

Blue Heron Park Green Reuse Area Designation **Community Meeting**

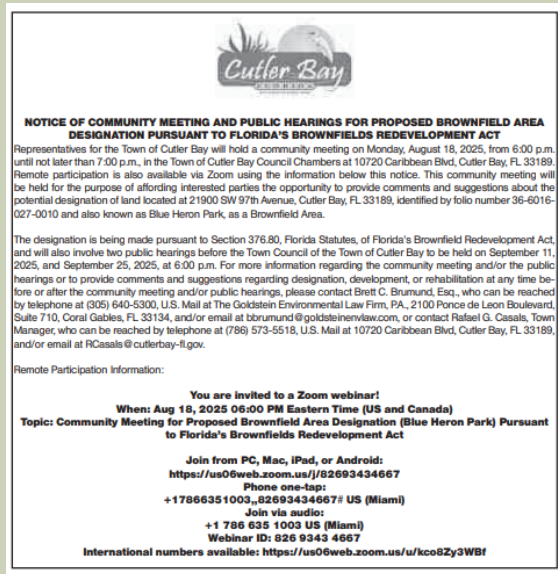
August 18, 2025



THE **GOLDSTEIN**
ENVIRONMENTAL LAW FIRM

PUBLIC NOTICES

Public Hearing Notice



Published in the Miami Herald's
Local Section
Friday, August 8, 2025

On-site Meeting Notice



Three (3) signs
Blue Heron Park
Monday, August 11

Other Outreach

- E-Newsletter (July)
- Cutler Bay Community Newspapers Center Pages(Week of Aug 18)
- Town's Website Calendar
- Town Hall Bulletin Boards

AGENDA

I. Introduction

II. Overview of Project Environmental Matters

- a) Property Reuse Plans**
- b) Historical Uses**
- c) Current Conditions**

III. Designation Process

IV. Closing and Open Discussion/Questions

INTRODUCTION - PROPERTY LOCATION



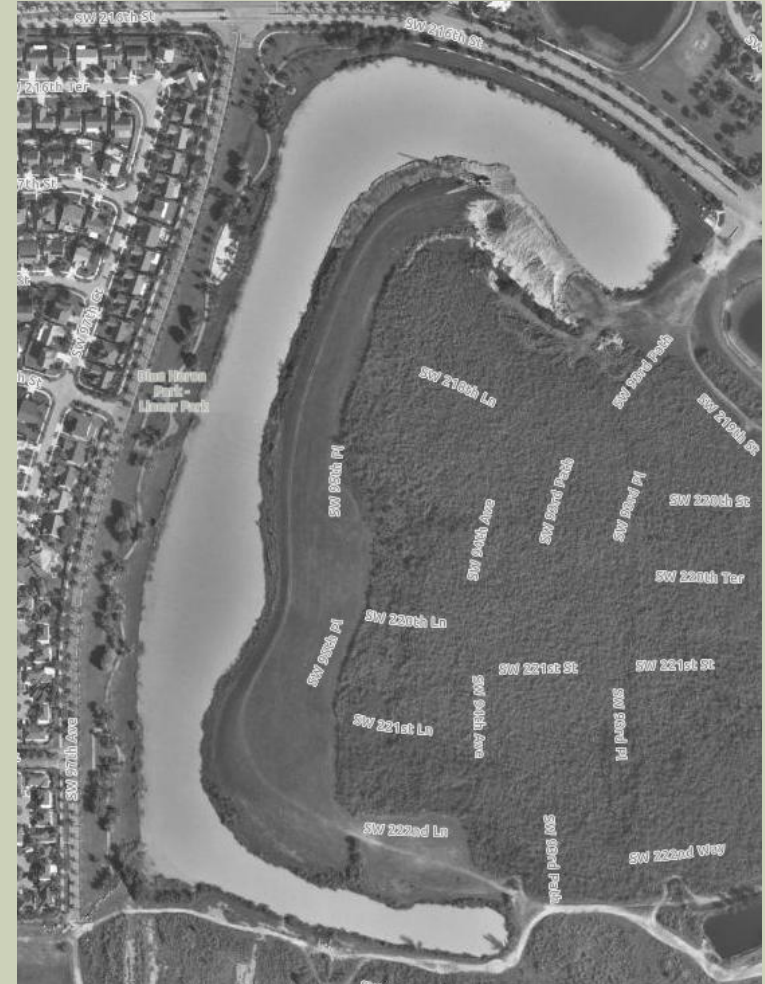
- Park has been closed since June 27, 2024
- 21900 SW 97th Avenue
- Within the Lakes by the Bay Community
- Folio No: 36-6016-027-0010
- Designated as a park
- 5 Acres (Approx.)
- Amenities:
 - Half-mile-long walking path
 - Nine(9) outdoor fitness stations
 - Two(2) pavilions

INTRODUCTION – KEY DEFINITIONS

- “Brownfield” means any real property, the expansion, redevelopment, or reuse of which may be complicated by actual or perceived environmental contamination and which has not yet been entered into a brownfield site rehabilitation agreement pursuant to s. 376.80(5). § 376.79(4), Florida Statutes (“F.S.”)
- “Brownfield area” means a contiguous area of one or more brownfields, some of which may not be contaminated, and which has been designated by a local government by resolution. Such areas may include all or portions of community redevelopment areas, enterprise zones, empowerment zones, other such designated economically deprived communities and areas, and United States Environmental Protection Agency-designated brownfield pilot projects. § 376.79(5), F.S.

OVERVIEW OF PROJECT ENVIRONMENTAL MATTERS

- **Historical agricultural uses in the region**
- **Land gifted to the Town by the Lakes by the Bay's Community Development District (C.D.D.) for use as a public park**
- **Background study for Cutler Bay's Civic And Resiliency Enhancement (C.A.R.E.) Zone project identified agricultural contamination above regulatory criteria (Reso. 21-89)**



OVERVIEW OF PROJECT ENVIRONMENTAL MATTERS

- Arsenic in soil is primary contaminant of concern
 - Naturally occurring in Miami-Dade County
 - A component of historically-used pesticides and herbicides
- Background study for C.A.R.E. Zone project identified agricultural contamination above regulatory criteria
- Remedial Approach
 - Excavation of soil above the water table
 - Protect existing 296 trees
 - Dust control and monitoring
 - Monitor groundwater for one year after excavation



BLUE HERON PARK REHABILITATION PLANS

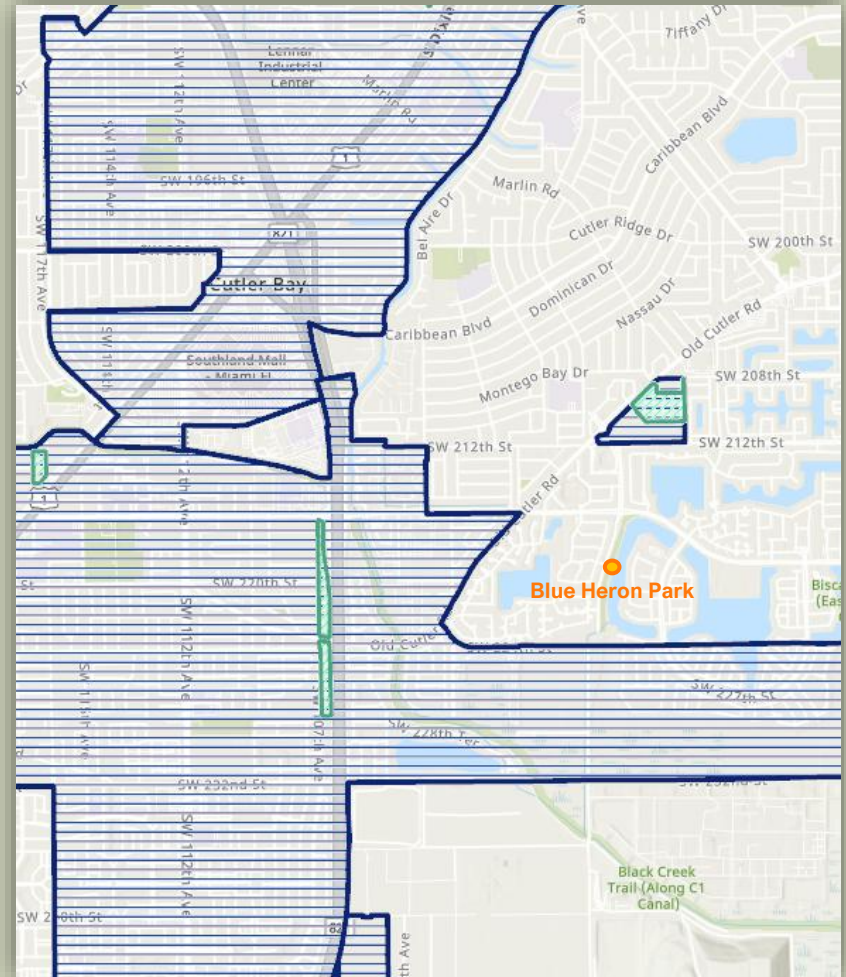
- Blue Heron Park will be renovated through an enhanced Master Plan following site rehabilitation
- Improvements to the existing park space will include:
 - reinstallation of outdoor fitness stations (9 stations),
 - a renovated rubber trail/walking path, and
 - two(2) new picnic pavilions.
- Work will commence no later than October 2025
- Town is currently finalizing bid documents/plans to obtain competitive sealed bids from contractors
- Park will reopen by late 2025 or early 2026

FLORIDA'S BROWNFIELDS REDEVELOPMENT PROGRAM

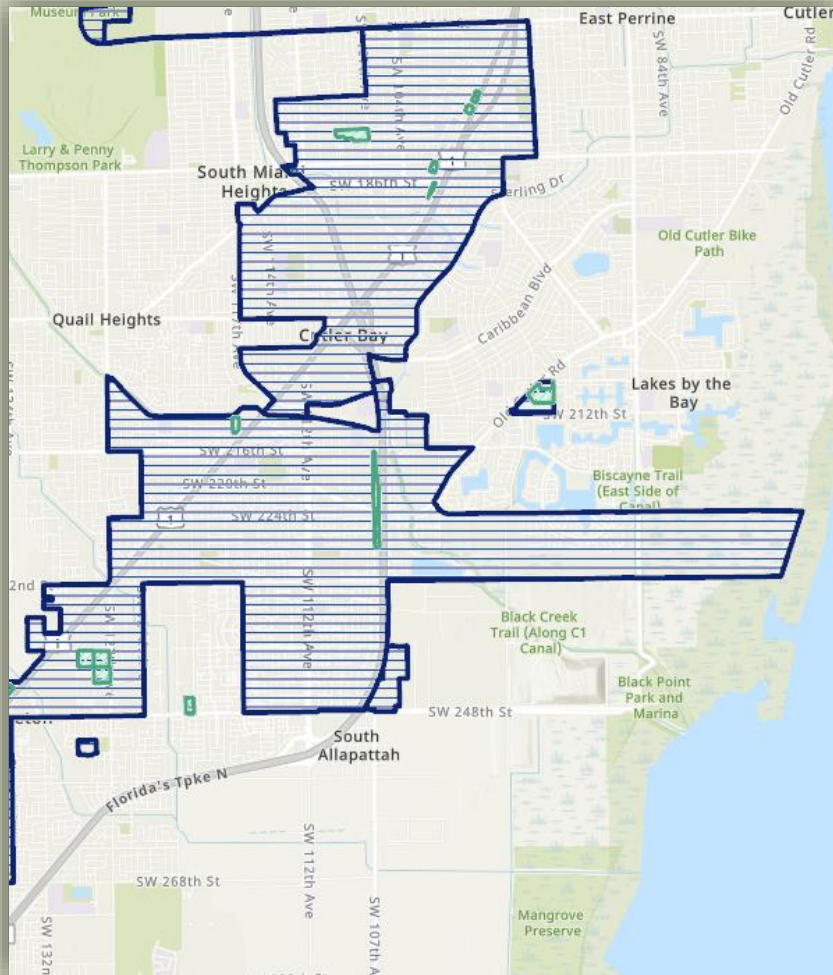


Florida Brownfields Redevelopment Program Annual Report Fiscal Year 2024-25

Division of Waste Management/Waste Cleanup Program
Florida Department of Environmental Protection
August 2025



FLORIDA BROWNFIELDS PROGRAM - METRICS -



- **613 Designated Brownfield Areas (08/04/25)**
 - Total: 295,310 acres
 - Largest: 14,368.50 acres (Ulmerton Road Opportunity Corridor (UROC) Area-wide Brownfield)
 - Smallest 0.23 acres (2102 W Main Street in Tampa)
- **\$3.188 Billion in Projected Capital Investment (08/04/25)**
- **25,688 Confirmed New Direct Jobs (08/04/25)**

GREEN REUSE AREA DESIGNATION PROCESS

- Brownfield Area designations are governed by the provisions of § 376.80, Florida Statutes (“F.S.”) of Florida’s Brownfields Redevelopment Act
- For a designation proposed by a local government, §376.80(2)(a), F.S., applies
- Process:
 - Provide notice
 - Conduct two public hearings
 - September 11th and 25th
 - Adopt a resolution following consideration of five criteria

The 2024 Florida Statutes (including 2025 Special Session C)

[Title XXVIII](#)
NATURAL RESOURCES; CONSERVATION,
RECLAMATION, AND USE

[Chapter 376](#)
POLLUTANT DISCHARGE
PREVENTION AND REMOVAL

[View Entire
Chapter](#)

376.80 Brownfield program administration process.—

(1) The following general procedures apply to brownfield designations:

(a) The local government with jurisdiction over a proposed brownfield area shall designate such area pursuant to this section.

(b) For a brownfield area designation proposed by:

1. The jurisdictional local government, the designation criteria under paragraph (2)(a) apply, except if the local government proposes to designate as a brownfield area a specified redevelopment area as provided in paragraph (2)(b).

2. Any person, other than a governmental entity, including, but not limited to, individuals, corporations, partnerships, limited liability companies, community-based organizations, or not-for-profit corporations, the designation criteria under paragraph (2)(c) apply.

(c) Except as otherwise provided, the following provisions apply to all proposed brownfield area designations:

1. Notification to department following adoption.—A local government with jurisdiction over the brownfield area must notify the department, and, if applicable, the local pollution control program under s. [403.182](#), of its decision to designate a brownfield area for rehabilitation for the purposes of ss. [376.77-376.86](#). The notification must include a resolution adopted by the local government body. The local government shall notify the department, and, if applicable, the local pollution control program under s. [403.182](#), of the designation within 30 days after adoption of the resolution.

2. Resolution adoption.—The brownfield area designation must be carried out by a resolution adopted by the jurisdictional local government, which includes a map adequate to clearly delineate exactly which parcels are to be included in the brownfield area or alternatively a less-detailed map accompanied by a detailed legal description of the brownfield area. For municipalities, the governing body shall adopt the resolution in accordance with the procedures outlined in s. [166.041](#), except that the procedures for the public hearings on the proposed resolution must be in the form established in s. [166.041\(3\)\(c\)2](#). For counties, the governing body shall adopt the resolution in accordance with the procedures outlined in s. [125.66](#), except that the procedures for the public hearings on the proposed resolution must be in the form established in s. [125.66\(5\)\(b\)](#).

GREEN REUSE AREA DESIGNATION PROCESS

■ Four Factors for Designation:

1. Whether the brownfield area warrants economic development and has a reasonable potential for such activities;
2. Whether the proposed area to be designated represents a reasonably focused approach and is not overly large in geographic coverage;
3. Whether the area has potential to interest the private sector in participating in rehabilitation; and
4. Whether the area contains sites or parts of sites suitable for limited recreational open space, cultural, or historical preservation purposes.

BROWNFIELD AREA DESIGNATION TIMELINE

Date	Description:
August 18, 2025 <input checked="" type="checkbox"/>	Community Meeting
September 11, 2025	1 st Public Hearing at Town Council Meeting – 6 pm
September 25, 2025	2 nd Public Hearing at Town Council Meeting – 6 pm
December 31, 2025	Deadline to enter into a Brownfield Site Rehabilitation Agreement (BSRA)

QUESTIONS/ANSWERS



We'll help you see through our eyes.



THE GOLDSTEIN
ENVIRONMENTAL LAW FIRM
(305) 777-1680 • GOLDSTEINENVLAW.COM

Special Emphasis on Cleanup and Reuse of Former Fueling Stations, Landfills, Automobile Dealerships, Golf Courses, and Agricultural Sites

- Environmental Due Diligence
- Environmental Liability Analysis and Protection
- Hiring & Management of Qualified Environmental Consultants
- Brownfield Grants
- Brownfield Tax Incentives
- Brownfield Loan Guarantees
- Assistance with Securing Acquisition Financing & Placing Environmental Insurance
- Negotiation of Voluntary Cleanup Agreements & Covenants Not-to-Sue
- Integration of Cleanup and Construction Requirements
- Regulatory Approvals to Build on Contaminated Development Sites