law or the Florida Rules of Court, against the Defendants, including the award of attorney's fees to Plaintiff.

9. In the event the Defendants fail to comply with any of the provisions of this Settlement Agreement, the Defendants agree to pay to Miami-Dade County the sum of \$500.00 per day, per violation until such time as the terms and provisions of this settlement agreement have been complied with.

DONE AND ORDERED in Chambers this _____ day of _____,
2007.

DRAFT

Circuit Court Judge

cc: Thomas Robertson, Assistant County Attorney

Chosica Ranch

FRINGE 34.39%
 COMPLIANCE SECTION 81.5%
 ENFORCEMENT SECTION 75.8%
 WATER AND SEWER DIVISION 63.6%
 WATER MANAGEMENT DIVISION 51.2%
 WASTE MANAGEMENT DIVISION 68.9%
 ENVIRONMENTAL MONITORING DIVISION 43.5%
 NATURAL RESOURCES DIVISION 64.5%
 AIR QUALITY MANAGEMENT SECTION 43.2%

Name	Rate	Hours	Salary	Fringe	A + S	Total
IVAN FANNIN			0.00	0.00	0.00	0.00
08/22/06 INSPECTION		1.00	0.00	0.00	0.00	0.00
09/08/06 INSPECTION		1.00	0.00	0.00	0.00	0.00
09/06/06 MEETING		1.00	0.00	0.00	0.00	0.00
TOTAL	25.53	3.00	76.59	28.72	49.40	154.71
			0.00	0.00	0.00	0.00
MARK PETTIT			0.00	0.00	0.00	0.00
02/21/06 NOV		1.00	0.00	0.00	0.00	0.00
05/19/06 INSPECTION		1.00	0.00	0.00	0.00	0.00
06/19/06 FNPTCA		0.50	0.00	0.00	0.00	0.00
07/12/06 LETTER		0.50	0.00	0.00	0.00	0.00
09/06/06 MEETING		1.00	0.00	0.00	0.00	0.00
11/14/06 CASE SUMM		1.00	0.00	0.00	0.00	0.00
02/06/07 MEMO		0.25	0.00	0.00	0.00	0.00
03/20/07 MEMO		1.00	0.00	0.00	0.00	0.00
TOTAL	37.05	6.25	231.56	86.84	149.36	467.76
			0.00	0.00	0.00	0.00
MICHAEL SPINELLI			0.00	0.00	0.00	0.00
02/16/06 INSPECTION		2.00	0.00	0.00	0.00	0.00
05/19/06 INSPECTION		1.00	0.00	0.00	0.00	0.00
TOTAL	35.21	3.00	105.63	39.61	0.00	145.24
			0.00	0.00	0.00	0.00
BRANDON BLUE			0.00	0.00	0.00	0.00
03/09/07 INSPECTION		1.00	0.00	0.00	0.00	0.00
TOTAL	18.52	1.00	18.52	6.95	0.00	25.47
					Total	793.17
PERSONNEL						793.17
FOLLOW-UP COSTS						150.00
TOTAL						943.17

September 11, 2007

Mr. Mark J. Pettit
Mr. Thomas H. Robertson
Miami-Dade DERM
33 S. W. 2nd Avenue, 10th Floor
Miami, Florida 33130

Via Email: pettitm@miamidade.gov
robertson@miamidade.gov

**RE: Chosica Ranch Corp.
Peruvian American Club Property
Case No. 07-28328CA22**

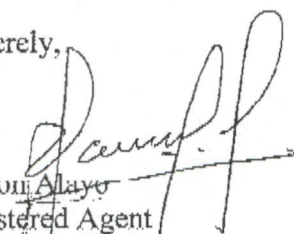
Dear Mr. Pettit and Robertson:

This is a response from Chosica Ranch Corp. to the letter dated August 31, 2007 and received on September 7, 2007 regarding the Civil Action Summons for Case No. 0728328CA22.

We would like to request a "Consent Agreement" from the Miami-Dade DERM. It is our intention, with the assistance of our consultant Nick Gallant with Environmental Risk Management, Inc., to complete all required documents and procedures to obtain good standing with the Miami-Dade County government.

Please contact me at 305-445-9001 or Nick Gallant at 1-888-ENV-MGMT (1-888-368-6468) if we need to provide further information to proceed forward.

Sincerely,



Wilson Alayo
Registered Agent
Chosica Ranch Corp.
2307 S.W. 37th Avenue, Suite 500
Miami, Florida 33145

IN THE CIRCUIT COURT OF THE 11TH
JUDICIAL CIRCUIT IN AND FOR
MIAMI-DADE COUNTY, FLORIDA

GENERAL JURISDICTION DIVISION

CASE NO.

07-28328 CA 22

MIAMI-DADE COUNTY, by
and through CARLOS ESPINOSA,
Director of the Department of
Environmental Resources
Management,

Plaintiff,

vs.

PERUVIAN-AMERICAN CLUB, INC.
and CHOSICA RANCH CORP.

Defendants.

THE ORIGINAL FILED

ON AUG 31 2007

IN THE OFFICE OF
CIRCUIT COURT DADE CO F
CIVIL DIVISION

COMPLAINT

COMES NOW MIAMI-DADE COUNTY, by and through Carlos Espinosa,
Director of the Department of Environmental Resources Management, and sues
the Defendants, PERUVIAN-AMERICAN CLUB, INC. and CHOSICA RANCH
CORP., and as grounds therefore would state:

1. This is an action for injunctive relief, damages and penalties in excess of \$15,000.00 and costs, and, as such, jurisdiction lies within this Court.
2. The Plaintiff, MIAMI-DADE COUNTY, is a subdivision of the State and is authorized to bring this action pursuant to the provisions of Chapter 24 of the Miami-Dade County Code. This action is brought by and through Carlos Espinosa, Director of the Department of Environmental Resources Management.

3. The Defendant, PERUVIAN-AMERICAN CLUB, INC., is a Florida corporation authorized and doing business in Miami-Dade County, Florida and at times relevant hereto was the owner of the property described as being at or near the vicinity of S.W. 136th Street and S.W. 207th Avenue being described by folio number 30-5815-000-0800 in Miami-Dade County, Florida.

4. The Defendant, CHOSICA RANCH CORP. is a Florida corporation authorized and doing business in Miami-Dade County and is the current owner of the property described above.

5. The property described above is a jurisdictional wetlands as defined in Chapter 24 of the Miami-Dade County Code.

6. On or about February 9, 2006, an inspection was conducted at the above-described property, which inspection revealed the unlawful filling of a jurisdictional wetland without the benefit of a permit. In addition thereto, the inspection revealed the filling with solid waste of the property. These actions constitute violations of Chapter 24 of the Miami-Dade County Code.

7. On or about February 21, 2006, a Notice of Violation and Orders for Corrective Action were sent to the Defendants notifying them of the violations and requiring that they return the property to its original and natural state.

8. On or about April 5, 2006, an inspection was conducted at the above-described property, which inspection revealed the continuation of the violations described above.

9. On or about May 19, 2006, an inspection was conducted at the above-described property, which inspection revealed the continuation of the violations described above.

10. The violations described above continue to exist and will continue to exist until remedied by this Court.

COUNT ONE

INJUNCTIVE RELIEF

11. The Plaintiff adopts and realleges paragraphs 1 through 10 as if fully set forth herein.

12. The actions of the Defendants have resulted in irreparable harm to the environment.

13. Pursuant to the provisions of Chapter 24, Miami-Dade County Code, Miami-Dade County is entitled to seek and receive an injunctive order from this Court.

WHEREFORE, MIAMI-DADE COUNTY, prays this Court enter a mandatory injunctive order requiring the Defendants to properly assess the extent of the contamination and to remediate the contamination at the property, and for such other relief as this court deems just and necessary.

COUNT TWO

DAMAGES

14. The Plaintiff adopts and realleges paragraphs 1 through 10 as if fully set forth herein.

15. The actions of the Defendants have caused damages to the environment of Miami-Dade County.

16. Pursuant to the provisions of Chapter 24, Miami-Dade County Code, Plaintiff is entitled to recover from the Defendants for damages which occurred to the environment.

WHEREFORE, MIAMI-DADE COUNTY, demands judgment in its favor for damages and for costs of this action.

COUNT THREE

CIVIL PENALTIES

17. The Plaintiff adopts and realleges paragraphs 1 through 10 as if fully set forth herein.

18. The actions of the Defendants described above constitute violations of Chapter 24, Miami-Dade County code.

19. Pursuant to the provisions of Chapter 24, Miami-Dade County Code, Miami-Dade County is entitled to recover from the Defendants civil penalties up to \$25,000.00 per day per violation.

WHEREFORE MIAMI-DADE COUNTY, demands judgment in its favor against the Defendants for civil penalties up to \$25,000.00 per day per violation plus costs of this action.

COUNT FOUR

ATTORNEY'S FEES AND ADMINISTRATIVE COSTS

20. The Plaintiff adopts and realleges paragraphs 1 through 10 as if fully set forth herein.

21. As a result of the actions of the Defendants, Plaintiff has been forced to expend funds in the investigation and prosecution of this case.

22. Pursuant to the provisions of Chapter 24, Miami-Dade County Code, the Plaintiff is entitled to recover from the Defendants the administrative costs and investigative expenses in this case.

23. As a result of the actions of the Defendants, Plaintiff has been required to file this suit, and in so doing Plaintiff has been required to retain the services of the below-signed counsel and has agreed to pay said counsel a reasonable fee for the prosecution of this case.

24. Pursuant to the provisions of Chapter 24, Miami-Dade County Code, Plaintiff is entitled to recover its attorney's fees in this cause.

WHEREFORE, MIAMI-DADE COUNTY demands judgment in its favor for administrative costs and attorney's fees and for costs of this suit.

Respectfully submitted,

ABIGAIL PRICE-WILLIAMS
Acting Miami-Dade County Attorney
Stephen P. Clark Center
111 N.W. 1st Street, Suite 2810
Miami, Florida 33128

By: 

Thomas H. Robertson
Assistant County Attorney
Florida Bar No. 301991
Phone: (305) 375-5151
Facsimile: (305) 375-5611
Email: Robert@miamidade.gov

From: Blue, Brandon (DERM)
Sent: Thursday, August 23, 2007 9:01 AM
To: 'NGallant@ermi.net' 239-415-6406
Subject: RE: Chosica Ranch - FW07-007 (Folio#30-5815-000-0800)

Hello Brandon,
Thanks for getting back to me. Sorry I missed your call. I was wondering if you could send me an email reply stating all the required items that are missing for permitting. I will go ahead and start working on getting the information over to you. Also, could you please send me the contact information over at the county legal office. Thanks,

Nick Gallant
ngallant@ermi.net
Environmental Risk Management, Inc.
15248 Tamiami Trail South, #800
Fort Myers, FL 33908
Local (239) 415-6406
Toll Free (888) ENV-MGMT
www.ermi.net
Mr. Gallant,

As a follow-up to your recent inquiry to the status of the above referenced subject file, the associated property owner's are required by this Department to either:

1. Restore the subject property to natural wetland elevation by removing all unpermitted fill material and associated structures; or,
2. Obtain an After-the-Fact Class IV Wetland Permit for all impacts that have occurred on said property as a result of the aforementioned fill and structures.

Please be advised, if the property owners decision is to obtain the After-the-Fact Class IV Permit approval, the following items would be required for submittal:

1. Three (3) copies of signed and sealed site plans prepared by a registered surveyor, architect, or engineer registered in the State of Florida showing the extent of the proposed or completed work with acreages, the location in relationship to the section corners, and cross-sections;
2. The required Department of Planning & Zoning review fee of \$123.12 with the aforementioned site plans (make check payable to Miami-Dade County);
3. The review and approval by the DERM Water Control Section for conformance with fill encroachment criteria (contact Manny Tobon at 305-372-6769);
4. The Professional Engineer Certification Statement verbatim per the Class IV Wetland Permit Application package with an original signature; and
5. A mitigation proposal that appropriately compensates for the impacts for the unavoidable adverse impacts to the jurisdictional wetlands in the East Everglades Wetland Basin.

This Department may require additional information or items during the application process. Be further advised, that receipt of this electronic message does not authorize any additional work on the subject property. As defined by the County Code, work means any site alteration, including clearing, tree removal, dredging or filling. Any additional work performed on the subject property prior to receiving an executed permit will require at a minimum, civil penalties and the payment of all departmental costs incurred in the investigation and settlement of this case. This requirement will apply even if authorization to proceed from the US Army Corps of Engineers, the Florida Department of Environmental Protection, or the South Florida Water Management District has been granted.

Finally, this matter has been referred to the Miami-Dade County Attorney's Office for further enforcement action. If you have questions and/or concerns regarding further enforcement please contact Mark Pettit, Code Enforcement Officer II, at 305-372-6919 and/or Tom Robertson, Assistant County Attorney, at 305-375-5151. However, any questions in regards to permitting should be directed to me.

Sincerely,

Brandon Blue
Biologist II
Miami-Dade County
Environmental Resources Management
Environmental Resources Regulation Division
Wetland Resources Section
701 NW 1st Court, 6th Floor
Miami, Florida 33136-3902
Phone: 305-372-6566
Fax: 305-372-6479
BlueB@miamidade.gov
"Delivering Excellence Every Day"

-----Original Message-----

From: NGallant@ermi.net [mailto:NGallant@ermi.net]

Sent: Wednesday, August 22, 2007 9:01 AM

To: Blue, Brandon (DERM)

Subject: Chosica Ranch

CONFIDENTIALITY/PRIVILEGE NOTICE!: This e-mail transmission, and any documents, files or previous e-mail messages attached to it, may contain confidential information which is legally privileged. If you are not the named addressee or the person responsible for delivering the message to the named addressee, please contact us at 1-888-368-6468 immediately. Thank you.

Blue, Brandon (DERM)

From: Blue, Brandon (DERM)
Sent: Friday, August 17, 2007 11:59 AM
To: 'ngallant@emi.net' 239-415-6406
Subject: Peruvian-American Club: FW07-007 (Folio #30-5815-000-0800) - Unauthorized clearing and filling of freshwater wetlands

Mr. Gallant,

As a follow-up to your recent inquiry to the status of the above referenced subject file, **this Department has referred the enforcement case to the County Attorney's Office.** However, in order to resolve the violation Peruvian American Club can either:

1. Restore the subject wetland property to natural elevation by removing all the unpermitted fill material (i.e. fill pad and nursery rows) from the site and properly dispose of this material at an approved and permitted landfill (Copies of the disposal receipts shall be submitted to DERM to document that the violations have been corrected); or,
2. Obtain an After-the-Fact Class IV Wetland Permit for impacts to the on-site freshwater wetlands resulting from the unpermitted fill material.

Finally, a copy of the completeness summary dated December 18, 2006 (attached) has been provided for your convenience.



06-007

Completeness Summary

Sincerely,

Brandon Blue
Biologist II
Miami-Dade County
Environmental Resources Management
Environmental Resources Regulation Division
Wetland Resources Section
701 NW 1st Court, 6th Floor
Miami, Florida 33136-3902
Phone: 305-372-6566
Fax: 305-372-6479
BlueB@miamidade.gov
"Delivering Excellence Every Day"



CHOSICA
RANCH
Real Estate

THIS FIVE ACRES PROPERTY
FOR SALE
PRESENT OFFERS
CALL OWNER'S REP
305-445-9001

MEMORANDUM

TO: Ivan W. Fannin III, Biologist II
Wetlands and Forest Resources Section

DATE: December 27, 2006

FROM: Rogelio Mata, Engineer II
Water Control Section

SUBJECT: Class IV Permit Application
FW06-007
Folio: 30-5805-000-0800

The subject property located approximately or in the vicinity of S.W. 136th Street and S.W. 207th Avenue Section 05, Township 55 South, Range 38 East, Miami-Dade County, Florida, is not within an area of Fill Encroachment Requirements; therefore, Cut and Fill approval is not required from Water Control Section, in connection with this application.

If you should have any questions, please advise.

CC: Wilson J. Alayo, President.
Chosica Ranch Corp.

**ENVIRONMENTAL RISK MANAGEMENT, INC.**

Licensed Engineering and Geology Firm • Assessment & Remediation Consultants

FACSIMILE TRANSMITTAL

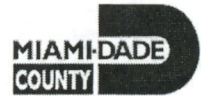
From: Nick Gallant	To: Roger Mata
Date Sent: 04/19/2007 03:54:17 PM Pages: 2	FAX Number: 13053726489

Subject: Water Control Memo

Here is the Memo for Chosica Ranch. Thank you very much.

Nick Gallant
ngallant@ermi.net
Environmental Risk Management, Inc.
15248 Tamiami Trail South, #800
Fort Myers, FL 33908
Local (239) 415-6406
Toll Free (888) ENV-MGMT
www.ermi.net

Memorandum



Date: March 20, 2007

To: Thomas Robertson
Assistant County Attorney

From: Mark J. Pettit *MJP*
Code Enforcement Officer II
Environmental Resources Management

Subject: Wetlands violation located at, near or in the vicinity of
SW 136 Street and SW 207 Avenue, Miami-Dade County, Florida
(folio no. 30-5815-000-0800)

As a result of your Demand Letter dated November 2006, Peruvian-American Club was granted a thirty (30) day extension to bring the subject site into compliance with the provisions of Chapter 24, Miami-Dade County Code. A review of Department records reveals that an incomplete permit application was submitted December 14, 2006 and a completeness summary requesting additional information was issued December 16, 2006. Said application is for the unauthorized fill associated with the building pad at the subject site and does not include the container nursery that is operating at the site. As of this date, said permit application remains incomplete. Furthermore, an inspection of the subject site by Department staff on March 8, 2007 (report attached) revealed continuing violations of Chapter 24.

Additionally, it has come to my attention that the subject property has been transferred by warranty deed (copy enclosed) to Chosica Ranch Corporation on June 27, 2006. Chosica Ranch Corporation's mailing address is 2307 SW 37 Avenue, Suite 500, Miami, FL 33145. Wilson J. Alayo is listed as the president of the corporation. Please note, it appears that the corporate officers associated with both corporations are related (family members).

Pursuant to the above, please move forward with this case and file it in the appropriate court of law. If you have any questions concerning the above, please contact me at extension 6919.

Attachment

Memorandum



Date: March 20, 2007

To: Mark Pettit *MP*
Code Enforcement Officer II

From: Brandon Blue, Biologist *BB*
Wetland Resources Section

Subject: Peruvian American Club, Inc.
S.W. 136th Street & S.W. 207th Avenue
Section 15-55-38
Folio# 30-5815-000-0800
FW06-007

On August 27, 1999, Gwen Burzycki and Michael Spinelli conducted an inspection of the subject property and determined that said property is a jurisdictional wetland and would require a Class IV Permit for any proposed work.

On February 9, 2006, Section Staff documented violations on the subject wetland property that included, but is not limited to, unpermitted filling, unpermitted agricultural operation, and disposal of solid waste (i.e. vegetative debris, plastic, metal and other shredded solid waste). A follow-up site inspection, on April 5, 2006, by Section Staff revealed the aforementioned solid waste (vegetative debris, plastic, metal and other shredded solid waste) had been removed from the subject property following the Department's issuance of the "Notice of Violation and Orders for Corrective Action" on February 21, 2006.

However, a recent site inspection conducted on March 8, 2007, by Michael Spinelli and I revealed the unpermitted fill (i.e. Concrete covered fill pad, etc.) and agricultural operations are still present on the subject property. As of the date of this memo, restoration of the property has not been satisfactorily completed (i.e. Removal of fill to natural wetland elevation) as required nor has a complete Class IV Permit application been submitted to this Department for the unpermitted fill material and agricultural operation.



View from 207th Ave towards the Northwest corner of the subject wetland property that currently maintains an unauthorized container nursery.

File #: FW 06-007
Property Owner: Chosica Ranch Corporation
Address: SW 207 Ave. & SW 136 St.
Folio #: 30-5815-000-0800

Inspector: Brandon Blue
Section: Wetland Resources
Photo Taken By: Brandon Blue
Date: March 8, 2007



View from 136th Street towards the Southeast portion of the subject wetland property. To this date, restoration activities have not been completed nor has a Class IV Wetland Permit Application been submitted. In addition, the fill material and agricultural operations remain onsite.

File #: FW 06-007
Property Owner: Chosica Ranch Corporation
Address: SW 207 Ave. & SW 136 St.
Folio #: 30-5815-000-0800

Inspector: Brandon Blue
Section: Wetland Resources
Photo Taken By: Brandon Blue
Date: March 8, 2007

Blue, Brandon (DERM)

From: Blue, Brandon (DERM)
Sent: Thursday, March 01, 2007 9:19 AM
To: 'ngallant@ermi.net' 239-415-6406
Subject: Peruvian-American Club: FW06-007 (Folio #30-5815-000-0800) - Unpermitted clearing and filling of freshwater wetlands

Mr. Gallant,

As a follow-up to your recent electronic message to Wetland Resources Section staff, this Department has documented violations on the property including, but not limited to, unpermitted clearing and filling of wetlands for an agricultural operation (i.e. Container nursery) without the required Class IV Wetland Permit.

In order to resolve these violations, Peruvian-American Club is required to either:

1. Restore the subject wetland property to natural elevation by removing all of the unpermitted fill material (i.e. fill pad and nursery rows) from the site and properly dispose of this material at an approved and permitted landfill (Copies of the disposal receipts shall be submitted to DERM to document that the violations have been corrected), or;
2. Obtain an After-the-fact Class IV Wetland Permit for impacts to the on-site wetlands resulting from the unpermitted fill material.

Please be advised, a copy of the completeness summary dated December 18, 2006 (Attached) has been included for your convenience. Finally, due to existing time constraints Department staff recommends your immediate attention to this matter for this case has been referred to the Office of the County Attorney for the appropriate legal action.

Sincerely,

Brandon Blue



06-007
completeness Summary

Brandon Blue
Biologist I
Miami-Dade County
Environmental Resources Management
Wetland Resources Section
33 SW 2nd Avenue - Suite 400
Miami, Florida 33130
Phone: 305-372-6566
Fax: 305-372-6479
BlueB@miamidade.gov
"Delivering Excellence Every Day"

Blue, Brandon (DERM)

From: Fannin, Ivan (DERM)
Sent: Thursday, February 15, 2007 12:20 PM
To: Blue, Brandon (DERM)
Subject: FW: DERM File # FW06-007, Folio #30-5815-000-0800

Below is the consultant's info for Chosica Ranch (aka Peruvian-American Club). Review file and let him know what has been and still needs to be submitted.

Ivan W. Fannin, Pollution Control Inspector II
Miami-Dade County Department of Environmental Resources Management
33 SW 2nd Avenue, Miami, FL 33130
305 372-6575
fannii@miamidade.gov
Miami-Dade County: *"Delivering Excellence Every Day"*

-----Original Message-----

From: NGallant@ermi.net [mailto:NGallant@ermi.net]
Sent: Friday, February 02, 2007 12:24 PM
To: Fannin, Ivan (DERM)
Subject: DERM File # FW06-007, Folio #30-5815-000-0800

Hello Mr. Fannin,

My name is Nick Gallant and I have been hired by Mr. Wilson Alayo of the Peruvian-American Club to assist in resolving the unpermitted clearing and filling of freshwater wetlands located at the corner of SW 136 Street and SW 207 Avenue. I have visited the property and begun evaluating the scenario. I was wondering if I could get some information from you regarding the issues that still require our attention. I would really appreciate any information that you could give me to help expedite this resolution. Please let me know your preferred method of correspondence. My client and I look forward to working with you to resolve this situation.

Thank you,

Nick Gallant
ngallant@ermi.net
Environmental Risk Management, Inc.
15248 Tamiami Trail South, #800
Fort Myers, FL 33908
Local (239) 415-6406
Toll Free (888) ENV-MGMT
www.ermi.net

Pettit, Mark (DERM)

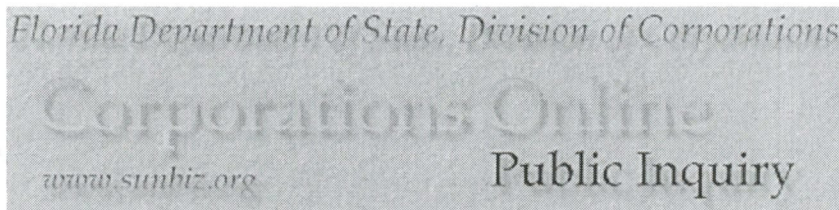
From: Pettit, Mark (DERM)
Sent: Tuesday, February 06, 2007 10:48 AM
To: Robertson, Thomas (CAO)
Subject: MDC v. Peruvian-American Club

As a result of your Demand Letter (11/06), which a copy has not been provided to DERM, Peruvian-American Club was granted a thirty (30) day extension to come into compliance. A review of Department records reveals that an incomplete permit application was submitted December 14, 2006 and a completeness summary was issued December 16, 2006. Said application is for the building pad at the subject site and does not include the agriculture operation that is currently on-going.

Additionally, it has come to my attention that the subject property has been transferred by warranty deed to Chosica Ranch Corporation on June 27, 2006. Chosica Ranch Corporation's mailing address is 2307 SW 37 Avenue, Suite 500, Miami, FL 33145. Wilson J. Alayo is listed as the president of the corporation. Please note, it appears that the corporate officers associated with both corporations are related (family members).

Pursuant to the above, please move forward with this case and file it in the appropriate court of law. If you have any questions concerning the above, please contact me at extension 6919.

Mark J. Pettit, Code Enforcement Officer II
Miami-Dade County DERM
305-372-6567
pettim@miamidade.gov
"Delivering Excellence Every Day"



Florida Profit

CHOSICA RANCH CORP.

PRINCIPAL ADDRESS

2307 SW 37 AVE
 STE # 500
 MIAMI FL 33145
 Changed 01/26/2006

MAILING ADDRESS

2307 SW 37 AVE
 STE # 500
 MIAMI FL 33145
 Changed 01/26/2006

Document Number
 P05000045935

FEI Number
 202761424

Date Filed
 03/21/2005

State
 FL

Status
 ACTIVE

Effective Date
 NONE

Registered Agent

Name & Address
ALAYO, WILSON J 2307 SW 37 AVE STE # 500 MIAMI FL 33145
Name Changed: 01/26/2006
Address Changed: 01/26/2006

Officer/Director Detail

Name & Address	Title
ALAYO, WILSON J 2307 SW 37 AVE - STE 500 MIAMI FL 33145	P
VASQUEZ, VICENTE J 10975 SW 52 DRIVE	S

MIAMI FL 33165	
MONGE, JESUS M 13060 SW 108 STREET	T
MIAMI FL 33186	

Annual Reports

Report Year	Filed Date
2006	01/26/2006

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Document Images

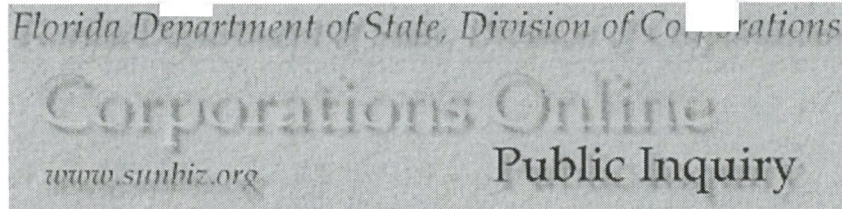
Listed below are the images available for this filing.

01/26/2006 -- ANNUAL REPORT
03/21/2005 -- Domestic Profit

THIS IS NOT OFFICIAL RECORD; SEE DOCUMENTS IF QUESTION OR CONFLICT

[Corporations Inquiry](#)

[Corporations Help](#)



Florida Profit

CHOSICA RANCH CORP.

PRINCIPAL ADDRESS

2307 SW 37 AVE
 STE # 500
 MIAMI FL 33145
 Changed 01/26/2006

MAILING ADDRESS

2307 SW 37 AVE
 STE # 500
 MIAMI FL 33145
 Changed 01/26/2006

Document Number
 P05000045935

FEI Number
 202761424

Date Filed
 03/21/2005

State
 FL

Status
 ACTIVE

Effective Date
 NONE

Registered Agent

Name & Address
ALAYO, WILSON J 2307 SW 37 AVE STE # 500 MIAMI FL 33145
Name Changed: 01/26/2006
Address Changed: 01/26/2006

Officer/Director Detail

Name & Address	Title
ALAYO, WILSON J 2307 SW 37 AVE - STE 500 MIAMI FL 33145	P
VASQUEZ, VICENTE J 10975 SW 52 DRIVE MIAMI FL 33165	S
MONGE, JESUS M 13060 SW 108 STREET	T

MIAMI FL 33186

Annual Reports

Report Year	Filed Date
2006	01/26/2006

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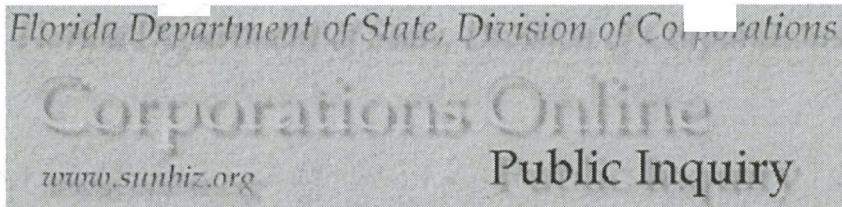
Listed below are the images available for this filing.

01/26/2006 -- ANNUAL REPORT
03/21/2005 -- Domestic Profit

THIS IS NOT OFFICIAL RECORD; SEE DOCUMENTS IF QUESTION OR CONFLICT

[Corporations Inquiry](#)

[Corporations Help](#)



Florida Profit

PERUVIAN-AMERICAN CLUB INC.

PRINCIPAL ADDRESS

10975 S.W. 52ND DRIVE
MIAMI FL 33165

MAILING ADDRESS

PO BOX 652753
MIAMI FL 33165
Changed 03/24/2003

Document Number
P96000085757

FEI Number
650706774

Date Filed
10/16/1996

State
FL

Status
ACTIVE

Effective Date
NONE

Registered Agent

Name & Address
VASQUEZ, MARIA I 10975 SW 52 DR. MIAMI FL 33165
Name Changed: 03/24/2003
Address Changed: 03/24/2003

Officer/Director Detail

Name & Address	Title
VASQUEZ, MARIA I 10975 SW 52 LN MIAMI FL 33165	P
MARIA COMON, ANA 8840 SW 105 STREET MIAMI FL 33175	VP
CLARK-FERNANDEZ, CARMEN 10966 SW 145 COURT MIAMI FL 33186	T
ALAYO, ELI R 2807 SW 37 AVE #300 MIAMI FL 33145	S

Annual Reports

Report Year	Filed Date
2004	03/09/2004
2005	05/05/2005
2006	02/01/2006

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No Events
No Name History Information

Document Images

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02/01/2006 -- ANN REP/UNIFORM BUS REP
05/05/2005 -- ANN REP/UNIFORM BUS REP
03/09/2004 -- ANN REP/UNIFORM BUS REP
03/24/2003 -- ANN REP/UNIFORM BUS REP
12/18/2002 -- COR - ANN REP/UNIFORM BUS REP
05/16/2001 -- ANN REP/UNIFORM BUS REP
03/20/2000 -- ANN REP/UNIFORM BUS REP
03/06/1999 -- ANNUAL REPORT
04/27/1998 -- ANNUAL REPORT
05/01/1997 -- ANNUAL REPORT

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[Corporations Inquiry](#)[Corporations Help](#)



December 18, 2006

Wilson J. Alayo, President
 Chosica Ranch Corp.
 2307 Douglas Rd.
 Hialeah, FL 33145

Certified Mail # 7003 1680 000 8822 8870
 Return Receipt Requested

Re: Completeness Summary for Class IV Wetland Permit Application FW06-007 for the property located at, near, or in the vicinity of SW 136th Street and SW 207th Avenue, Section 05, Township 55 South, Range 38 East, Miami-Dade County, Florida. (Folio #30-5805-000-0800)

Dear Mr. Alayo:

This Department has reviewed the items submitted for the Class IV Wetland Permit Application referenced above involving the after-the-fact filling of 0.3 acres of jurisdictional wetlands. Our review has indicated the following items are still needed for the completion of the application. Be advised this application cannot be processed until these items are submitted:

1. Submit three (3) copies of signed and sealed site plans prepared by a registered surveyor, architect, or engineer registered in the State of Florida showing the extent of the proposed or completed work with acreages, the location in relationship to the section corners, and cross-sections;
2. Submit the required Department of Planning & Zoning review fee of \$123.12 with the aforementioned site plans (make check payable to Miami-Dade County);
3. Review and approval by the DERM Water Control Section for conformance with fill encroachment criteria (contact Manny Tobon at 305-372-6769);
4. Submittal of the Professional Engineer Certification Statement verbatim per the Class IV Wetland Permit Application package with an original signature; and
5. Submittal of a mitigation proposal that appropriately compensates for the impacts for the unavoidable adverse impacts to the jurisdictional wetlands in the East Everglades Wetland Basin.

This Department may require additional information or items during the application process. Once all the indicated items have been submitted, this office will process the application. If your permit is approved, a permit fee will be required prior to actual permit issuance.

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- Environmental Resources Management**
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- General Services Administration
- Historic Preservation
- Homeless Trust
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- Housing Finance Authority
- Human Services
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- International Trade Consortium
- Juvenile Assessment Center
- Medical Examiner
- Metropolitan Planning Organization
- Park and Recreation
- Planning and Zoning
- Police
- Procurement Management
- Property Appraiser
- Public Library System
- Public Works
- Safe Neighborhood Parks
- Seaport
- Solid Waste Management
- Strategic Business Management
- Team Metro
- Transit
- Urban Revitalization Task Force
- Vizcaya Museum and Gardens
- Water and Sewer

It is the responsibility of the applicant to contact the U.S. Army Corps of Engineers, the Florida Department of Environmental Protection, and the South Florida Water Management District to inquire if additional permits and mitigation is required for this project.

Also be advised that receipt of this completeness summary does not authorize the applicant to do any additional work on the subject property. As defined by the County Code, work means any site alteration, including clearing, tree removal, dredging or filling. Any additional work performed on the subject property prior to receiving an executed permit will require at a minimum, in civil penalties and the payment of all departmental costs incurred in the investigation and settlement of this case. This requirement will apply even if authorization to proceed from the US Army Corps of Engineers, the Florida Department of Environmental Protection, or the South Florida Water Management District has been granted.

If you have any questions, please call me at 305-372-6599.

Sincerely,



Ivan Fannin, Pollution Control Inspector II
Wetland Resources Section



Class IV Wetland
Permit Application

RECEIVED

For Official Use Only CORPS Application Number: DER Application Number:	Date Received DEC 14 2006	Application Number Fw06007
---	-------------------------------------	--------------------------------------

1. Applicant Information:

Name: Chosica Ranch Corp.
 Address: 2307 Douglas Road Suite # 500
Miami, FL 33145
 Zip Code: 33145
 Phone #: 305-445-9001 Fax #: 305-445-0684

DERM
ENVIRONMENTAL
REGULATION DIVISION

2. Applicant's Authorized permit agent:

Name: _____
 Address: _____
 Zip Code: _____
 Phone #: _____ Fax #: _____

3. Location where proposed activity exists or will occur:
N.E. Corner of SW 136th Street & 207th Ave

Street, road, or other descriptive location

Section: 15 unincorporated
 Township: 55 South Incorporated city or town
 Range: 38 East
30-5815-000-0800
 Folio Number

4. Proposed use:

Private Single Dwelling	<input type="checkbox"/>	Commercial	<input type="checkbox"/>
Multi-family Dwelling	<input type="checkbox"/>	Agricultural	<input type="checkbox"/>
Public	<input type="checkbox"/>	Other	<input checked="" type="checkbox"/>

Please explain:
Fill pad to build shelter

5. Description of Project (Use additional sheets, if necessary)

Total Acreage of Wetlands to be Impacted 0.30

A. Lake Excavation or Dredging:

1. Total wetland acreage to be excavated or dredged _____

2. Cubic yards: Total for Project _____

a. Depth of excavated/dredged area _____

b. Type of material to be excavated/dredged _____

B. Placement of Fill

1. Total wetland acreage to be filled 0.30

a. Cubic yards 1,000 cy

2. Type of material to be used Crushed Limerock & Lake fill

3. Source of fill material to be used Rinker Materials

CONTINUED ON NEXT PAGE

5. Description of Project (continued)

C. Agriculture

1. Total wetland area to be cleared and/or plowed _____

2. Total area to be bedded for planting _____

3. Type of agriculture to be conducted (check any that apply):

a. Row Crops

b. Grove

c. Field Nursery

d. Container Nursery

e. Shade House Nursery

f. Other

(please explain) Palms & Hedges

4. If proposed project involves the construction of any drainage, water containment or conveyance facilities (i.e. ditches, diked areas, ponds, swales), please describe the proposed facilities:

NOTE: If the project involves construction of any residential, office, storage facilities or other structures, or if the project involves the placement of a trailer on the property, separate approval from Miami-Dade County Building and Zoning Department (305-375-2500) is required:

6. Date activity is proposed to commence 2006
Date activity is proposed to be completed 2007

7. Previous permits for this project (or any part thereof) have been:

A. Denied (date) _____ DER* _____ Corps* _____

B. Issued (date) _____ DER* _____ Corps* _____

C. Other (please explain) Previous Owner didn't apply for permits

*Differentiate between existing work and proposed work on the drawings.

8. ADDITIONAL ITEMS REQUIRED FOR APPLICATION SUBMITTAL. (Please note that, in addition to the information requested on this application form, there are several other items which must be submitted with your application. See Instruction pamphlet for the additional information required for this application.)

9. AFFIDAVIT OF OWNERSHIP OR CONTROL of the property on which the proposed project is to be undertaken.

I CERTIFY THAT I AM THE RECORD OWNER, LESSEE, OR RECORD EASEMENT HOLDER OF THE PROPERTY DESCRIBED BELOW.

NOTE: Lessees must provide a signed, notarized statement from the property owner indicating that the owner has reviewed the proposed project, including all proposed plans, and has agreed to allow the proposed project to occur on his or her lands.

LEGAL DESCRIPTION OF PROPERTY SITUATED IN MIAMI-DADE COUNTY, FLORIDA
(use additional sheets if necessary)

- The N.W. 1/4 of the S.W. 1/4 of the S.W. 1/4 of the S.W. 1/4 of Section 15 Township 55 South, Range 38 East, lying and being in Miami-Dade County, Florida.
- The SW 1/4 of the SW 1/4 of the S.W. 1/4 of the SW 1/4 of Section 15 Township 55 South, Range 38 East, lying & being in Miami, Dade County, Florida

[Signature]
Signature
CITOSICA Ranch Corp.
Print Name
Wilson J. Mayo - President
Official Title

Sworn and subscribed before me at Miami-Dade county, this 15 day of December 2006

ROSAURA M. ALONSO
NOTARY PUBLIC - STATE OF FLORIDA
COMMISSION # DD293572
EXPIRES 02/24/2008
BONDED THRU 1-888-NOTARY1

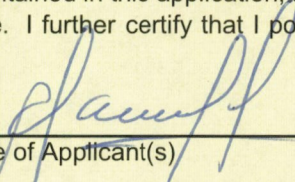
Rosaura M. Alonso
Notary Public

My commission expires: 02/24/2008

10. APPLICATION IS MADE FOR A PERMIT(S) TO AUTHORIZE THE ACTIVITIES DESCRIBED HEREIN.

- A. I authorize the agent listed in Item #2 to negotiate modifications or revisions, when necessary, and accept or assent to any stipulations on my behalf.
- B. I agree to provide entry to the project sit for inspectors with proper identification or documents from Miami-Dade County Department of Environmental Resources Management for the purpose of making preliminary analyses of the site. Further, I agree to provide entry to the project site for such inspectors to monitor permitted work if a permit is granted.
- C. Further, I hereby acknowledge the obligation and responsibility for obtaining all of the required state, federal or local permits **before** commencement of construction activities. I also understand that before commencement of this proposed project I must be granted separate permits or authorizations from the U.S. Army Corps of Engineers, the Department of Environmental Regulation, the Department of Natural Resources, and the South Florida Water Management District, as necessary.

I certify that I am familiar with the information contained in this application, and that to the best of my knowledge and belief such information is true, complete and accurate. I further certify that I possess the authority to undertake the proposed activities.

 _____ Signature of Applicant(s)	<u>12/15/09</u> _____ Date
C Hosua Raula Corp _____ Print Name	
Wilson J. Hlayo _____ President _____ Official Title	
_____ Signature of Applicant(s)	_____ Date
_____ Print Name	
_____ Official Title	

NOTE: THIS APPLICATION MUST BE SIGNED by the person(s) who desires to undertake the proposed activity or by an authorized agent. If an agent is applying on behalf of the applicant, attach proof of authority for the agent to sign and bind the applicant.

NOTICE TO PERMIT APPLICANTS

This is a Class IV Permit Application; It is **NOT** A Class IV Permit! You Must Obtain **ALL** Required Local, State, and Federal Authorizations or Permits **BEFORE** Commencing work!!

For Your Information: Section 370.034, Florida Statutes, requires that all dredge and fill equipment owned, used, leased, rented or operated in the state shall be registered with the Department of Natural Resources. Before selecting your contractor or equipment you may wish to determine if this requirement has been met. For further information contact the Chief of the Bureau of Licenses and Motorboat Registration, Tallahassee, Florida 32303. Telephone Number 904-488-1195.



CFN 2006R0698896
 DR Bk 24670 Pgs 3150 - 3151; (2pgs)
 RECORDED 06/27/2006 15:03:22
 DEED DOC TAX 456.00
 SURTAX 342.00
 HARVEY RUVIN, CLERK OF COURT
 MIAMI-DADE COUNTY, FLORIDA

THIS INSTRUMENT PREPARED BY:
 Brandon L. Biondo, Esq., Esq.
 Murai Wald Biondo Moreno & Brochin, P.A.
 Two Alhambra Plaza, PH 1B
 Coral Gables, FL 33134

Property Appraisers Parcel I.D.: 30-5815-000-0800

Grantee(s) S.S.#(s):

WARRANTY DEED
 (Statutory Form - Section 689.02 F.S.)

THIS INDENTURE, made this ___ day of May, 2006, between Peruvian American Club, Inc., a Florida corporation whose post office address is 10975 S.W. 52 Drive, Miami, FL 33165 ("Grantor"), and Chosica Ranch Corp., a Florida corporation whose post office address is 2307 SW 37th Ave, Suite 500, Miami, FL 33145 ("Grantee")["Grantor" and "Grantee" are used for singular or plural, as context requires].

WITNESSETH, That said Grantor, for and in consideration of the sum of TEN AND NO/100-----(\$10.00)-----DOLLARS, and other good and valuable consideration to said Grantor in hand paid by said Grantee, the receipt whereof is hereby acknowledged, has granted, bargained and sold to the said Grantee, and Grantee's heirs and assigns forever, the following described land, situate, lying and being in Miami-Dade County County, Florida, to-wit:

- The NW 1/4 of the SW 1/4 of the SW 1/4 of the SW 1/4 of Section 15, Township 55 South, Range 38 East, lying and being in Miami-Dade County, Florida.**
- The SW 1/4 of the SW 1/4 of the SW 1/4 of the SW 1/4, of Section 15, Township 55 South, Range 38 East, lying and being in Miami-Dade County, Florida.**

Subject to restrictions, conditions, limitations, easements, and reservations of record and existing zoning ordinances, none of which are sought to be reimposed.

Subject to real property taxes for the year 2006 and subsequent years.

MURAI WALD BIONDO MORENO & BROCHIN
PROFESSIONAL ASSOCIATION
ATTORNEYS AT LAW

SENDER'S E-MAIL
Cbrochin@mwbm.com

November 30, 2006

VIA Hand Delivery & Certified Mail

Mr. Jose Luis Gonzales
D/B/A Bonita Nursery
5275 W. 25TH Avenue
Apt. 102
Hialeah, Florida 33016

Re: Environmental Violations at SW 136th Street & 207 Ave. (the "Property")

Dear Mr. Gonzales:

The undersigned is legal counsel to Chosica Ranch Corp. the successor in title to Peruvian American Club Corp. of the Property. Your lease with the Peruvian American Club Corp. ("Lease") was assigned to Chosica Ranch Corp. (the "Landlord") upon it obtaining title to the Property.

As you know, the Department of Environmental Resources Management ("DERM") issued a Notice of Violation for the illegal clearing and filling of fresh water wetlands located on the Property. By written correspondence dated July 13, 2006 the Landlord forwarded to you a copy of such Notice of Violation and demanded that you correct such violation since you had illegally filled the Property. By illegally filling the Property and failing to timely cure such violation you have breached numerous provisions of the Lease. If you do not immediately remove the fill that was placed on the Property illegally and comply with the terms of your Lease, the Landlord will seek to evict you from the Property, take possession of the trees on the Property, and seek attorney's fees against you for enforcement of the Lease.

DERM has provided the Landlord fifteen (15) days within which to cure the violation.

PLEASE GOVERN YOURSELF ACCORDINGLY.

Very truly yours,

Cristina E. Brochin/kb

Cristina Echarte Brochin

CEB/kb

G:\DATA\AJay\U\gto to Mr. Jose Luis Gonzales 11-29-06.doc

12-2-06

My Home

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ACTIVE TOOL: SELECT



Show Me:

Property Information

Search By:

Select Item

Text only

Property Appraiser Tax Estimator

Summary Details:

Folio No.:	30-5815-000-0800
Property:	
Mailing Address:	CHOSICA RANCH CORP 2307 SW 37 AVE STE 500 MIAMI FL 33145-3071

Property Information:

Primary Zone:	8900 UNZONED
CLUC:	0081 VACANT LAND
Beds/Baths:	0/0
Floors:	0
Living Units:	0
Adj Sq Footage:	0
Lot Size:	5 ACRES
Year Built:	0
Legal Description:	15 55 38 4.697 AC M/L W1/2 OF SW1/4 OF SW1/4 OF SW1/4 LESS S40FT FOR R/W OR 17519-4004 0197 1 COC 24670-3150 05 2006 1

Sale Information:

Sale O/R:	24670-3150
Sale Date:	5/2006
Sale Amount:	\$76,000

Assessment Information:

Year:	2006	2005
Land Value:	\$89,243	\$75,152
Building Value:	\$0	\$0
Market Value:	\$89,243	\$75,152
Assessed Value:	\$89,243	\$75,152
Total Exemptions:	\$0	\$0
Taxable Value:	\$89,243	\$75,152



Digital Orthophotography - 2006

0 162 ft

We appreciate your feedback, please take a minute to complete our [survey](#).

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| [My Neighborhood](#) | [Property Appraiser](#)

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If you experience technical difficulties with the Property Information application, please [click here](#) to let us know.

E-mail your comments, questions and suggestions to [Webmaster](#)

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WILSON ALAYO
2307 S. Douglas Rd., Ste. 500
Miami, FL 33145

1541

12/15/06 DATE

63-643/670
BRANCH 00770

PAY TO THE ORDER OF Miami-Dade County

\$ 80.00

Eight hundred and fifty ⁰⁷ ~~00~~ DOLLARS



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Two 007
App. fee (dbl.)
Received 12-14-06

Pettit, Mark (DERM)

From: Pettit, Mark (DERM)
Sent: Wednesday, November 29, 2006 4:16 PM
To: Robertson, Thomas (CAO)
Cc: Fannin, Ivan (DERM)
Subject: MDC v. Peruvian-American Club

I just spoke to the attorney representing the Peruvian-American Club and she is requesting an additional thirty (30) days to bring the subject site into compliance. After much discussion and pleading on her part, I reluctantly agreed to the additional time. Please hold off on filing this case for a period not to exceed thirty (30) days from today's date. It is all about gaining compliance, lets see what happens. Thanks...

Mark J. Pettit, Code Enforcement Officer II
Miami-Dade County DERM
305-372-6567
pettim@miamidade.gov
"Delivering Excellence Every Day"

RECEIVED

NOV 28 2006

DERM

Environmental Resources Regulation Division

PERUVIAN AMERICAN CLUB CORP.

P.O. Box 526825

Miami, FL 33152

Tel: 305-213-5500

Fax: 305-238-8391

October 9, 2006

Mark J. Pettit
Code Enforcement Officer II
Environmental Resources Regulation Division
33 S.W. 2nd Avenue
10th Floor
Miami, FL 33130-1540

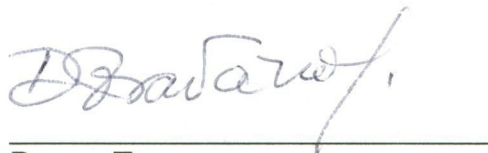
RE: Unpermitted clearing and filling of freshwater wetlands located at,
Near, or the vicinite of SW 136th Street and SW 207 Avenue,
Section 15, Township 55 South, Range 38 East, Miami-Dade
County, Florida (Folio # 30-5815-000-0800) DERM file FW06-007

Dear Mr. Pettit,

As we discussed at our meeting of 9/6/2006, our Institution will be engaging a Zoning Consultant to find out if it is possible to get an approval from the Zoning and Building Department for the concrete pad that we have at our property. As soon as we receive confirmation, we will notify your office to start the process to get the after de fact Class IV permit for this pad.

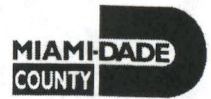
Also, we kindly request an extension of time to complete the work to restore the natural elevation of the rest of the property.

Sincerely,
Peruvian-American Club, Inc.



Donna Travano
President Elect

Memorandum



Y

Date: November 14, 2006

To: Tom Robertson
Assistant County Attorney

From: Carlos Espinosa, P.E., Acting Director
Environmental Resources Management

Subject: Wetlands violation located at, near or in the vicinity of
SW 136 Street and SW 207 Avenue, Miami-Dade County, Florida
(folio no. 30-5815-000-0800)

Attached for your review is an enforcement summary concerning the clearing and filling of freshwater wetlands located at, near or in the vicinity of SW 136 Street and SW 207 Avenue, Miami-Dade County, Florida and further described as folio number 30-5815-000-0800. The subject property is owned by Peruvian-American Club, Inc. Maria Vasquez is the president of the corporation. DERM issued a Notice of Violation and Orders for Corrective Action (NOV) to the property owner, Peruvian-American Club, Inc., on February 21, 2006. A Final Notice Prior to Court Action was issued to Peruvian-American Club, Inc. on June 19, 2006 for failure to comply with the orders contained in the above-mentioned NOV. DERM issued correspondence to the property owner on July 12, 2006 approving an extension of time in order to bring the subject site into compliance. Said correspondence also advised the property owner that if the required corrective actions are not completed within the allotted time, additional time may be obtained by entering into an administrative Consent Agreement.

As of this date, the impacts documented at the subject property remain and the responsible parties have not entered into an administrative Consent Agreement to resolve the violations at the property. This Department is requesting that you file this case in the appropriate court against the responsible party(ies). A copy of the complete file is attached for your use.

If you have any questions concerning this case, please contact Mark J. Pettit, Code Enforcement Officer II at extension 6919.

Attachment

CASE SUMMARY
PERUVIAN-AMERICAN CLUB, INC.

PROPERTY OWNER:

Maria Vasquez, President
Peruvian-American Club, Inc.
10975 SW 52 Drive
Miami, FL 33165

LOCATION OF VIOLATION:

SW 136 Street and SW 207 Avenue
Miami-Dade County, Florida
Folio No. 30-5815-000-0800

LIST OF DERM WITNESSES:

Testimony concerning conditions on site, photos, samples

Ivan Fannin Michael Spinelli

Testimony concerning permitting and engineering requirements

Mathew Davis Michael Spinelli

Testimony on meetings, agreements, violations of the code and other regulations

Mark J. Pettit

TYPE OF VIOLATIONS:

County: **Section 24-48(1)**, of the Miami-Dade County Environmental Protection Ordinance which states in pertinent part: "It shall be unlawful for any person ... to fill, dredge or authorized, allow, suffer or permit filling or dredging or perform or authorize, allow, suffer or permit any type of work in, on, over or upon... wetlands anywhere in Miami-Dade County... without first having obtained a permit from the Miami-Dade County Department of Environmental Resources Management."

DATE OF VIOLATION:

February 9, 2006 and everyday thereafter.

DEPARTMENT ACTIONS:

- February 21, 2006 – "Notice of Violation and Orders for Corrective Action" issued for the improper disposal of solid waste and clearing and filling of wetlands without obtaining a Class IV Permit from the Department of Environmental Resources Management.
- June 19, 2006 – "Final Notice Prior to Court Action" issued for failure to comply with the orders contained in the Department's February 21, 2006 Notice of Violation and Orders for Corrective Action.






- July 12, 2006 – Correspondence issued approving additional time to bring the subject site into compliance. Said letter also advised that if the required corrective actions are not completed within the allotted time, additional time may be obtained by entering into an administrative Consent Agreement.

RELIEF DEPARTMENT IS SEEKING:

1. Submit to DERM a complete application for an after-the-fact Class IV Wetland Permit for the impacts to the on-site wetlands.
2. Obtain all required approvals from federal, state and local agencies having jurisdiction in this matter, as well as a Class IV Permit from DERM.
3. In the event the required approvals cannot be obtained or the Class IV Permit application is denied, all unauthorized fill and nursery stock from the affected area(s) of the subject site shall be removed and the site restored to a natural wetland elevation and allowed to naturally vegetate with native wetland plant species.
4. Payment of civil penalties, the Department's administrative costs, and attorney's fees.

Peruvian American Club 2006



-  Highways
-  Major Streets
-  Parcels
- Canvas
-  33
-  57



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SCALE: 1 inch = 267.73 Feet

MSR

Peruvian American Club 1999



-  Highways
-  Major Streets
-  Parcels
- Canvas
- 33
- 57



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SCALE: 1 inch = 267.73 Feet

Handwritten signature or initials in blue ink.

MEETING MINUTES

SUBJECT: Peruvian American Club, Inc.

DATE: 9-6-06

TIME: 2 PM

LOCATION: 4th Floor Conf. room

ATTENDEES:

<u>Alayo Wilson</u>	<u>Owner</u>
<u>Rodolfo Muller-Vasquez</u>	<u>Owner</u>
<u>Ivan Korman</u>	<u>DERM</u>
<u>Mark Lettitt</u>	<u>DERM</u>

MINUTES:

Meeting was held to discuss corrective actions required to bring the subject site into compliance with Chapter 24. Currently the slash material has been removed from the property however unauthorized fill (i.e. slab) and agriculture activities remain. Permit process was discussed and they were advised to check with the Zoning Department for the future use of the concrete slab. The owners were also told that they could correct the violation by restoring the property.


[Signature]

Memorandum



Date: September 15, 2006

To: Mark Pettit
Code Enforcement Officer

From: Ivan Fannin, PCI 2 
Wetland Resources Section

Subject: Peruvian American Club, Inc.
S.W. 136th Street & S.W. 207th Avenue
Section 15-55-38
30-5815-000-0800

On September 8, 2006, at 9:25 a.m., Martha Garcia and I conducted an inspection of the above-referenced property to document current site conditions. We entered the property from the northwest corner in an area that had been cleared and partially scraped down. A pile of fill was also located within this area, but the area still contained an inappropriate amount of fill. The northern half of the subject property is being used primarily as a container nursery and a portion is row and furrow with an irrigation system throughout. At the time of inspection, the site was completely inundated with standing water and a revegetating groundcover of native wetland and exotic plant species. The agricultural operations are active. In addition, along the western boundary of the subject property is a fenced in fill pad with a residential trailer currently being lived in. Refer to attached photos.


Also, the concrete covered fill pad on the southern portion of the site remains on the property as previously documented. To date, a Class IV Wetland Permit Application has not been submitted for the agricultural operation or any of the fill material onsite nor has the site been satisfactorily restored.



Northwest corner of property has been cleared and contains fill material.

View of the active container nursery.



Inspector: I. Fannin  **Section:** Wetland Resources **Date:** 9/8/06
Property Owner: Peruvian American Club **Folio #**30-5815-000-0800
Address: SW 207 Ave & SW 136 St, Miami, FL **File #:** FW06-007



Standing water and revegetation of native wetland plant species throughout nursery.


View of active tree farm on the northern portion of the subject property.



Inspector: I. Fannin *I.F.* **Section:** Wetland Resources **Date:** 9/8/06
Property Owner: Peruvian American Club **Folio #**30-5815-000-0800
Address: SW 207 Ave & SW 136 St, Miami, FL **File #:** FW06-007




Within the nursery area on the northwestern portion of the property is a fenced in fill pad to include, but is not limited to a residential trailer, vehicles, bicycles, clotheslines, a washer and dryer, sheds, various trash and debris, etc.


Inspector: I. Fannin  **Section:** Wetland Resources **Date:** 9/8/06
Property Owner: Peruvian American Club **Folio #**30-5815-000-0800
Address: SW 207 Ave & SW 136 St, Miami, FL **File #:** FW06-007

Memorandum



Date: August 24, 2006

To: Mark Pettit 
Code Enforcement Officer

From: Ivan Fannin, PCI 2 
Wetland Resources Section


Subject: Peruvian American Club, Inc.
S.W. 136th Street & S.W. 207th Avenue
Section 15-55-38
30-5815-000-0800

On July 12, 2006, the Department granted the above-referenced property owner an extension until August 9, 2006, to submit an application for after-the-fact approval of the work performed at the subject property or until August 18, 2006, to restore the subject site to natural wetland elevation in order to allow the site to revegetate with native plant species. If the corrective actions are not completed accordingly, the owners were advised they could obtain additional time via an administrative Consent Agreement.

On August 22, 2006, at 3:06 p.m., Martha Garcia and I conducted a follow-up inspection to document current site conditions. At the time of inspection, the site conditions remain as previously documented on May 19, 2006; specifically, the unpermitted fill and agricultural operations are still onsite. Restoration of the property has not been completed as required nor has a Class IV Wetland Permit application been submitted to this Department.



Restoration activities have not been completed nor has a Class IV Wetland Permit been submitted. The fill material and agricultural operations remain onsite.

Inspector: I. Fannin  **Section:** Wetland Resources **Date:** 08/22/06
Property Owner: Peruvian American Club **Folio #**30-5815-000-0800
Address: SW 207 Ave & SW 136 St, Miami, FL **File #:** FW06-007



Peruvian-American Club, Corp.

P.O. BOX 652753
Miami, FL 33165

"Family of Families"

August 9, 2006

Mark J. Pettit
Code Enforcement Officer II
Environmental Resources Regulation Division
33 S.W. 2nd Avenue
10th Floor
Miami, Florida 33130-1540

Re: Unpermitted clearing and filling of freshwater wetlands located at, near, or in the vicinity of SW136 Street and SW 207 Avenue, Section 15 Township 55 South, Range 38 East, Miami-Dade County, Florida (Folio # 30-5815-000-0800) DERM file FW06-007.

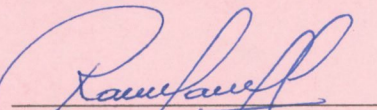
Dear Mr. Pettit:

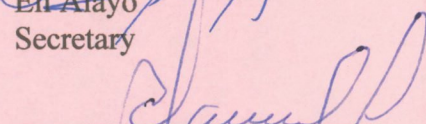
We received your letter dated July 12, 2006, acknowledging our request and we appreciate the extension granted.

Be advised that our institution has decided to restore the subject property to natural elevation and allow the site to regenerate with native wetland plants.

Also, we have to state that we already started the work to restore the property but since this is a delicate and expensive process the time allow in your letter seems to short to be completed, we would like to have an appointment to report our progress and set a time frame to complete the correction actions; we will contact your office to set a date and time at your earliest convenience.

Sincerely,
Peruvian-American Club, Inc.


Eli Alayo
Secretary


Wilson J. Alayo
Finance Director

RECEIVED

AUG 10 2006

DERM

Environmental Resources Regulation Division



July 12, 2006

Maria Vasquez, President
Peruvian-American Club, Inc.
10975 SW 52 Drive
Miami, Florida 33165-6904

Certified Mail No. 70031010000202932376
Return Receipt Requested

Re: Unpermitted clearing and filling of freshwater wetlands located at, near, or in the vicinity of SW 136 Street and SW 207 Avenue, Section 15, Township 55 South, Range 38 East, Miami-Dade County, Florida. (Folio # 30-5815-000-0800) DERM file FW06-007.

Dear Ms. Vasquez:

The Department of Environmental Resources Management (DERM) reviewed your request for an extension of time to comply with the requirements of the February 21, 2006 Notice of Violation and Orders for Corrective Action (NOV) and the June 19, 2006 Final Notice Prior to Court Action (FNPTCA) issued for the above-referenced site.

Pursuant to the above, the DERM hereby grants an extension until August 9, 2006 to submit a complete application for an after-the-fact Class IV wetland permit for the work performed at the subject site or until August 18, 2006 to restore the subject property to natural elevation and allow the site to revegetate with native wetland plant species. Be advised, if the required corrective actions are not completed by the above date additional time may be obtained by entering into an administrative Consent Agreement. Said Agreement shall provide for corrective actions with specific timeframes with which to comply, civil penalties and the reimbursement of the Department's administrative costs in this matter.

If you have any questions concerning the above, please contact Ivan Fannin of the Wetlands Resources Section of this office at 305-372-6599 or the undersigned at 305-372-6902.

Sincerely,

Mark J. Pettit
Code Enforcement Officer II
Environmental Resources Regulation Division

Delivering Excellence Every Day

- ADA Coordination
- Agenda Coordination
- Art in Public Places
- Audit and Management Services
- Aviation
- Building Code Compliance
- Building
- Business Development
- Capital Improvements
- Citizen's Independent Transportation Trust
- Communications
- Community Action Agency
- Community & Economic Development
- Community Relations
- Consumer Services
- Corrections & Rehabilitation
- Countywide Healthcare Planning
- Cultural Affairs
- Elections
- Emergency Management
- Employee Relations
- Enterprise Technology Services
- Environmental Resources Management**
- Fair Employment Practices
- Finance
- Fire Rescue
- General Services Administration
- Historic Preservation
- Homeless Trust
- Housing Agency
- Housing Finance Authority
- Human Services
- Independent Review Panel
- International Trade Consortium
- Juvenile Assessment Center
- Medical Examiner
- Metropolitan Planning Organization
- Park and Recreation
- Planning and Zoning
- Police
- Procurement Management
- Property Appraiser
- Public Library System
- Public Works
- Safe Neighborhood Parks
- Seaport
- Solid Waste Management
- Strategic Business Management
- Team Metro
- Transit
- Urban Revitalization Task Force
- Vizcaya Museum and Gardens
- Water and Sewer

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Maria Vasquez, President
Peruvian-American Club, Inc.
10975 SW 52 Drive
Miami, Florida 33165-6904

COMPLETE THIS SECTION ON DELIVERY

- A. Signature Agent
 Addressee
- B. Received by (Printed Name) C. Date of Delivery
- D. Is delivery address different from item 1? Yes
If YES, enter delivery address below: No

3. Service Type
- Certified Mail Express Mail
 Registered Return Receipt for Merchandise
 Insured Mail C.O.D.
4. Restricted Delivery? (Extra Fee) Yes

2. Article Number

7003 1010 0002 0293 2376

PS Form 3811, August 2001

Domestic Return Receipt

102595-02-M-1035

Mark Puff. 4th fl.
fW06-007

AUG 07 2006



Peruvian-American Club, Corp.

P.O. BOX 652753
Miami, FL 33165

"Family of Families"

RECEIVED

JUL 11 2006

DERM

Environmental Resources Regulation Division

July 5, 2006

Mark J. Pettit
Code Enforcement Officer II
Environmental Resources Regulation Division

Re: Certified Mail N° 7003 1010 0002 0292 5446 received letter on July 03,2006.
Peruvian American Club, Inc.- Folio 30-5815-000-0800

Dear Mr. Pettit:

Regarding your letter of June 19, 2006; we let you to know that, on March 19/2006 we started the corrective actions in our property located at, near, or in the vicinity of SW 136 Street and Sw 207 Avenue, Miami-Dade County, Florida.

We are attaching copies of American Environmental Recycling (Invoice), AR Trucking of Miami, Inc. (Invoice) and the letter sent to you on March 21, 2006. as a prub of that corrective action .

About the other recomendations, we are taking the necessary steps for continue working on it..
Please, we need more information and get more time.

Thank you, in advance, for your understanding and help on this matter.

Sincerely,

Maria Isabel Vasquez
President

w/copy dade county DERM/ PACC records



Peruvian-American Club, Corp.

P.O. BOX 652753
Miami, FL 33165

"Family of Families"

March 21, 2006

To: Mark J. Pettit
Environmental Resources Regulation Division- Miami - Dade County
Department of Environmental Resources Management
Natural Resources Division-33 SW 2nd Av, 10th Floor
Miami, Florida 33130-1540

Re: Peruvian American Club, Inc. - Folio 30-5815-000-0800
received letter on 2-27-06 from DERM.

Dear Mr. Pettit:

The improper disposal of solid waste "Mulch Material" occurred on the property of Peruvian American Club, Inc situated on 20695 SW 136 Street -Miami (on the corner of SW 136 Street and SW 207 Avenue, Section 15, Township 55 South, Range 38 East, Miami, Dade County, Florida.), was removed on March 19, 2006 .

Attached are: Invoice 10489 of American Environmental Recycling and
Invoice 214 of AR. Trucking of Miami, Inc.

In our opinion, the Dade County Authority has to investigate who did disposal the wood chips in part of our property and make responsible before the law for do that.

We think there is no right that we assume the cost for something we are no responsables.

Sincerely

Maria Isabel Vasquez
President

w/copy dade county DERM / PAAC records

American Environmental Recycling

10001 S.W. 240 Street • Miami, FL 33174

Mailing Address:

14241 S.W. 143 Ct. Miami, FL 33186

Tel: 305.232.2344 • Fax: 305.232.9666

RECEIVING RECORD

No. 10489

Date: 3/19/06	Time:	
Hauler Name: A & R TRUCK		
Truck Number: 15		
Container Number:		
Quantity	Material Description	Rate
<input type="checkbox"/> 10 yd	<input type="checkbox"/> Cardboard	
<input type="checkbox"/> 20 yd	<input type="checkbox"/> Plastic	
<input type="checkbox"/> 30 yd	<input type="checkbox"/> Rejects	
<input type="checkbox"/> 40 yd	<input type="checkbox"/> Steel	
<input type="checkbox"/> 50 yd	<input type="checkbox"/> Wood	
<input checked="" type="checkbox"/> 100 yd	<input checked="" type="checkbox"/> Wood Chips	
	<input type="checkbox"/> C.D. <input type="checkbox"/> Demo <input type="checkbox"/> Mixed Debris	
	<input type="checkbox"/> Overloaded Charge	

Remarks:

A service charge of 1.5% per month (18% per annum) and attorneys fees and costs will be charged on all past due accounts in the event it shall become necessary to collect the herein described sums, or any part thereof.

Additional terms and conditions on the reverse side.

Received by: _____

2

A.R. TRUCKING OF MIAMI INC.

17345 SW 280 ST
HOMESTEAD, FL 33031

Invoice

Date	Invoice #
3/21/2006	214

Bill To
PERUVIAN AMERICAN CLUB, INC. 20695 sw 136 st Miami.

P.O. No.	Terms	Project

Item	Qty	Description	Rate	Amount
HAUL TREES	1	DELIVERY 100yr MULCH TO AMERICAN ENVIRONMENTAL RECYCLING.	1,450.00	1,450.00
All work is complete!			Total	\$1,450.00

*Pay check # 492
PAGADO \$ 1450.00
ARSENIO A. RAUERO*



miamidade.gov

June 19, 2006

Maria Vasquez, President
 Peruvian-American Club, Inc.
 10975 SW 52 Drive
 Miami, Florida 33165-6904

Certified Mail No.7003 1010 0002 0292 5446
 Return Receipt Requested

Re: Unpermitted clearing and filling of freshwater wetlands located at, near, or in the vicinity of SW 136 Street and SW 207 Avenue, Section 15, Township 55 South, Range 38 East, Miami-Dade County, Florida. (Folio #30-5815-000-0800) DERM file FW06-007.

Dear Ms. Vasquez:

FINAL NOTICE PRIOR TO COURT ACTION

Reference is made to this Department's Notice of Violation and Orders for Corrective Action issued February 21, 2006 Certified Mail No. 7003 1010 0002 0292 4258 and to the order and/or orders therein. The Department has determined that you have failed to comply with the above-referenced NOTICE and with the provisions of Chapter 24, Miami-Dade County Code.

In order to redress the violations outlined in the referenced NOTICE the Department will at this time, afford you with the opportunity to agree to enter into an administrative consent agreement within thirty (30) days of receipt of this correspondence. **SAID AGREEMENT SHALL PROVIDE, AT A MINIMUM, FOR REMEDIAL OR CORRECTIVE ACTION, CIVIL PENALTIES, THE REIMBURSEMENT OF THE DEPARTMENT'S ADMINISTRATIVE COSTS AND ADDITIONAL PENALTIES FOR NON-COMPLIANCE WITH THE TERMS AND CONDITIONS THEREOF.**

In the event you fail to correct the violation(s) or execute a consent agreement within thirty (30) days to insure voluntary compliance with Chapter 24, your case may be forwarded to a court of competent jurisdiction through the offices of the County Attorney.

If you have any questions concerning the above, please contact Ivan Fannin of the Wetlands Resources Section of this office at (305) 372-6585 or the undersigned at (305) 372-6902.

Sincerely,

Mark J. Pettit
 Code Enforcement Officer II
 Environmental Resources Regulation Division

Enclosure: Notice of Violation

Delivering Excellence Every Day

- ADA Coordination
- Agenda Coordination
- Art in Public Places
- Audit and Management Services
- Aviation
- Building Code Compliance
- Building
- Business Development
- Capital Improvements
- Citizen's Independent Transportation Trust
- Communications
- Community Action Agency
- Community & Economic Development
- Community Relations
- Consumer Services
- Corrections & Rehabilitation
- Countywide Healthcare Planning
- Cultural Affairs
- Elections
- Emergency Management
- Employee Relations
- Enterprise Technology Services
- Environmental Resources Management**
- Fair Employment Practices
- Finance
- Fire Rescue
- General Services Administration
- Historic Preservation
- Homeless Trust
- Housing Agency
- Housing Finance Authority
- Human Services
- Independent Review Panel
- International Trade Consortium
- Juvenile Assessment Center
- Medical Examiner
- Metropolitan Planning Organization
- Park and Recreation
- Planning and Zoning
- Police
- Procurement Management
- Property Appraiser
- Public Library System
- Public Works
- Safe Neighborhood Parks
- Seaport
- Solid Waste Management
- Strategic Business Management
- Team Metro
- Transit
- Urban Revitalization Task Force
- Vizcaya Museum and Gardens
- Water and Sewer

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Maria Vasquez, President
Peruvian-American Club, Inc.
10975 SW 52 Drive
Miami, Florida 33165-6904

COMPLETE THIS SECTION ON DELIVERY

A. Signature Agent Addressee
X Ricardo Vasquez

B. Received by (Printed Name) C. Date of Delivery
RICARDO VASQUEZ

D. Is delivery address different from item 1? Yes
If YES, enter delivery address below: No

JUL 03 2006

3. Service Type
 Certified Mail Express Mail
 Registered Return Receipt for Merchandise
 Insured Mail C.O.D.

4. Restricted Delivery? (Extra Fee) Yes

7003 1010 0002 0292 5446

PS Form 3811, August 2001

Domestic Return Receipt

*Mark P. Hoff. 4th floor.
#W06-107*

102595-02-M-1035

Memorandum



Date: June 16, 2006

To: Mark Pettit *MPP*
Code Enforcement Officer

From: Michael Spinelli, ERPS *MS*
Wetland and Forest Resources Section

Subject: Peruvian American Club, Inc.
S.W. 136th Street & S.W. 207th Avenue
Section 15-55-38
30-5815-000-0800

On April 5, 2006, Robert Karafel of the South Florida Water Management District and I conducted an inspection of the property referenced above to determine compliance with "Notice of Violation and Orders for Corrective Action" issued to Maria Vasquez, President of the Peruvian-American Club on February 21, 2006. This inspection revealed that the Club has removed the solid waste (vegetative debris, plastic, metal and other shredded solid waste) from the subject property. In addition, the Club provided a disposal receipt to DERM on March 23, 2006 that states the material was taken to 10001 S.W. 240th Street in Miami.

This inspection also confirmed that the unpermitted fill and agricultural operations are still present on the subject property. As of the date of this memo, I have not received a Class IV Permit application for the unpermitted fill and agricultural operation, which was required to be submitted to this Department by March 14, 2006.

On May 19, 2006, Ivan Fannin, JoAnne Clingerman, you and I again conducted an inspection of the subject property. This inspection confirmed that the unpermitted fill and agricultural operations are still on site. Please see the attached pictures.

Therefore, this Section recommends that a "Final Notice Prior to Court Action" be issued to the Peruvian-American Club for failure to comply with the orders of the "Notice of Violation".



Property owner: Peruvian American Club Date: April 5, 2006
Location: SW 136th Street & SW 207th Avenue Photographs taken by: Michael Spinelli
Note: These photos show the unpermitted fill and agricultural operation that still exists on the subject property.





Property owner: Peruvian American Club

Date: April 5, 2006

Location: SW 136th Street & SW 207th Avenue

Photographs taken by: Michael Spinelli

Note: This photo shows the location where the solid waste existed on the subject property. They have removed the solid waste that was on their property.



Property owner: Peruvian American Club

Date: May 19, 2006

Location: SW 136th Street & SW 207th Avenue

Photographs taken by: Michael Spinelli

Note: These photos show the unpermitted fill and agricultural operation that still exists on the subject property.



Peruvian-American Club, Corp.

P.O. BOX 652753
Miami, FL 33165

"Family of Families"

RECEIVED

MAR 23 2006

DERM

Environmental Resources Regulation Division

March 21, 2006

To: Mark J. Pettit
Environmental Resources Regulation Division- Miami - Dade County
Department of Environmental Resources Management
Natural Resources Division-33 SW 2nd Av, 10th Floor
Miami, Florida 33130-1540

Re: Peruvian American Club, Inc. - Folio 30-5815-000-0800
received letter on 2-27-06 from DERM.

Dear Mr. Pettit:

The improper disposal of solid waste "Mulch Material" occurred on the property of Peruvian American Club, Inc situated on 20695 SW 136 Street -Miami (on the corner of SW 136 Street and SW 207 Avenue, Section 15, Township 55 South, Range 38 East, Miami, Dade County, Florida.), was removed on March 19, 2006 .

Attached are: Invoice 10489 of American Environmental Recycling and
Invoice 214 of AR. Trucking of Miami, Inc.

In our opinion, the Dade County Authority has to investigate who did disposal the wood chips in part of our property and make responsible before the law for do that.
We think there is no right that we assume the cost for something we are no responsables.

Sincerely

Maria Isabel Vasquez
President

w/copy dade county DERM / PAAC records

I certify that the waste I delivered to this facility on this date does not contain any regulated hazardous waste as defined by the United States Environmental Protection Agency (EPA), the Florida Department of Environmental Protection (Dep) or the Miami-Dade County Department of Environmental Resources Management (DERM); any regulated radioactive materials or regulated concentrations of polychlorinated biphenyls (PCBs); waste from an industrial process or pollution control process; residual debris from the clean up chemical substances; medical waste; batteries, or waste generated from the treatment of a hazardous waste. I agree to remove any non-allowable wastes that I bring to this facility or pay all cost for proper removal and disposal of such wastes, upon request by the facility.

I also agree that should it be determined that I and all persons or entities caused the delivery of any waste classified as regulated hazardous waste as defined above, that all such persons or entities will be responsible for indemnifying American Environmental Recycling its directors, officers, employees, successors and assigns harmless from and against any and all claims, losses, damages (including all foreseeable and unforeseeable consequential damages), liabilities, fines, penalties, charges, interest, administrative and judicial proceedings and orders, judgments, remedial action requirements, enforcement actions of any kind, and all costs and expenses incurred in connection therewith (including but not limited to attorneys' fees and clean-up expenses), directly or indirectly resulting in whole or in part from any environmental claims pertaining to my bringing regulated hazardous waste to this facility including, but not limited to, those for the presence, use or storage of any hazardous materials, the costs of any necessary inspection, audit, cleanup or detoxification of facility under any local, state or Federal environmental law or regulation, and the preparation and implementation of any closure, remedial or other required plans, consent orders, license applications or the like.

American Environmental Recycling

14241 S.W. 240 Street • Miami, FL 33174

Mailing Address:

14241 S.W. 143 Ct. Miami, FL 33186

Tel: 305.232.2344 • Fax: 305.232.9666

RECEIVING RECORD

No. 10489

Date: 3/19/06	Time:	
Hauler Name: AER TRUCK		
Truck Number: 15		
Container Number:		
Quantity	Material Description	Rate
<input type="checkbox"/> 10 yd	<input type="checkbox"/> Cardboard	
<input type="checkbox"/> 20 yd	<input type="checkbox"/> Plastic	
<input type="checkbox"/> 30 yd	<input type="checkbox"/> Rejects	
<input type="checkbox"/> 40 yd	<input type="checkbox"/> Steel	
<input type="checkbox"/> 50 yd	<input type="checkbox"/> Wood	
<input checked="" type="checkbox"/> 100 yd	<input checked="" type="checkbox"/> Wood Chips	
	<input type="checkbox"/> C.D. <input type="checkbox"/> Demo <input type="checkbox"/> Mixed Debris	
	<input type="checkbox"/> Overloaded Charge	
Remarks:		
<p>A service charge of 1.5% per month (18% per annum) and attorneys fees and costs will be charged on all past due accounts in the event it shall become necessary to collect the herein described sums, or any part thereof.</p> <p>Additional terms and conditions on the reverse side.</p>		
Received by: _____		
Driver's Signature: <i>A. E. R.</i>		
WHITE: ACCOUNTING • YELLOW: CUSTOMER COPY • PINK: AER • GOLD: HAULER		

Peruvian American Club, Inc
Folio: 30-5815-000-0800

A.R. TRUCKING OF MIAMI INC.

17345 SW 280 ST
HOMESTEAD, FL 33031

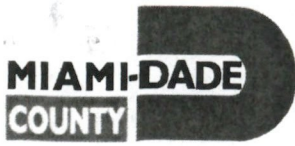
Invoice

Date	Invoice #
3/21/2006	214

Bill To
PERUVIAN AMERICAN CLUB, INC. 20695 sw 136 st Miami.

P.O. No.	Terms	Project

Item	Qty	Description	Rate	Amount
HAUL TREES	1	DELIVERY 100yr MULCH TO AMERICAN ENVIRONMENTAL RECYCLING.	1,450.00	1,450.00
<i>Pay check # 492 PAGADO \$ 1450.00 ARSENIO A. RAJEL</i>				
All work is complete!			Total	\$1,450.00



February 21, 2006

miamidade.gov

- ADA Coordination
- Agenda Coordination
- Art in Public Places
- Audit and Management Services
- Aviation
- Building Code Compliance
- Building
- Business Development
- Capital Improvements
- Citizen's Independent Transportation Trust
- Communications
- Community Action Agency
- Community & Economic Development
- Community Relations
- Consumer Services
- Corrections & Rehabilitation
- Countywide Healthcare Planning
- Cultural Affairs
- Elections
- Emergency Management
- Employee Relations
- Enterprise Technology Services
- Environmental Resources Management**
- Fair Employment Practices
- Finance
- Fire Rescue
- General Services Administration
- Historic Preservation
- Homeless Trust
- Housing Agency
- Housing Finance Authority
- Human Services
- Independent Review Panel
- International Trade Consortium
- Juvenile Assessment Center
- Medical Examiner
- Metropolitan Planning Organization
- Park and Recreation
- Planning and Zoning
- Police
- Procurement Management
- Property Appraiser
- Public Library System
- Public Works
- Safe Neighborhood Parks
- Seaport
- Solid Waste Management
- Strategic Business Management
- Team Metro
- Transit
- Urban Revitalization Task Force
- Vizcaya Museum and Gardens
- Water and Sewer

Maria Vasquez, President
Peruvian-American Club, Inc.
10975 SW 52 Drive
Miami, Florida 33165-6904

Certified Mail No.70031010000202924258
Return Receipt Requested

Re: Unpermitted clearing and filling of freshwater wetlands located at, near, or in the vicinity of SW 136 Street and SW 207 Avenue, Section 15, Township 55 South, Range 38 East, Miami-Dade County, Florida. (Folio #30-5815-000-0800) DERM file FW06-007.

Dear Ms. Vasquez:

NOTICE OF VIOLATION
AND
ORDERS FOR CORRECTIVE ACTION

An inspection by representatives of this Department on February 9, 2006, revealed that clearing and filling of freshwater wetlands and the improper disposal of solid waste (i.e. mulch material) has occurred on the above-referenced property. A review of Department records reveals that said work was performed without the required Class IV Wetland Permit.

Be advised the above constitutes violations of Chapter 24, Miami-Dade County Environmental Protection Ordinance and Chapter 62, Florida Administrative Code (F.A.C.), specifically:

Section 24-27, of said Ordinance, inasmuch as no person shall cause, or allow to be caused, any nuisance or sanitary nuisance as defined in Sections 24-5(42), 24-5(58) and/or 24-28 hereof; and,

Section 24-25(4), of said Ordinance, which states in pertinent part: "Any person who commits a violation of any rules and regulations adopted pursuant to this Section shall be deemed guilty of committing a violation of this Chapter."

Section 24-48(1), - of said Ordinance, which states in pertinent part: "It shall be unlawful for any person ... to fill, dredge or authorize, allow, suffer or permit filling or dredging or perform or authorize, allow, suffer or permit any type of work in, on, over or upon ... wetlands anywhere in Miami-Dade County ... without first having obtained a permit from the Miami-Dade County Department of Environmental Resources Management."

Chapter 62-701.300(1), - Florida Administrative Code, which states in pertinent part: "No person shall store, process or dispose of solid waste except at a permitted solid waste management facility or a facility exempt from permitting under this chapter."

Delivering Excellence Every Day

Chapter 62-701.300(2)(e), – Florida Administrative Code, which states in pertinent part: “No solid waste shall be stored or disposed of by being placed: in an area subject to frequent and periodic flooding unless flood control protection measures are in place.”

Based on the above and pursuant to the authority granted to me under Chapter 24, Miami-Dade County Environmental Protection Ordinance, I am hereby ordering you to:

1. Upon receipt of this Notice, “**CEASE AND DESIST**” from any further unpermitted work (clearing, filling, etc.) on the subject property.
2. Upon receipt of this Notice, “**CEASE AND DESIST**” from any further disposal of solid waste at the subject property.
3. Within fifteen (15) days of receipt of this Notice, begin the removal the solid waste (i.e. mulch material) from the subject property and complete said removal within thirty (30) days of receipt of this Notice. All solid waste shall be disposed of properly at an approved and permitted landfill with copies of the disposal receipts submitted to DERM.
4. Within fifteen (15) days of receipt of this Notice, submit a *complete* application for an after-the-fact Class IV wetland permit for the work that has been performed (application package enclosed). Please be advised that double application and permit fees will be assessed for this project.

or

Within forty-five (45) days of receipt of this Notice, restore the impacted portions of the subject site to a natural wetland elevation and allow the site to revegetate with native wetland species.

BE ADVISED THAT FAILURE TO COMPLY WITH THE ABOVE MAY RESULT, AT A MINIMUM, IN CIVIL PENALTIES AND THE PAYMENT OF ALL DEPARTMENTAL COSTS INCURRED IN THE INVESTIGATION AND SETTLEMENT OF THIS CASE. IN ADDITION, FAILURE TO COMPLY MAY RESULT IN YOUR CASE BEING PREPARED FOR FORMAL ENFORCEMENT ACTION IN A COURT OF COMPETENT JURISDICTION PURSUANT TO THE ENFORCEMENT AND PENALTY PROVISIONS OF SECTION 24-29, MIAMI-DADE COUNTY ENVIRONMENTAL PROTECTION ORDINANCE.

If you have any questions regarding the above, please contact Michael Spinelli of the Wetlands Resources Section of this office at (305) 372-6585.

Sincerely,



Mark J. Pettit
Code Enforcement Officer II
Environmental Resources Regulation Division

CC: Brice McCoy, U.S. Army Corps of Engineers
Anita Bain, South Florida Water Management District
Tim Rach, Florida Department of Environmental Protection

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Maria Vasquez, President
Peruvian-American Club, Inc.
10975 SW 52 Drive
Miami, Florida 33165-6904

COMPLETE THIS SECTION ON DELIVERY

A. Signature Agent
 Vicente Vasquez Addressee

B. Received by (Printed Name) C. Date of Delivery
VICENTE VASQUEZ

D. Is delivery address different from item 1? Yes
If YES, enter delivery address below: No

FEB 27 2005

3. Service Type
 Certified Mail Express Mail
 Registered Return Receipt for Merchandise
 Insured Mail C.O.D.

4. Restricted Delivery? (Extra Fee) Yes

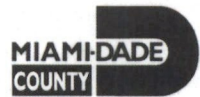
7003 1010 0002 0292 4258

Mark Pettit 4th FL.
FW06-007

PS Form 3811, February 2004 Domestic Return Receipt

102595-02-M-1540

Memorandum



Date: February 16, 2006

To: Mark Pettit *MLP 2/16/06*
Code Enforcement Officer

Via: Matthew Davis *MD*
Wetland Resources Section Chief

From: Michael Spinelli, ERPS *MS*
Wetland and Forest Resources Section

Subject: Peruvian American Club, Inc.
S.W. 136th Street & S.W. 207th Avenue
Section 15-55-38
30-5815-000-0800

On February 9, 2006, Robert Karafel of the South Florida Water Management District, Guy Gilbert of the Department of Environmental Protection and I conducted an inspection of the property referenced above while inspecting the East Everglades for illegal disposal sites of hurricane debris and solid waste. This inspection revealed that wetlands on the southeast corner of the subject property have been illegally filled with solid waste (vegetative debris, plastic, metal and other shredded solid waste).

A review of the aerial photographs determined that the site had been previously used for agriculture but left fallow between 1998 and 1999. On August 27, 1999, Gwen Burzycki and I conducted an inspection of the subject property and determined that the subject property is a jurisdictional wetland and would require a Class IV Permit for any work. The fill pad that is currently located in the center of the subject property does not show up until the 2000 aerial photograph. The 2004 and 2005 aerial photograph now show additional filling on the northwest corner of the subject property.

This Section requests that a "Notice of Violation and Orders for Corrective Action" be issued to Maria Vasquez, President of the Peruvian American Club for clearing and filling wetlands without a Class IV Permit and for the illegal disposal of solid waste in a wetland.



Property owner: Peruvian American Club
Location: SW 136th Street & SW 207th Avenue
Note: These photos show the solid waste dumped on the southeast corner of the subject property (top) and the unpermitted fill pad (bottom).

Date: February 9, 2006

Photographs taken by: Michael Spinelli





Property owner: Peruvian American Club

Date: February 9, 2006

Location: SW 136th Street & SW 207th Avenue

Photographs taken by: Michael Spinelli

Note: This photo shows the unpermitted fill pad in the center of the property.

2005 Aerial Photograph Peruvian American Club

Section 553816




 TTRRSS - 553816

 Class IV Files

 Urban Dev. Boundary

 Text Street Annotation

 Highways

 Major Streets

 Parcels

Canvas

 33

 57

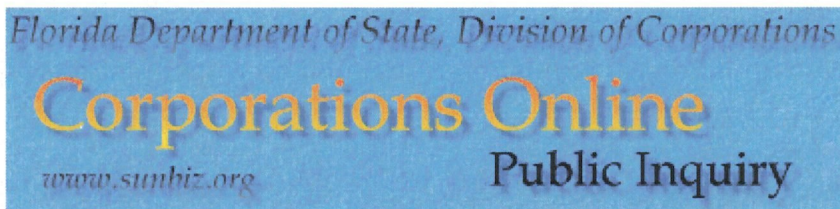


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The boundaries shown on the Wetland Basins layer are approximate and are not intended to represent the extent of all wetlands, nor are all wetland areas shown. This map is NOT INTENDED TO BE USED TO DETERMINE THE LOCATION OF JURISDICTIONAL WETLANDS or for regulatory purposes. For further information contact DERM, Wetland and Forest Resources Section (305)372-6585

SCALE: 1 inch = 279.09 Feet



Florida Profit

PERUVIAN-AMERICAN CLUB INC.

PRINCIPAL ADDRESS
 10975 S.W. 52ND DRIVE
 MIAMI FL 33165

MAILING ADDRESS
 PO BOX 652753
 MIAMI FL 33165
 Changed 03/24/2003

Document Number
 P96000085757

FEI Number
 650706774

Date Filed
 10/16/1996

State
 FL

Status
 ACTIVE

Effective Date
 NONE

Registered Agent

Name & Address
VASQUEZ, MARIA I 10975 SW 52 DR. MIAMI FL 33165
Name Changed: 03/24/2003
Address Changed: 03/24/2003

Officer/Director Detail

Name & Address	Title
VASQUEZ, MARIA I 10975 SW 52 LN MIAMI FL 33165	P
MARIA COMON, ANA 8840 SW 105 STREET MIAMI FL 33175	VP
CLARK-FERNANDEZ, CARMEN 10966 SW 145 COURT	T

MIAMI FL 33186	
ALAYO, ELI R 2807 SW 37 AVE #300	S
MIAMI FL 33145	

Annual Reports

Report Year	Filed Date
2004	03/09/2004
2005	05/05/2005
2006	02/01/2006

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No Events
No Name History Information

Document Images

Listed below are the images available for this filing.

02/01/2006 -- ANN REP/UNIFORM BUS REP
05/05/2005 -- ANN REP/UNIFORM BUS REP
03/09/2004 -- ANN REP/UNIFORM BUS REP
03/24/2003 -- ANN REP/UNIFORM BUS REP
12/18/2002 -- COR - ANN REP/UNIFORM BUS REP
05/16/2001 -- ANN REP/UNIFORM BUS REP
03/20/2000 -- ANN REP/UNIFORM BUS REP
03/06/1999 -- ANNUAL REPORT
04/27/1998 -- ANNUAL REPORT
05/01/1997 -- ANNUAL REPORT

THIS IS NOT OFFICIAL RECORD; SEE DOCUMENTS IF QUESTION OR CONFLICT

[Corporations Inquiry](#)

[Corporations Help](#)

02/10/2006

*** PUBLIC VALUE JURY ***

PTXM0186

FOLIO 30 5815 000 0800 PROP ADDR

MCD 3000

NAME AND LEGAL	YEAR	2004	2005	01/01/2006
PERUVIAN AMERICAN CLUB INC	LAND	37576	75152	
10975 SW 52 DR	BLDG			
MIAMI FLA	MARKET	37576	75152	
331656904 =====				
15 55 38 4.697 AC M/L	ASSESS	37576	75152	
W1/2 OF SW1/4 OF SW1/4 OF SW1/4	HEX			
LESS S40FT FOR R/W	WVDB			
OR 17519-4004 0197 1	TOT EX			
	TAXABLE	37576	75152	

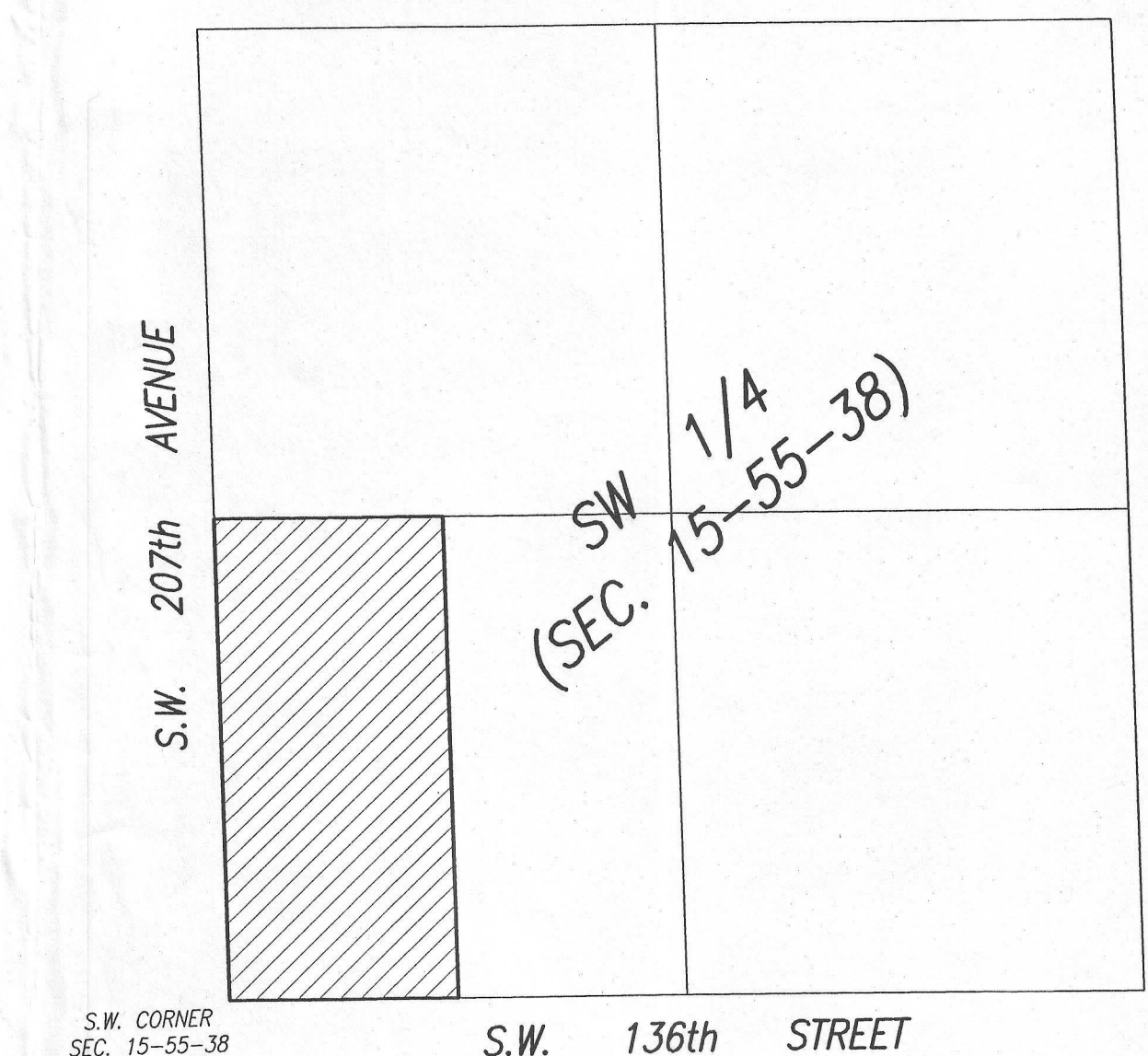
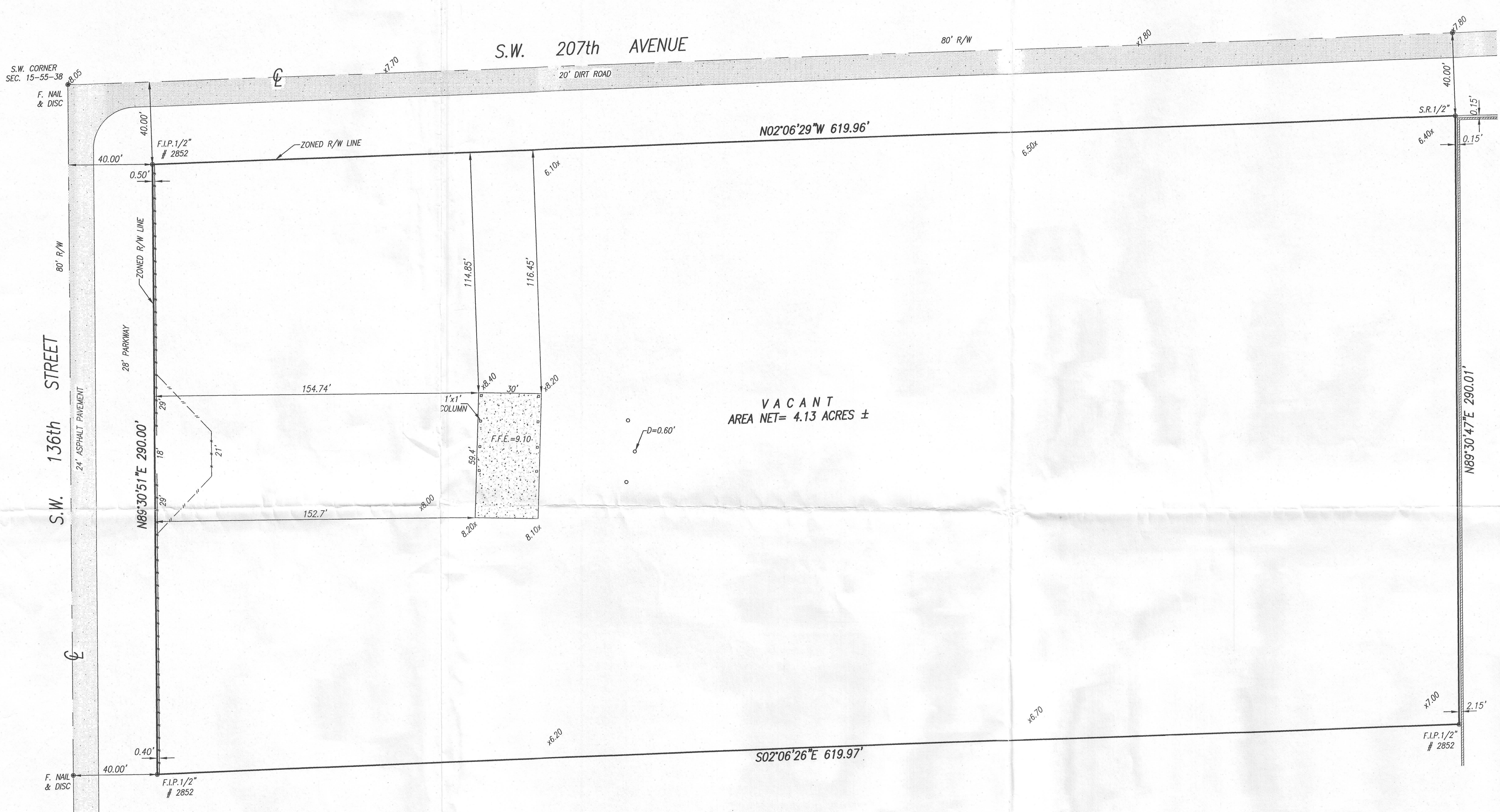
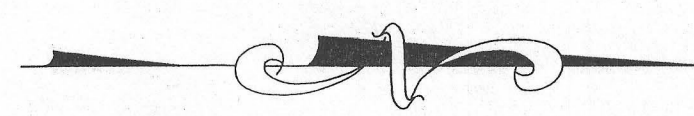
STATE EXEMPT:

SALE DATE	01/1997	SALE AMT	62000
SALE TYPE	1 I/V V	SALE O/R	17519-4004

PF1-MORE LEGAL PF2-PARCEL INFO PF3-FOL SRCH PF5-TAX COLL PF7-PREV OWNER PF8-MENU
 PF13-OCCUP LIC

BOUNDARY SURVEY

SCALE: 1" = 30'



LOCATION SKETCH
N.T.S.

VACANT
AREA NET= 4.13 ACRES ±

GENERAL SYMBOLS

⊙	MANHOLE SANITARY SEWER	—X—	CHAIN LINK FENCE
⊙	MANHOLE F.P.L.	—//—	WOOD FENCE
⊙	MANHOLE BELLSOUTH	—○—	IRON FENCE
⊙	CATCH BASIN	—○—	OVERHEAD ELECTRIC
⊙	FIRE HYDRANT	—○—	SIGN
⊙	WOOD POWER POLE	⊗	CONCRETE POLE
⊙	LIGHT STEEL POLE	⊗	WATER METER
⊙	UTILITY CONC. POLE	⊗	WATER VALVE
⊙	MANGO TREE	⊗	GAS VALVE
		⊗	ELECTRIC BOX
		⊗	T.V. BOX
		⊗	TELEPHONE BOX

GENERAL LEGEND

P.R.M.	PERMANENT REFERENCE MONUMENT	T.O.C.	TOP OF CURB
P.C.P.	PERMANENT CONTROL POINT	I.F.	IRON FENCE
F.I.B.	FOUND IRON BAR	P.L.	PROPERTY LINE
S.I.B.	SET IRON BAR 1/2" STAMPED	M.L.	MONUMENT LINE
F.D.H.	FOUND DRILL HOLE	S.F.	SQUARE FOOT
C/L	CENTER LINE	SWK.	SIDEWALK
A/C.	AIR CONDITIONER	U.E.	UTILITY EASEMENT
ASPH.	ASPHALT	W.F.	WOOD FENCE
B.M.	BENCH MARK	M	MEASURE
N.C.V.D.	NATIONAL VERTICAL DATUM	R	RECORD
ELEV.	ELEVATION	S.N.D.	SET NAIL & DISC TAMPED P.L.S.
T.B.M.	TEMPORARY BENCH MARK	F.N.D.	FOUND NAIL & DISC
RES.	RESIDENCE	C.B.S.	CONCRETE BLOCK STRUCTURE
L.F.E.	LOWEST FLOOR ELEVATION	ENC.	ENCROACHMENT
F.F.E.	FINISH FLOOR ELEVATION	CL.	CLEAR
F.H.	FIRE HYDRANT	R/W	RIGHT OF WAY
C.B.	CATCH BASIN	C.L.F.	CHAIN LINK FENCE
E.P.	ELECTRIC POLE	F.H.	FIRE HYDRANT
P.O.B.	POINT OF BEGINNING	O/H	OVERHEAD
		P.O.C.	POINT OF COMMENCE

SURVEYOR'S NOTES:

- THIS IS A BOUNDARY SURVEY.
- Examination of ABSTRACT OF TITLE will have to be made to determine recorded instruments affecting this property and is subject to dedications, limitations, restrictions, and/or easements of records.
- Legal description was provided by client or attesting title company.
- Unless otherwise noted, this survey has not attempted to locate any footing and/or underground utilities on and/or adjacent to the property.
- Ownership is subject to OPINION OF TITLE.
- Applicable zoning and building set backs must be checked before design or construction begins on this property.
- This survey has been prepared for the exclusive use of the entities named herein.
- If shown, bearings are referred to an assumed meridian, and are referenced of centerline of S.W. 136th STREET (N89°30'51"E).
- If shown, elevation are referred to n.g.v.d. of 1929. BM P-451, Elev. 7.20, Locator Index: 5833
- According to N.F.I.P. the subject property falls within FLOOD ZONE: AH EL.: 8.00 COMMUNITY: 120635 PANEL: 0250 SUFFIX: J DATED: 03-02-1994.
- NOT VALID UNLESS SEALED WITH AN EMBOSSED SURVEYOR'S SEAL.
- Well-identified features in this survey and map have been measured to an estimated horizontal positional accuracy of 1:10000 FT.

LEGAL DESCRIPTION:

THE NW 1/4 OF THE SW 1/4 OF THE SW 1/4 OF THE SW 1/4 OF SECTION 15, TOWNSHIP 55 SOUTH, RANGE 38 EASET, LYING AND BEING IN MIAMI-DADE COUNTY, FLORIDA.
THE NW 1/4 OF THE SW 1/4 OF THE SW 1/4 OF THE SW 1/4 OF SECTION 15, TOWNSHIP 55 SOUTH, RANGE 38 EASET, LYING AND BEING IN MIAMI-DADE COUNTY, FLORIDA.

MANUEL FELIPE
PROFESSIONAL LAND SURVEYOR
8500 SW 8th STREET, SUITE 220 MIAMI, FL 33144
PH: 305-265-8308 FAX: 305-265-9082

PREPARED FOR:
CHOSICA RANCH CORP.

BOUNDARY SURVEY

I HEREBY CERTIFY, THAT THE ATTACHED BOUNDARY SURVEY OF THE ABOVE DESCRIBED PROPERTY IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF AS RECENTLY SURVEYED UNDER MY DIRECTION, AND THAT THERE ARE NO ENCROACHMENTS OTHER THAN THOSE SHOWN, AND MEETS THE INTENT OF THE MINIMUM TECHNICAL STANDARDS AS SET FORTH BY THE FLORIDA BOARD OF LAND SURVEYORS AND MAPPERS IN CHAPTER 61C7-6 FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027 OF FLORIDA STATUTES.
NOT VALID UNLESS SEALED WITH AN EMBOSSED SURVEYOR'S SEAL.

CERTIFICATE NO: 4146
STATE OF FLORIDA

MANUEL FELIPE
(FOR THE FIRM)

REVISIONS

BOUNDARY SURVEY (W/O 11839)	01/10/97
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FIELD WORK DATE:	12/13/06	DRAWN DATE:	12/15/06	BY:	M.G.
ISSUED DATE:	12/15/06	F.B./P.G.	FILE		
UPDATED SURVEY					
WORK ORDER:	5879	SHEET	1 of 1		