

Bird Key

Florida Forever Application



Submitted by:

The Woodburn Law Firm

**Florida Forever
Boundary Amendment Application**



Authorized Representative

In accordance with the Florida Forever application process, the following individual is authorized as the primary point of contact for all matters concerning this application on behalf of the owner(s) and willing seller(s) of the real property described below, in Miami-Dade County, Florida.

Property/project name: Bird Key

Name/Affiliation of Authorized Representative: Jeffrey Woodburn- The Woodburn Law Firm

Mailing Address: 204 South Monroe St Tallahassee FL 32301
Street City State ZIP

Primary Phone: 352-281-5262 Email: jw@woodburnlawfirm.com

Property information

Section _____ Township _____ Range _____
Lat/Long _____
Acres _____

Parcel identification number(s):
Folio: 01-3217-000-0010

Landowner Information

Finlay B. Matheson
Landowner Signature

11/5/2025
Date

Finlay Matheson

Landowner Name (print)

Mailing Address: 2869 SW 27th Ave Miami FL 33133
Street City State ZIP

Primary Phone: 305-443-4256 Email: finlay@finlaymatheson.com

Please note: The landowner's signature above is not intended to preclude any representative of the Department of Environmental Protection, Division of State Lands (DSL), from contacting the property owner(s) directly concerning the property.

This form is not intended to create or acknowledge an exclusive property listing agreement or any business relationship between the owner(s) of the property and the individual(s) named above. Owner understands that any commission or fee charged by the person named above in connection with the property is the sole responsibility of the landowner.

This authorization will remain in effect throughout the application process unless written notice of rescission by the owner(s) named above is received by the DSL.

Attachment A | General Description

1) A descriptive location of the proposed project with total acreage.

Bird Key is the only undeveloped natural island in the northern portion of Biscayne Bay located in the City of Miami/Miami-Dade County. The island consists of 37.59 acres, of which the upland area is approximately 3.3 acres and the surrounding submerged land is 34.2 acres. Importantly, the island is located within the Biscayne Bay Aquatic Preserves¹; and the basin around the island is covered in approximately 200 acres of seagrass which provides habitats for diverse groups of wildlife populations, including bottlenose dolphin, mullet, baitfish and birds.² Further description of the location is listed below:

Legal Description

THAT CERTAIN PROPERTY AT BIRD KEY, DADE COUNTY, STATE OF FLORIDA, DESCRIBED AS FOLLOWS:

FIRST: ALL OF GOVERNMENT LOT 5 OF SECTION 8, AND GOVERNMENT LOT 1, SECTION 17, TOWNSHIP 53 SOUTH, RANGE 42 EAST, CONTAINING THIRTY-TWO HUNDREDTHS OF AN ACRE, ACCORDING TO THE OFFICIAL PLAT OF THE SURVEY OF SAID LAND RETURNED TO THE GENERAL LAND OFFICE BY THE SURVEYOR GENERAL, DADE COUNTY, FLORIDA;

ALSO:

SECOND: BEGIN AT THE NW CORNER OF THE SW 1/4 OF FRACTIONAL SECTION 8, TOWNSHIP 53 SOUTH, RANGE 42 EAST; THENCE EAST ALONG THE NORTH LINE OF GOVERNMENT LOT 3 OF SAID FRACTIONAL SECTION 8, AND THE PROLONGATION THEREOF FOR A DISTANCE OF 2,600 FEET; THENCE SOUTH AT RIGHT ANGLES FOR A DISTANCE OF 2,000 FEET TO THE POINT OF BEGINNING OF THE TRACT OF LANDS AND SUBMERGED LANDS HEREIN DESCRIBED. THENCE SOUTH CONTINUING SOUTH FOR A DISTANCE OF 150 FEET; THENCE SOUTH 30 DEGREES 57 MINUTES 50 SECONDS WEST FOR A DISTANCE OF 349.70 FEET; THENCE SOUTH 62 DEGREES 39 MINUTES 00 SECONDS WEST FOR A DISTANCE OF 979.40 FEET; THENCE SOUTH 12 DEGREES 40 MINUTES 50 SECONDS WEST, FOR A DISTANCE OF 410.00 FEET; THENCE SOUTH 2 DEGREES 17 MINUTES 26 SECONDS EAST A DISTANCE OF 206.34 FEET; THENCE SOUTH 85 DEGREES 23 MINUTES 32 SECONDS EAST FOR A DISTANCE OF 448.32 FEET TO THE POINT OF BEGINNING OF A CURVE; THENCE SOUTHERLY, EASTERLY AND NORTHERLY ALONG A CURVE WITH A RADIUS OF 500 FEET TO THE POINT OF TANGENCY OF SAID CURVE, SAID POINT OF TANGENCY OF SAID CURVE, SAID POINT OF TANGENCY BEARING SOUTH 85 DEGREES 23 MINUTES 32 SECONDS EAST AND 1,000 FEET DISTANT FROM SAID POINT OF CURVE; THENCE NORTH 4 DEGREES 36 MINUTES 28 SECONDS EAST FOR A DISTANCE OF 7.57 FEET; THENCE NORTH 26 DEGREES 33 MINUTES 54 SECONDS WEST FOR A DISTANCE OF 184.45 FEET; THENCE NORTH 36 DEGREES 52 MINUTES 12 SECONDS WEST FOR A DISTANCE OF 250.00 FEET; THENCE NORTH 12 DEGREES 52 MINUTES 30 SECONDS WEST FOR A DISTANCE OF 359.03 FEET; THENCE NORTH 27 DEGREES 4 MINUTES 20 SECONDS EAST FOR A DISTANCE OF 505.37 FEET; THENCE NORTH 16 DEGREES 06 MINUTES 48 SECONDS WEST FOR A DISTANCE OF 468.40 FEET; THENCE WEST FOR A DISTANCE OF 100.00 FEET TO THE POINT OF BEGINNING OF THE TRACT OF LANDS AND SUBMERGED LANDS HEREIN DESCRIBED; EXCEPTING THEREFROM, HOWEVER, LOT 5 OF SECTION 8 AND LOT 1 OF SECTION 17 IN SAID TOWNSHIP 53 SOUTH, RANGE 42 EAST, CONTAINING 0.32 OF AN ACRE, ACCORDING TO THE OFFICIAL PLAT OF THE SURVEY OF THE SAID LAND RETURNED TO THE GENERAL LAND OFFICE BY THE SURVEYOR GENERAL, WHICH SAID LOT 5 OF SECTION 8 AND SAID LOT 1 OF SECTION 17 IN SAID TOWNSHIP AND RANGE WERE GRANTED BY THE UNITED STATES TO A.V.S. SMITH BY PATENT DATED MARCH 25, 1948, AND RECORDED IN DEED BOOK 179, AT PAGE 376, OF THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA. SAID DESCRIBED LANDS AND SUBMERGED LANDS HEREIN DESCRIBED CONTAINING 37.20 ACRES, MORE OR LESS, LYING AND BEING IN TOWNSHIP 53 SOUTH, RANGE 42 EAST, DADE COUNTY, FLORIDA.

2) The general physical, natural resource, biological, hydrological, archaeological and historical characteristics of the project.

- a. Does the property contain historic structures fifty years old or older? If so, provide a brief description, photograph(s) and location.

No, there are no documented sites listed on the National Register of Historic Places database and the Miami-Dade Property Appraiser lists the land as Vacant.

- b. Does the property contain any improvements/facilities? If so, please describe.

No (See Attachment B, Miami-Dade County Property Appraiser Materials – Vacant Land).

¹ See Appendix A “Bird Key Bird Census- Final Report by Tropical Audubon Society, pg. 2.

² *Id.*

3) Potential public recreation opportunities or other public uses.

The property is located within the Biscayne Bay Aquatic Preserve and is currently zoned in the City of Miami as T1, A Natural Transect Zone for Environmental Conservation. The zoning does permit one dwelling unit per five acres. The property can host a multitude of recreation activities including boating, fishing, kayaking, bird watching and more.

4) Potential threats or development plans that could impact the value of the proposed project.

The property is currently listed for sale by the owner (see Appendix B for real estate listing). Most potential buyers are interested in building a residence on the island, although some have grander plans.

5) Local resolutions related to the potential public acquisition of the project (if applicable).

The owner and other representatives have been working with local government. The property is currently listed on the Miami-Dade County Environmentally Endangered Lands Program (EEL).³ The Mayor of Miami-Dade County made the following statement regarding Bird Key:⁴

“My administration has been closely following the process at Bird Key and made a purchase offer that unfortunately did not meet the owner’s expectations. Biscayne Bay is both a recreational oasis and an economic engine for our county, but it is also home to some of Florida’s most iconic species, including birds, marine life, and storm-reducing mangroves,” Levine Cava said in a statement. “And so, an opportunity to restore our bay and protect its wildlife through land acquisition is something my administration will always consider. We are eager to find alternatives, including state or federal support, to purchase this property and expand the footprint of our Biscayne Bay protection programs.”

6) Details on how the project meets Florida Forever criteria [see Chapter 259.105(9) and (10), F.S.] and furthers the Florida Forever goals and performance measures [see Chapter 259.105(4), F.S.]. Refer to the application addendum on our website.

Goal A: Enhance the coordination and completion of land acquisition projects, as measured by:

Acquisition of Bird Key presents a unique opportunity for the state of Florida to preserve the only undeveloped natural island in North Biscayne Bay. Bird Key has been on Miami-Dade County’s Environmentally Endangered Lands Program (EEL) acquisition list since 1993, and purchase has previously been declined by the owner. The preservation of the property will ensure the continued survival of an important ecosystem, while providing water quality protection and flood mitigation. The property is proposed for a fee simple acquisition. There are no established funding partners, but options have been previously explored with Miami-Dade County and would continue being explored.

³ Miami-Dade County Environmentally Endangered Lands Program Website at [Environmentally Endangered Lands \(EEL\) Program](#)

⁴ See Bird Key Hits Market for \$31.5 Million, Leaving Miami Wildlife Retreat in Limbo, Miami New-Times, 5/14/24

<https://www.miaminewtimes.com/news/bird-key-island-on-market-for-31m-miami-wildlife-refuge-in-limbo-19816687/>

Goal B: Increase the protection of Florida's biodiversity at the species, natural community, and landscape levels, as measured by:

The property represents the preservation of approximately 37.59 acres located within the Biscayne Bay Aquatic Preserves. The seagrass basin surrounding Bird Key consists of consists of Turtle Grass (*Thalassia testudinum*), Manatee Grass (*Syringodium filiform*) and Shoal Grass (*Halodule beaudettei*); while the island itself consists of three mangrove communities: Red Mangrove (*Rhizophora mangle*), the Black Mangrove (*Avicennia germinans*) and the White Mangrove (*Laguncularia racemosa*).⁵ These habitats provide food, shelter, nesting material and breeding grounds for birds including brown pelicans, ibises, cormorants, ospreys, egrets, herons, and other large native birds.⁶ Acquisition of Bird Key would add to the protected acreage within the Biscayne Bay Aquatic Preserve that totals 64,607 acres.

Goal C: Protect, restore, and maintain the quality and natural functions of land, water and wetland systems of the state, as measured by:

If acquired by the State, the Department of Environmental Protection, Office of Resiliency and Coastal Protection (ORCP) has agreed to maintain the approximately 37.59 acres as an addition to the Strategic Managed Areas Land List (SMALL). SMALL is a collection of single-owner parcels statewide that augment or improve management of existing state managed conservation lands. There has been consistent outcry from residents to preserve the island, as demonstrated below:

'Public treasure': Activists hope Bird Key doesn't fly off to developer⁷

The island was once a historic rookery [that is still a critical habitat for South Florida's diverse marine birds](#). On an average morning, kayakers near the island can see cormorants, brown pelicans, herons, and frigatebirds.

While this may sound like a natural preserve, right now it's not protected. That's why the recent listing has many nature lovers very worried about exactly who a potential buyer could be.

Laura Reynolds, the vice president of Friends of Biscayne Bay, stresses the importance of keeping this wild space, wild.

"It's one of two natural islands in Biscayne Bay and it is magnificent," Reynolds said. "It can't be a nightclub, it can't be an exclusive residential address, it needs to be here for wildlife and for public good."

Bird Key Hits Market for \$31.5 Million, Leaving Miami Wildlife Retreat in Limbo⁸

Situated just off the coast of Miami's Upper Eastside, the habitat offers birds like brown pelicans, herons, and double-crested cormorants a secluded nesting spot and shelter from predators. Listed on Miami-Dade County's register of environmentally endangered lands, it's one of just a handful of naturally formed islands in Biscayne Bay.

⁵ See generally Appendix A "Bird Key Bird Census- Final Report by Tropical Audubon Society

⁶ *Id.*

⁷ 'Public treasure': Activists hope Bird Key doesn't fly off to developer, Local 10 News, 5/29/25

<https://www.local10.com/news/local/2024/05/29/public-treasure-activists-hope-bird-key-doesnt-fly-off-to-developer/>

⁸ Bird Key Hits Market for \$31.5 Million, Leaving Miami Wildlife Retreat in Limbo, NBC 6, 5/18/24

<https://www.nbcmiami.com/news/local/controversy-in-miami-private-island-bird-key-for-sale-for-31-5-million/3313971/>

Christopher Boykin, a local conservationist and former executive director of Pelican Harbor Seabird Station, says “it would be an environmental atrocity to lose such an iconic greenspace to development.” In addition to serving as a historically significant rookery, the island is home to protected coastal and wetland tree species, he says.

The ORCP’s commitment to manage Bird Key through SMALL will allow this important property located within the boundaries of the existing Biscayne Bay Aquatic Preserve to remain undeveloped and further the goals of preserving Biscayne Bay.

Goal D: Ensure that sufficient quantities of water are available to meet the current and future needs of natural systems and the citizens of the state, as measured by:

Although Bird Key is mostly known for the diverse population of birds that inhabit the island, approximately 34.2 acres of the property are submerged wetlands that provide a valuable ecosystem to fish and other marine life. By preserving the property, it will ensure that the submerged wetlands remain unpolluted by property being sold to a developer and support the ongoing efforts by State and Local government to improve the water quality of Biscayne Bay.

Goal E: Increase natural resource-based public recreation or educational opportunities, as measured by:

If acquired by the state, Bird Key would remain the only undeveloped natural island in North Biscayne Bay. By preserving this property, it will allow for a variety of recreational opportunities such as boating, kayaking, fishing, bird watching, and more.

Goal F: Preserve significant archaeological or historic sites, as measured by:

There are no documented sites listed on the National Register of Historic Places database and the Miami-Dade Property Appraiser lists the land as Vacant. Acquisition and addition to SMALL will expand the efforts of the Biscayne Bay Aquatic Preserve.

Goal G: Increase the amount of forestland available for sustainable management of natural resources, as measured by:

Not applicable.

Goal H: Increase the amount of open space available in urban areas, as measured by:

The acquisition of Bird Key would increase the open space available to the urban areas of Miami. The City of Miami has zoned Bird Key T1, Natural Transect Zone designating the property for environmental conservation. This zoning ensures that only activities and improvements which reinforce the natural character are allowed. Further, Miami Dade County has sought to acquire the property through their Environmentally Endangered Lands Program since 1993.

Goal I: Mitigate the effects of natural disasters and floods in developed areas, as measured by:

Bird Key is located within Special Flood Hazard Area Zone VE designated by FEMA.

Criteria (9) The Acquisition and Restoration Council shall recommend rules for adoption by the board of trustees to competitively evaluate, select, and rank projects eligible for Florida Forever funds pursuant to

paragraph (3)(b). In developing these proposed rules, the Acquisition and Restoration Council shall give weight to the following criteria:

(a) The project meets multiple goals described in subsection (4) - See Below

(b) The project is part of an ongoing governmental effort to restore, protect, or develop land areas or water resources & (c) The project enhances or facilitates management of properties already under public ownership.

Acquisition and addition of Bird Key to SMALL would further expand the already preserved land within the Biscayne Bay Aquatic Preserve, while preventing the sale of the only undeveloped private secluded islands in all of Miami to developers.

(d) The project has significant archaeological or historic value.

There are no documented sites, the island is the only undeveloped privately owned property in Miami.

(e) The project has funding sources that are identified and assured through at least the first 2 years of the project.

If acquired by the State, the Department of Environmental Protection, Office of Resiliency and Coastal Protection (ORCP) has agreed to maintain the approximately 37.59 acres as an addition to the Strategic Managed Areas Land List (SMALL).

(f) The project contributes to the solution of water resource problems on a regional basis.

Some portions of Biscayne Bay are affected by excess nutrients, which may lead to algal blooms that reduce water clarity, damage seagrass and reduce the ecological health of the Bay.⁹ Through the purchase of this project, it will build off the existing programs by the State and Miami Dade County to solve the water resource problems facing the bay.

(g) The project has a significant portion of its land area in imminent danger of development, in imminent danger of losing its significant natural attributes or recreational open space, or in imminent danger of subdivision which would result in multiple ownership and make acquisition of the project costly or less likely to be accomplished.

The property is currently for sale and could potentially be developed.

(h) The project implements an element from a plan developed by an ecosystem management team.

By preserving Bird Key, the State would implement the Miami-Dade County's Endangered Lands Program's goal of preserving the island from development. Additionally, acquisition of Bird Key meets the goal of augmenting or improving management of existing state-managed conservation lands.

⁹ See Environmental Resource Management, Surface Water Quality at <https://www.miamidade.gov/global/environment/ecosystems/surface-water-quality.page>

(i) The project is one of the components of the Everglades restoration effort.

Not applicable.

(j) The project may be purchased at 80 percent of appraised value.

The Seller has listed the property for \$31.5 million and is willing to negotiate with the state.

(k) The project may be acquired, in whole or in part, using alternatives to fee simple, including but not limited to, tax incentives, mitigation funds, or other revenues; the purchase of development rights, hunting rights, agricultural or silvicultural rights, or mineral rights; or obtaining conservation easements or flowage easements.

No.

(l) The project is a joint acquisition, either among public agencies, nonprofit organizations, or private entities, or by a public-private partnership.

The owner and other representatives are working with the local government to assist in a possible purchase.

(10) The Acquisition and Restoration Council shall give increased priority to those projects for which matching funds are available and to project elements previously identified on an acquisition list pursuant to this section that can be acquired at 80 percent or less of appraised value. The council shall also give increased priority to those projects where the state's land conservation plans overlap with the military's need to protect lands, water, and habitat to ensure the sustainability of military missions including:

(a) Protecting habitat on nonmilitary land for any species found on military land that is designated as threatened or endangered, or is a candidate for such designation under the Endangered Species Act or any Florida statute; (b) Protecting areas underlying low-level military air corridors or operating areas; and (c) Protecting areas identified as clear zones, accident potential zones, and air installation compatible use buffer zones delineated by our military partners, and for which federal or other funding is available to assist with the project.

The closest military installation to the property is the U.S. Coast Guard Station Miami Beach. It is unknown if their training routes may run near the property.

7) Whether the project is proposed for fee simple or less-than-fee acquisition.

The land is proposed for fee simple acquisition. The Department of Environmental Protection, Office of Resiliency and Coastal Protection (ORCP) has agreed to maintain the approximately 37.59 acres as an addition to the Strategic Managed Areas Land List (SMALL).

8) Whether the project is on another state acquisition list? If so, which one?

The project is not listed on another state acquisition list.

Attachment B | Ownership & Tax Information



PROPERTY APPRAISER OF MIAMI-DADE COUNTY

Detailed Report

Generated On: 10/21/2025

PROPERTY INFORMATION	
Folio	01-3217-000-0010
Property Address	0 , FL
Owner	BIRD KEY LLC
Mailing Address	2869 SW 27 AVE MIAMI, FL 33133
Primary Zone	9101 PRESERVATION
Primary Land Use	1081 VACANT LAND - COMMERCIAL : VACANT LAND
Beds / Baths /Half	0 / 0 / 0
Floors	0
Living Units	0
Actual Area	0 Sq.Ft
Living Area	0 Sq.Ft
Adjusted Area	0 Sq.Ft
Lot Size	1,634,371.2 Sq.Ft
Year Built	0

ASSESSMENT INFORMATION				
Year	2025	2024	2023	
Land Value	\$36,460	\$36,460	\$36,460	
Building Value	\$0	\$0	\$0	
Extra Feature Value	\$0	\$0	\$0	
Market Value	\$36,460	\$36,460	\$36,460	
Assessed Value	\$36,460	\$36,460	\$36,460	

BENEFITS INFORMATION				
Benefit	Type	2025	2024	2023
Note: Not all benefits are applicable to all Taxable Values (i.e. County, School Board, City, Regional).				



TAXABLE VALUE INFORMATION				
Year	2025	2024	2023	
COUNTY				
Exemption Value	\$0	\$0	\$0	
Taxable Value	\$36,460	\$36,460	\$36,460	
SCHOOL BOARD				
Exemption Value	\$0	\$0	\$0	
Taxable Value	\$36,460	\$36,460	\$36,460	
CITY				
Exemption Value	\$0	\$0	\$0	
Taxable Value	\$36,460	\$36,460	\$36,460	
REGIONAL				
Exemption Value	\$0	\$0	\$0	
Taxable Value	\$36,460	\$36,460	\$36,460	

The information contained herein is for ad valorem tax assessment purposes only. The Property Appraiser of Miami-Dade County is continually editing and updating the tax roll. This website may not reflect the most current information on record. The Property Appraiser of Miami-Dade County and Miami-Dade County assumes no liability, see full disclaimer and User Agreement at <https://www.miamidadepa.gov/pa/disclaimer.page>



PROPERTY APPRAISER OF MIAMI-DADE COUNTY

Generated On: 10/21/2025

Property Information

Folio: 01-3217-000-0010

Property Address: 0

Roll Year 2025 Land, Building and Extra-Feature Details

LAND INFORMATION					
Land Use	Muni Zone	PA Zone	Unit Type	Units	Calc Value
GENERAL	T1	9101	Acres	7.08	\$21,240
SUBMERGED LAND	T1	9101	Acres	30.44	\$15,220

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PROPERTY APPRAISER OF MIAMI-DADE COUNTY

Generated On: 10/21/2025

Property Information

Folio: 01-3217-000-0010

Property Address: 0

Roll Year 2024 Land, Building and Extra-Feature Details

LAND INFORMATION					
Land Use	Muni Zone	PA Zone	Unit Type	Units	Calc Value
GENERAL	T1	9101	Acres	7.08	\$21,240
SUBMERGED LAND	T1	9101	Acres	30.44	\$15,220

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Generated On: 10/21/2025

Property Information

Folio: 01-3217-000-0010

Property Address: 0

FULL LEGAL DESCRIPTION

17-8 53 42 37.52 AC
ALL GOVT LOT 5 SEC 8 & GOVT LOT 1
SEC 17 BIRD KEY TOGETHER WITH AD-
JOINING FILLED IN & SUBMERGED LANDS
LOT SIZE IRREGULAR
OR 12655-2520 0985 4

SALES INFORMATION

Previous Sale	Price	OR Book-Page	Qualification Description
12/05/2022	\$100	33504-1971	Corrective, tax or QCD; min consideration
04/25/2012	\$100	28097-1925	Corrective, tax or QCD; min consideration
03/30/2012	\$100	28097-1921	Corrective, tax or QCD; min consideration
06/06/2007	\$100	25707-4216	Sales which are disqualified as a result of examination of the deed

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Attachment C | Maps and Aerial Photographs

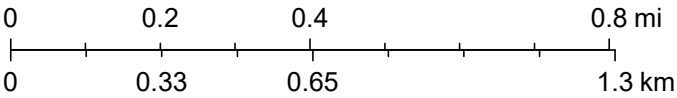


Map Bird Key



October 14, 2025

1:18,056



State of Florida, Maxar, Sources: Esri, TomTom, Garmin, FAO, NOAA, USGS, (c) OpenStreetMap contributors, and the GIS User Community

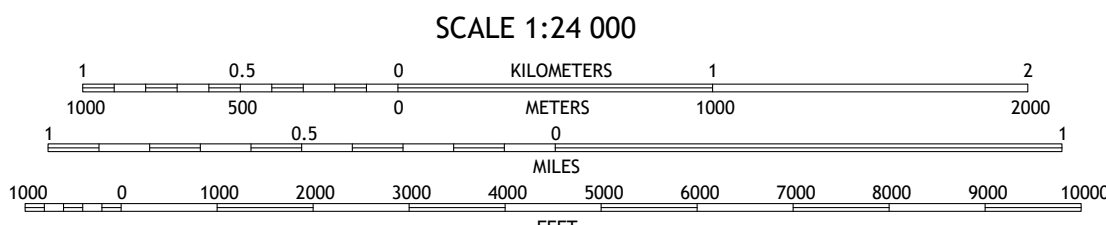
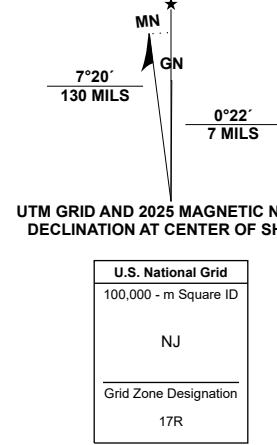


Produced by the United States Geological Survey

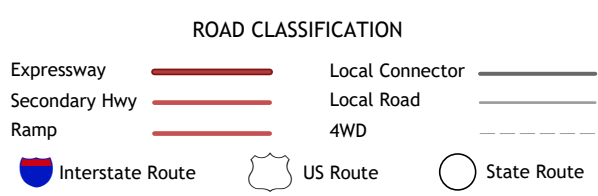
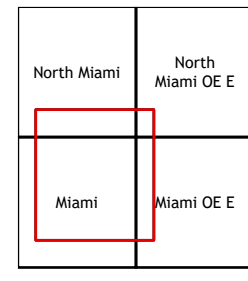
North American Datum of 1983 (NAD83)
World Geodetic System of 1984 (WGS84). Projection and
1 000-meter grid: UNIVERSAL TRANSVERSE MERCATOR, ZONE 17R
Data is provided by The National Map (TNM), is the best available at the time of map
generation, and includes data content from supporting themes of Elevation,
Hydrography, Geographic Names, Boundaries, Transportation, Structures, Land Cover,
and Orthimagery. Refer to associated Federal Geographic Data Committee (FGDC)
Metadata for additional source data information.

This map is not a legal document. Boundaries may be generalized for this map scale.
Private lands within government reservations may not be shown. Obtain permission
before entering private lands. Temporal changes may have occurred since these data
were collected and some data may no longer represent actual surface conditions.

Learn About The National Map: <https://nationalmap.gov>

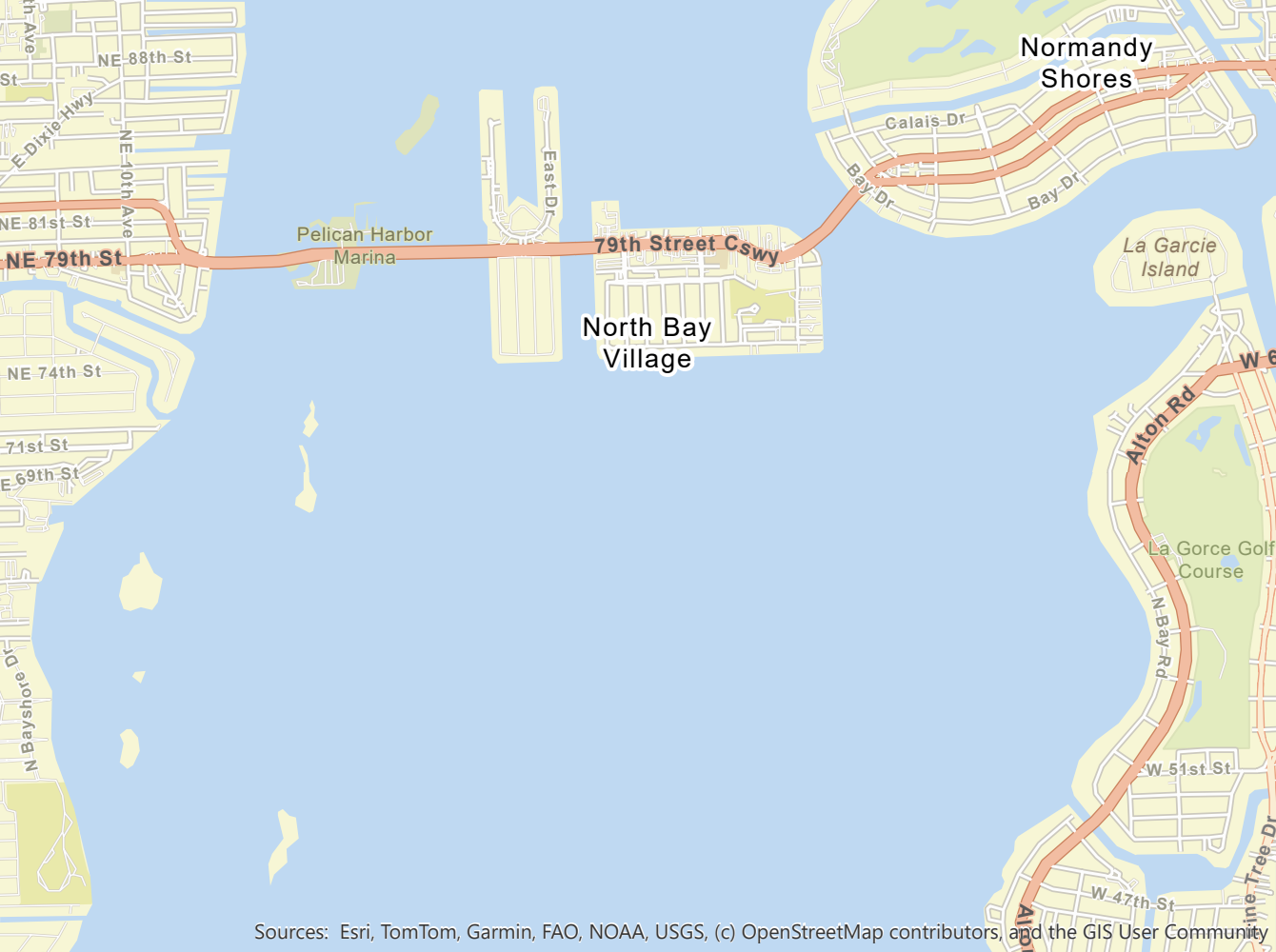


CONTOUR INTERVAL 5 FEET
NORTH AMERICAN VERTICAL DATUM OF 1988
CONTOUR SMOOTHNESS - Medium



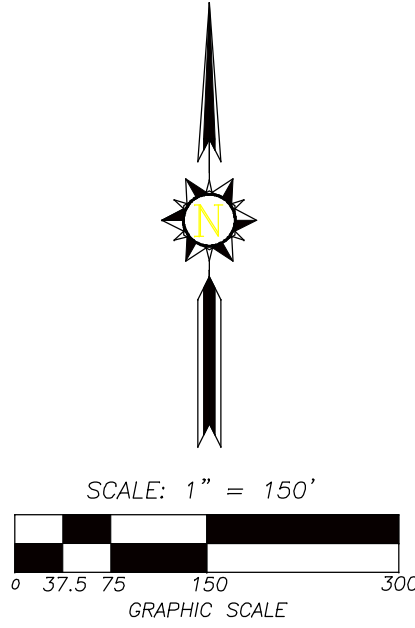
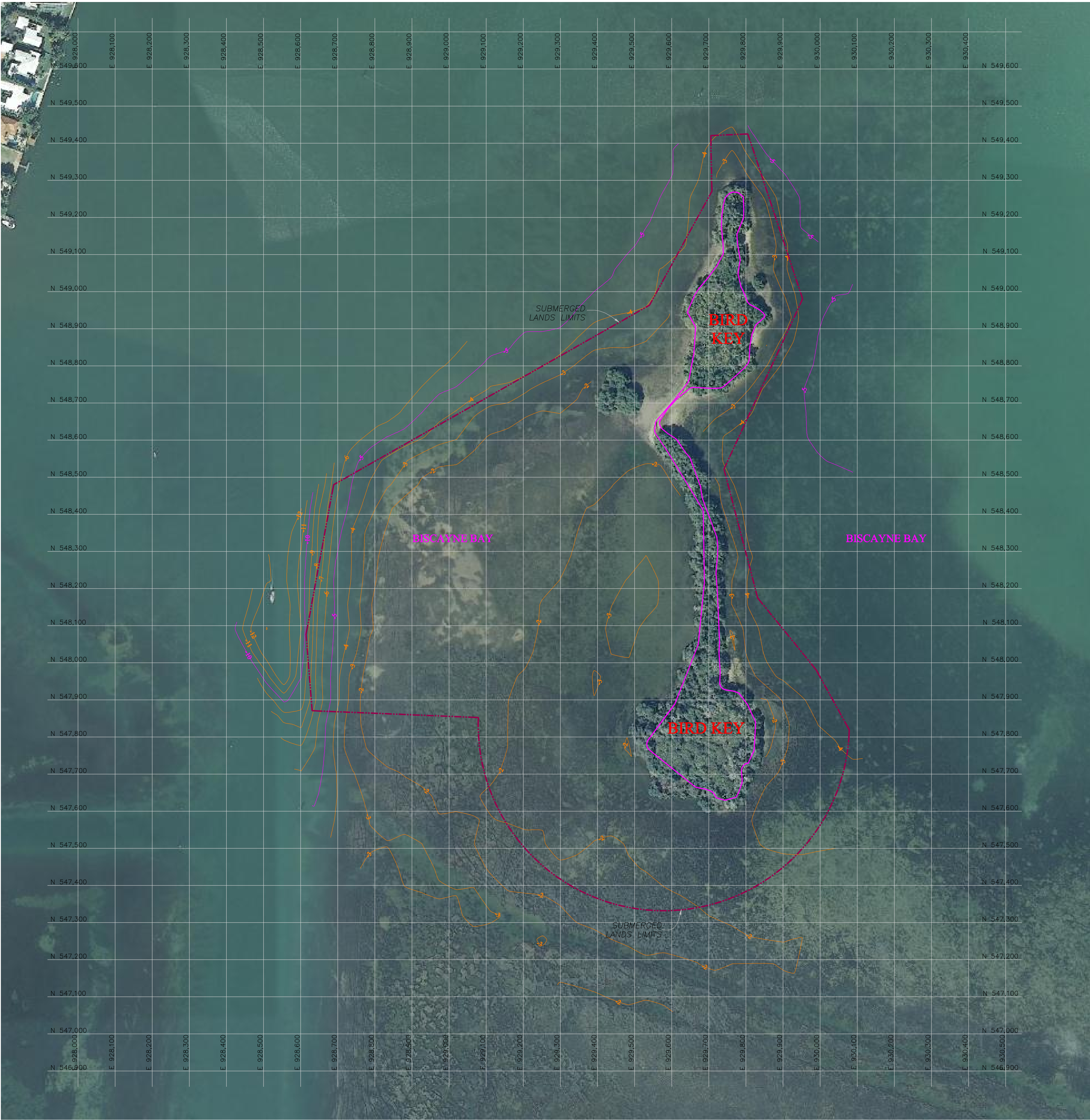
7.5-MINUTE TOPO, FL
2025

ADJOINING QUADRANGLES



SKETCH OF SPECIFIC PURPOSE SURVEY OF:
(HYDROGRAPHIC SURVEY)

BIRD KEY AT BISCAYNE BAY, MIAMI-DADE COUNTY, FL



LOCATION MAP
NOT TO SCALE

LEGEND:

-3- CONTOUR LINE WITH CONTOUR ELEVATION

SURVEY NOTES:

1. THIS SURVEY REPRESENTS A SPECIFIC PURPOSE SURVEY (HYDROGRAPHIC SURVEY) AS DEFINED BY MINIMUM TECHNICAL STANDARDS FOR SURVEYING AND MAPPING, CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODES. THIS SURVEY IS NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
2. THE PURPOSE OF THIS SURVEY IS TO OBTAIN DEPTH OF WATER AND CONFIGURATION OF THE BOTTOM OF AREA AROUND BIRD KEY FOR MITIGATION WORK.
3. THE INFORMATION DEPICTED ON THIS SURVEY REPRESENTS THE RESULTS OF A FIELD SURVEY ON THE DATE INDICATED AND CAN ONLY BE CONSIDERED AS A REPRESENTATION OF THE GENERAL CONDITIONS EXISTING AT THAT TIME.
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 - B. SETUP SURVEY EQUIPMENT RAVEN DGPS, ODOM ECHOTRAC CVM WITH SINGLE BEAM 200 KHZ TRANSDUCER, RUGGEDIZED LAPTOP WITH HYPACK NAVIGATION SOFTWARE.
 - C. CALIBRATE ECHOSOUNDER MEASURE DRAFT (TRANSDUCER'S DEPTH BELOW WATER LEVEL), ENTER DRAFT CORRECTION INTO ECHOTRAC PROGRAM SO THAT ECHOSOUNDER READS SAME DEPTH AS MEASURED WITH A SURVEY ROD.
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 - E. CONFIRM ECHOSOUNDER DEPTHS AFTER SURVEY IS COMPLETE BY MEASURING DOWN WITH SURVEY ROD.
6. IN HYPACK SOFTWARE THE FOLLOWING POST-PROCESSING STEPS WERE TAKEN:
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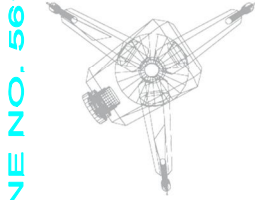
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JAVIER DE LA ROCHA
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SKETCH OF SPECIFIC PURPOSE SURVEY
HYDROGRAPHIC SURVEY

BIRD KEY

A PORTION OF SECTIONS 8 AND 17
TOWNSHIP 53 SOUTH, RANGE 42 EAST

BISCAYNE BAY, MIAMI-DADE COUNTY, FL

CLIENT: OCEAN CONSULTING, LLC

DATE: 03/08/12

DRAWN BY:

JEC

CHECKED BY:

JDLR

LAST FIELD DATE:

03/01/12

REVISIONS

JOB NO.

FL1202-1673

SHEET NO.

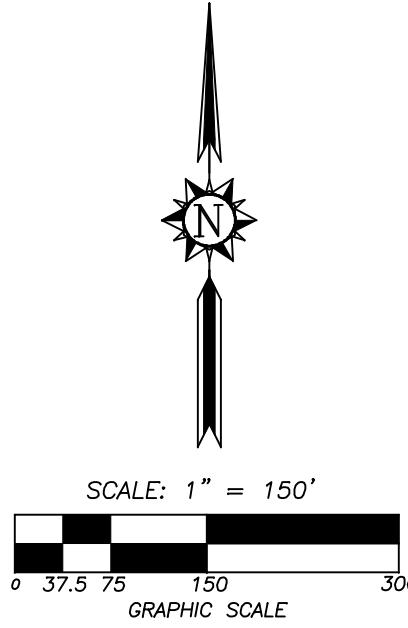
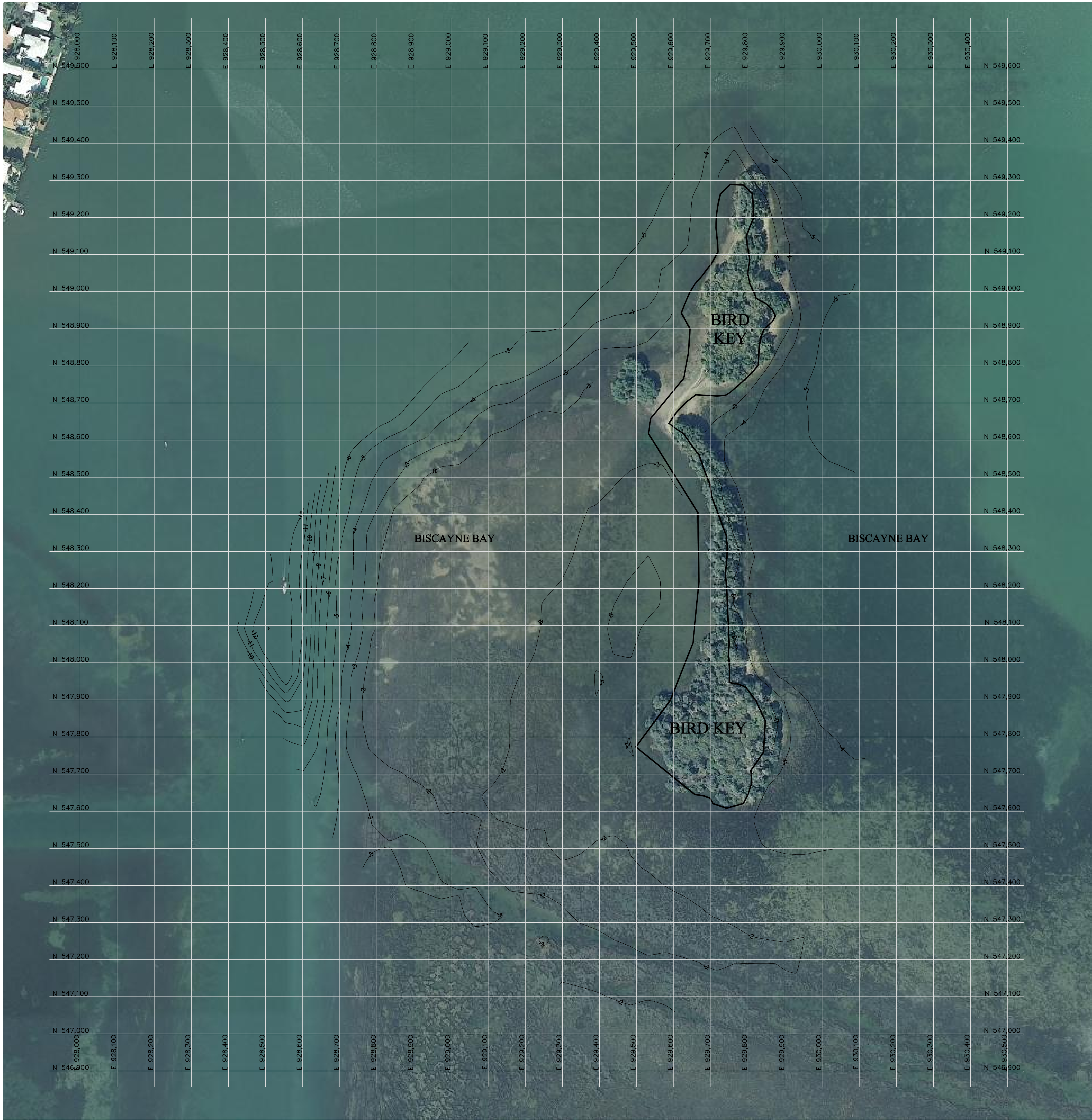
01

OF

01

SKETCH OF SPECIFIC PURPOSE SURVEY OF:
(HYDROGRAPHIC SURVEY)

BIRD KEY AT BISCAYNE BAY, MIAMI-DADE COUNTY, FL



LOCATION MAP
NOT TO SCALE

LEGEND:

—3— CONTOUR LINE WITH CONTOUR ELEVATION

SURVEY NOTES:

1. THIS SURVEY REPRESENTS A SPECIFIC PURPOSE SURVEY (HYDROGRAPHIC SURVEY) AS DEFINED BY MINIMUM TECHNICAL STANDARDS FOR SURVEYING AND MAPPING, CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODES. THIS SURVEY IS NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
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6. CONTOURS CALCULATIONS PROCEDURE USING GOLDEN SOFTWARE' SURFER CONTOURING SOFTWARE
 - A. CREATE A BOUNDARY FILE IN BLN FORMAT
 - B. GRID THE DATA USING THE KRIGING GRIDING METHOD
 - C. CREATE 3D CONTOURS
 - D. EXPORT 3D CONTOURS INTO AUTOCAD. APPROXIMATELY 17,366 DATA POINTS WERE USED
7. THE INFORMATION CONTAINED IN THIS DOCUMENT WAS PREPARED BY EXACTA COMMERCIAL SURVEYORS, INC. EXACTA HAS TAKEN ALL REASONABLE STEPS TO ENSURE THE ACCURACY OF THIS DOCUMENT. WE CANNOT GUARANTEE THAT ALTERATIONS AND/OR MODIFICATIONS WILL NOT BE MADE BY OTHERS AFTER IT LEAVES OUR POSSESSION. THIS DOCUMENT MUST BE COMPARED TO THE ORIGINAL HARD COPY (WHICH BEARS THE RAISED SURVEYOR'S CERTIFICATION SEAL IF APPLICABLE) TO ENSURE THE ACCURACY OF THE INFORMATION CONTAINED HEREON AND TO FURTHER ENSURE THAT ALTERATIONS AND/OR MODIFICATIONS HAVE NOT BEEN MADE. EXACTA MAKES NO WARRANTIES, EXPRESS OR IMPLIED, CONCERNING THE ACCURACY OF THE INFORMATION CONTAINED IN THIS OR ANY DOCUMENT TRANSMITTED OR REVIEWED BY COMPUTER OR OTHER ELECTRONIC MEANS. CONTACT EXACTA DIRECTLY FOR VERIFICATION OF ACCURACY.
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SHEET NO.

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OF

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Appendix Section

Appendix A- Bird Key Bird Census

Appendix B- Real Estate Listing

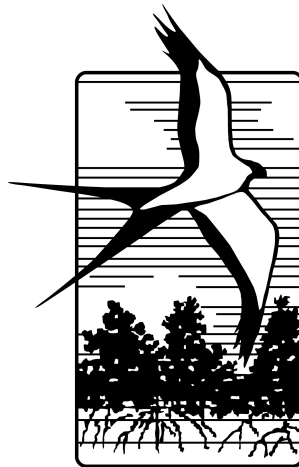
Appendix C- Relevant News Articles

Appendix A

Bird Key Bird Census

Final Report

Tropical Audubon Society



Michelle Davis
Rafael Galvez
Alex Harper
Pamela Sweeney
Pilar Rodriguez
Brian Rapoza
Michelle Metcalf
Gary Milano
Laura Reynolds
Jose Francisco Barros, DD

Introduction



**Figure 1: Map of Miami-Dade County
(Red square = Bird Key Location)**

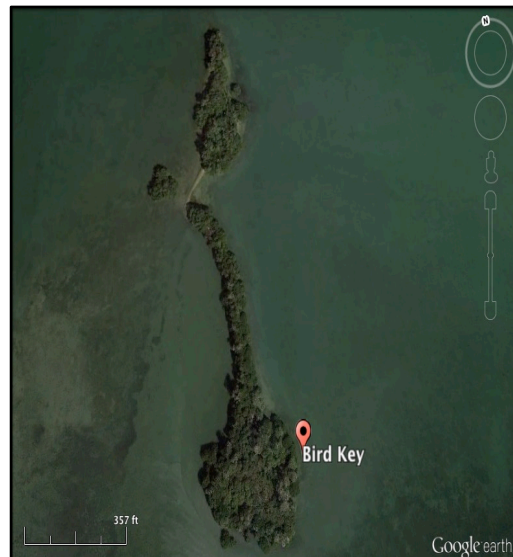


Figure 2: Zoomed in View of Bird Key

Bird Key is the only natural bay island north of the Rickenbacker Causeway; it is located within the Biscayne Bay Aquatic Preserves. The Key was historically formed by the outflow from the adjacent natural Little River tributary, which helps to make it one of the most ecologically important islands located just south of the 79th Street Causeway. Bird Key is a 6.3-acre parcel (3.7-acre to the south is natural and 2.6-acre to the north is spoil). Its basin is covered with approximately 200 acres of seagrass, which provides habitat to diverse groups of wildlife populations, including the bottlenose dolphin, mullet, baitfish and birds.

This 200-acre seagrass basin consists of Turtle Grass (*Thalassia testudinum*), Manatee Grass (*Syringodium filiform*) and Shoal Grass (*Halodule beaudettei*) with Turtle Grass and Manatee Grass being the dominant species found in Biscayne Bay. Seagrasses surround the island, while the island itself consists of three mangrove communities: Red Mangrove (*Rhizophora mangle*), the Black Mangrove (*Avicennia germinans*) and the White Mangrove (*Laguncularia racemosa*). These habitats provide food, shelter, nesting material and breeding grounds for birds but there is evidence of non-native, invasive species of trees in few quantities growing here, such as the Australian Pine (*Casuarina sp.*).

The habitats that surround Bird Key make this island unique. Brown Pelicans, ibises, cormorants, ospreys, egrets, herons and other large native birds are seen soaring overhead, wading in the water, hunting offshore, nesting in the mangroves and enlivening the island with their loud, primal voices. While Bird Key is teeming with birdlife, the surrounding manmade islands serve as habitats for plants and recreation sites for boaters, yet have little permanent birdlife.

This study of Bird Key began in the fall of 2012 and seeks to address the questions of why Bird Key is so popular with different bird species and their corresponding activity. Importantly, this report can provide important information as to why Bird Key should be protected and why it's a good site for a mitigation bank.

Study Area

Bird Survey Methods

Unfortunately, there is no standardized IBA protocol for the State of Florida, or as part of the general National Audubon network. The point counts and transects count survey data forms are similar to what is used in the Florida Keys by the Florida Keys Hawkwatch Project (Figure 4). See right.

Data was collected by a team of expert bird observers and includes a species count, behavior, distance, habitat and any other details available. Surveys were done at either sunrise or sunset so data was collected before the birds leave the island for the day and when they return to the island in the evening. Kayakers were split into pairs so one kayaker was counting and the other was taking notes of count information.

Count Method

Bird count data was collected on waterproof forms. Every team received one along with a map with a GPS location where they will be beginning their survey; the counts were weather dependent and done via kayak or boat. Boating was tricky because of how shallow the western side of the island can get when the tide changes.

Excel File Edit View Insert Formulas Tools Data Window Help

Copy of Bird Key BBAP monitoring data.xls

Home Layout Tables Charts SmartArt Formulas Data Review

File Fill Font Styles Paragraph Alignment Writing Text General Number Conditional Formatting Font Styles Insert Delete Format Themes

33 2 1

Time	Transect #	Lat/Lon	Photo #	Species Common Name	Species Scientific	Qty	Notes
7:10	1	25.8		Brown Pelican	<i>Pelecanus occidentalis</i>	1	roosting
7:10	1	-80.2		Double-crested Cormorant	<i>Phalacrocorax auritus</i>	13	roosting
7:10	1			Turkey Vulture	<i>Cathartes aura</i>	30	roosting
7:10	1			Laughing Gull	<i>Leucophaeus atricilla</i>	1	roosting
7:10	1			Ring-billed Gull	<i>Larus delawarensis</i>	1	roosting
7:20	2	25.8		Brown Pelican	<i>Pelecanus occidentalis</i>	6	roosting
7:20	2	-80.2		Double-crested Cormorant	<i>Phalacrocorax auritus</i>	7	roosting
7:20	2			Turkey Vulture	<i>Cathartes aura</i>	27	roosting
7:20	2			Osprey	<i>Pandion haliaetus</i>	1	roosting
7:20	2			Ring-billed Gull	<i>Larus delawarensis</i>	1	roosting
7:20	2			Black Vulture	<i>Coragyps atratus</i>	11	flying
7:20	2			Yellow-crowned Night-Heron	<i>Nyctanassa violacea</i>	1	roosting

9/15/13 11/24/13 12/14/13 7/16/14 12/14/14

Bird Key Dec 4, 2014

Table 1: Bird Key Database

[illegible]

Figure 4: IBA Survey Form

IBA Transect Count Data

Kayakers were split into 2 groups and covered both the eastern and western sides. Kayakers moved along the transect line and stopped for intervals of 10 minutes at 4 stations moving from the northernmost tip of the island to the southernmost tip.

IBA Point Count Data

IBA point Count Data via boat or kayak stopped at each of the 8 points for ten minutes to document bird activity moving from the northernmost tip of the island to the southernmost tip. The forms were collected and copied for documentation and added to an existing Excel Bird Key database. The information is used to determine how many species were seen in total, number of individual species counted, and what they were doing on Bird Key. A map with the 8 points has been created using ArcGIS, software that allowed data to be added to a Google base map of Bird Key (Figure 3).

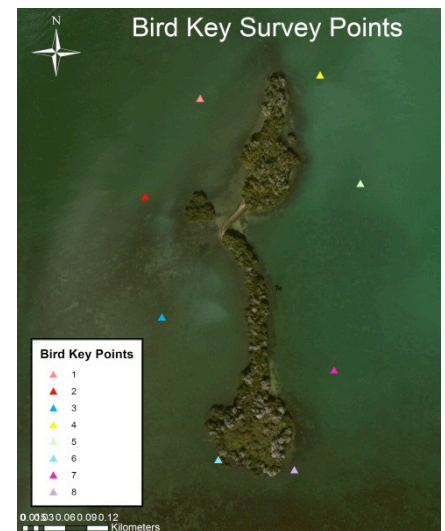


Figure 3: Bird Key Survey Points

RESULTS

Common Name	Scientific Name	Audubon Status	Bird Activity					
			Roost	Nest	Feed	Breed	Fly	Vocal
American Coot	<i>Fulica americana</i>		X					
American Crow	<i>Corvus brachyrhynchos</i>						X	
Anhinga	<i>Anhinga anhinga</i>	Climate Endangered	X	X	X	X		
Artinga sp.	<i>Artinga sp.</i>						X	
Bald Eagle	<i>Haliaeetus leucocephalus</i>						X	
Barn Swallow	<i>Hirundo rustica</i>						X	
Belted Kingfisher	<i>Megaceryle alcyon</i>						X	
Black Vulture	<i>Coragyps atratus</i>	Climate Threatened	X				X	
Black-crowned Night-Heron	<i>Nycticorax nycticorax</i>	Climate Endangered		X		X		X

Blue-gray Gnatcatcher	<i>Polioptila caerulea</i>		X					
Boat-tailed Crackle	<i>Quiscalus major</i>	Climate Endangered					X	
Brown Pelican	<i>Pelecanus occidentalis</i>	Climate Endangered	X	X	X	X	X	
Cattle Egret	<i>Bubulcus ibis</i>		X	X				
Double-crested Cormorant	<i>Phalacrocorax auritus</i>	Climate Threatened	X	X	X	X	X	
Fish Crow	<i>Corvus ossifragus</i>	Climate Threatened		X		X	X	X
Glossy Ibis	<i>Plegadis falcinellus</i>	Climate Threatened					X	
Gray Catbird	<i>Dumetella carolinensis</i>						X	
Great Blue Heron	<i>Ardea herodias</i>		X	X		X	X	
Great Egret	<i>Ardea alba</i>		X			X		
Green Heron	<i>Butorides virescens</i>		X					
Laughing Gull	<i>Leucophaeus atricilla</i>	Climate Endangered					X	
Little Blue Heron	<i>Egretta caerulea</i>		X					
Magnificent Frigatebird	<u><i>Fregata magnificens</i></u>		X			X	X	X
Merganser sp.	<i>Merganser sp</i>						X	
Merlin	<u><i>Falco columbarius</i></u>	Climate Endangered					X	

Northern Waterthrush	<i>Parkesia noveboracensis</i>							X
Osprey	<i>Pandion haliaetus</i>	Climate Endangered	X		X			X
Prairie Warbler	<i>Setophaga discolor</i>			X				X
Ring-billed Gull	<i>Larus delawarensis</i>					X		
Royal Tern	<i>Thalasseus maximus</i>	Climate Endangered					X	X
Sandwich Tern	<i>Thalasseus sandvicensis</i>	Climate Endangered					X	
Snowy Egret	<i>Egretta thula</i>		X					
Tricolored Heron	<i>Egretta tricolor</i>	Climate Endangered	X			X		
Turkey Vulture	<i>Cathartes aura</i>		X				X	
White -crowned Pigeon	<i>Patagioenas leucocephala</i>	Climate Threatened					X	
White Ibis	<i>Eudocimus albus</i>					X	X	
Yellow-crowned Night-Heron	<i>Nyctanassa violacea</i>		X		X			
Total Number of Species = 37 Total Number of Individuals = 2744								

Table 2: Bird Activity Observed

The IBA monitoring point source and transect count data collection has provided useful information on the number individual birds using Bird Key between 2012-2014, but to actively quantify the abundance and richness of the bird population more monitoring remains to be done. The species list has doubled in size from 15 to 37 in the last two years with 2,744 individuals being accounted for, and these numbers are expected to grow as more surveys are done during different seasons, i.e. migration (Table 2).

Of the various activities observed, the most common were roosting and flying. A total of 10 species — the Anhinga, Black-crowned Night-Heron, Boat-tailed Grackle, Brown Pelican, Osprey, Laughing Gull, Merlin, Royal Tern, Sandwich Tern and Tricolored Heron — documented on Bird Key are classified as CLIMATE ENDANGERED, according to the National Audubon Birds and Climate Report. Furthermore, 5 of the documented species — Black Vulture, Double-crested Cormorant, Fish Crow, Glossy Ibis and the White-crowned Pigeon — were given the designation of CLIMATE THREATENED under the same report. For more information about the National Audubon Birds and Climate Report visit: <http://climate.audubon.org/article/audubon-report-glance>.

Magnificent Frigatebird — a declining species that once nested in Miami-Dade County — was seen using Bird Key as a roost site. Interestingly, several adult male frigatebirds were observed displaying, with the bright red gular pouches inflated. See Photo 1, top right. Several Brown Pelicans — a threatened species — were observed roosting on Bird Key. See Photo 2, left. Additionally, some individuals were observed carrying Red Mangrove branches in their beaks, presumably for nest building. Any Key that is host



Photo 2: Brown Pelican carrying presumably nesting material.

to nesting Brown Pelicans needs to receive prioritized protection. See Photo 3, right and Photo 4, top left. Of notable significance, we documented the highly threatened White-crowned Pigeon in the vicinity of Bird Key. This native species nests primarily in undisturbed mangrove islands, and has declined within its relatively small global range. (More recently, the Bald Eagle was photographed flying over Bird Key with a gull in its mouth.)



Photo 1: Magnificent Frigatebird displaying

Photo 3: Brown Pelican roosting.





Photo 4: Adult and Immature Brown Pelican roosting.

Some species were showing nesting behavior, while others were displaying behavior often associated with breeding. This latter behavior included carrying Red Mangrove branches in their beaks, and the visibility of some nest-like structures high above the mangroves. Some of the documented species include Brown Pelican, Anhinga, Great Blue Heron, Black-crowned Night-Heron, Ring-billed Gull, White Ibis, Fish Crow, Great Egret and Double-crested Cormorant.

Behavior associated with mating and/or breeding has been documented in Magnificent Frigatebirds, Brown Pelicans, Double-crested Cormorants, Anhingas, Tricolored Herons, Cattle Egrets, Great Blue Herons and others. For example, in the case of the Magnificent Frigatebirds, there has been no documented breeding site in Miami-Dade County. At present, the only site in North America where they are

known to breed is the Dry Tortugas. While we did document behavior associated with breeding at Bird Key, such as their gular pouches showcasing the bright red color, this does not prove the species will breed here. Species such as the Brown Pelican exhibited coloration in their plumage, indicating sexual maturity and breeding potential. Prairie Warblers have been heard singing from Bird Key, indicating they may be of the Florida endemic *paludicola* subspecies, which nests exclusively along the southernmost mangrove coast of the state.

Discussion

One possibility why birds return to Bird Key is because of the habitats that surround Bird Key. The Little River seagrass basin is notorious for having large numbers of organisms, one study went on to say that 5,500 organisms once were found here, but no study has been done to see if the fish population has grown or declined. Based on bird usage, one possibility is that the basin has enough fish to feed not only migrating populations, but also resident wildlife. Several surveyors have spotted the Florida Manatee feeding near the northern tip of Bird Key because they use the Little River as a migration route and come to feed in the Little River seagrass basin. Bottlenose dolphins and nurse sharks have been spotted chasing mullet close to the mangroves of Bird Key. Birds can also be seen wading in and around Bird Key, especially in this basin while feeding. The seagrass beds may be able to provide enough food to feed an abundance of wildlife, not only the birds, because the Little River draining into Biscayne Bay allows enough mixing so a variety of food is available.

The Red, White and Black Mangroves help distribute the freshwater with the saltwater so the water quality is good and the seagrass can get the sunlight it needs to grow and thrive. These mangroves also provide places for birds, such as vultures, Anhingas, White Ibis and the Great

Egret, to perch. The mangrove roots are utilized by many of the birds found on Bird Key, including the Little Blue Heron, Great Blue Heron and a variety of songbird and shorebird species, as areas of shade or as a place in the sun to dry off their wings.

The role these ecosystems play in making Bird Key exceptionally attractive is ever-changing. The study of Bird Key should therefore be ongoing. Suggested areas of study: 1) a short-term monitoring protocol wherein Bird Key is surveyed at least twice per month at sunset and sunrise, 2) collect more data to better determine abundance and species richness, and 3) conduct fish population surveys. More data can be gathered if Bird Key can be added as a hotspot on the eBird app. Bill Baggs Cape Florida and Biscayne National Park's Elliot Key are two examples of hotspots. This way, the public can document the count, species type and activity from afar without disturbing the birds. This will allow us to have a count of Bird Key even when we can't be present to survey.

Biscayne Bay is home to 10 out of 11 avian species and suites of species targeted as essential indicators of ecosystem health in coastal marine habitats in southern Florida as part of a long-term analyses generated for the MARES project (Ogden et al., 2014). These taxa include Reddish Egret, Great White Heron, Roseate Spoonbill, Brown Pelican, Osprey, Bald Eagle, Least Tern, Lesser Scaup, American Coot and as many as 26 species of wintering shorebirds. Nearly all these have experienced significant declines throughout South Florida's east coast. Although not all of these species have been documented during the Bird Key surveys, data stemming from Christmas Bird Counts within the last 45 years, eBird, and historical surveys have clearly demonstrated that all these occur during corresponding seasons throughout Biscayne Bay, therefore may well be documented in and around this site as surveys continue into the future.

Another study is to compare Bird Key to another island or rookery in Biscayne Bay i.e. Chicken Key at Deering Estate at Cutler or Little Sandspur Island at Oleta River State Park. Important data to be collected includes the island's vicinity to disturbances, seagrass coverage and bird usage (roosting, nesting, or breeding). By contrast, on October 4, 2014, after surveying Bird Key, our vessel approached Legion Picnic Island, to the southwest. This island, composed primarily of hardwoods, such as West Indian Mahogany, Gumbo Limbo and other hammock species, had no visible roosting or perched bird species of any kind. These tree species require higher elevation and greater deposits of soil or a limestone substrate in order to develop. It is likely that due to the island's drier floor, it is regularly visited by humans. As a matter of fact, a number of trails traverse the island. As a result, no herons, pelicans, frigate birds or anhingas regularly roost or nest there. In long-term studies of bird rookeries, staging areas and IBAs during the fall season as part of TAS Citizen Science projects in the Florida Keys, it has been documented that human disturbance is a major factor in deterring the occurrence of bird activity, and the long-term viability of rookeries. Human disturbance in the form of kayaking and canoeing, paddle-boarding, kite-boarding, jogging, fishing and other recreational activities within close proximity to roosting sites will negatively affect nesting and roosting activity, particularly if persistent. All these studies can aid Bird Key in getting the designations as a bird sanctuary and mitigation bank for Miami-Dade County.

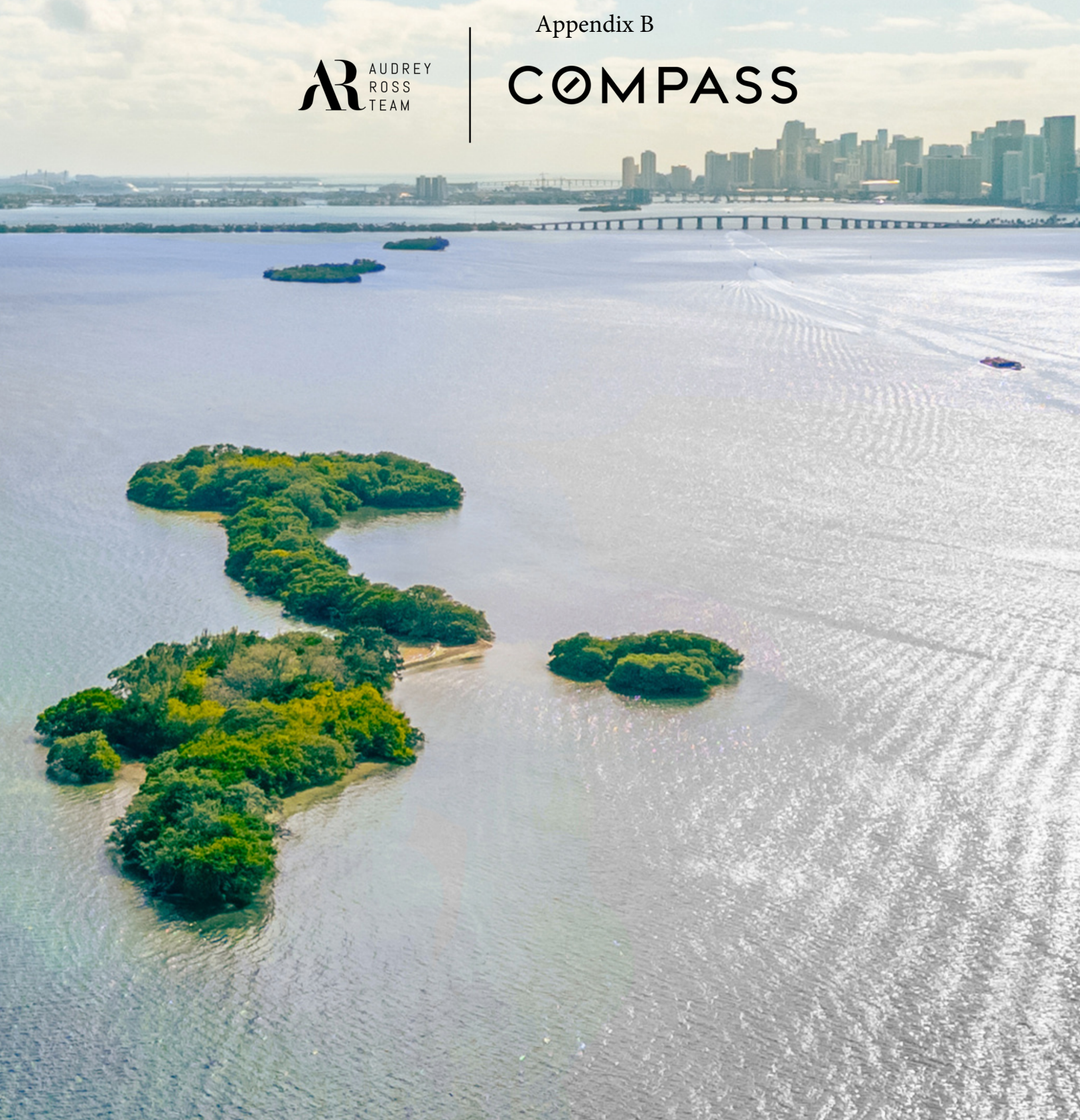
A bird sanctuary is an undeveloped area used by birds for breeding or nesting purposes. Bird Key falls under this because the island has no development and in a survey conducted on October 4 2014: Brown Pelicans and Anhingas were counted flying over Bird Key with nesting material. Northern Biscayne Bay is an area that is growing every day, and this growth can impact Biscayne Bay in negative ways i.e. dredge and fill, which can degrade the water quality.

A way to compensate for this loss is by creating a mitigation bank. This mitigation bank is a wetland or other aquatic resource area that has been restored, established, enhanced, or (in certain circumstances) preserved for the purpose of providing compensation for unavoidable impacts to aquatic resources permitted under Section 404. The activities in the creation of a mitigation bank are undertaken by a nonprofit organization i.e. Tropical Audubon Society under a formal agreement with a regulatory agency i.e. Division Environmental Resource Management or Florida Department of Environmental Protection. For Bird Key, the enhancement can be replacing the non-native Australian Pine with a species that is salt-tolerant, and displaying a signage communicating that Bird Key is a bird rookery, stay away.

This report, along with the above suggested studies, can validate Bird Key as an island worth protecting not just for today's wildlife, but also for future generations of avian species.

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Bird Key



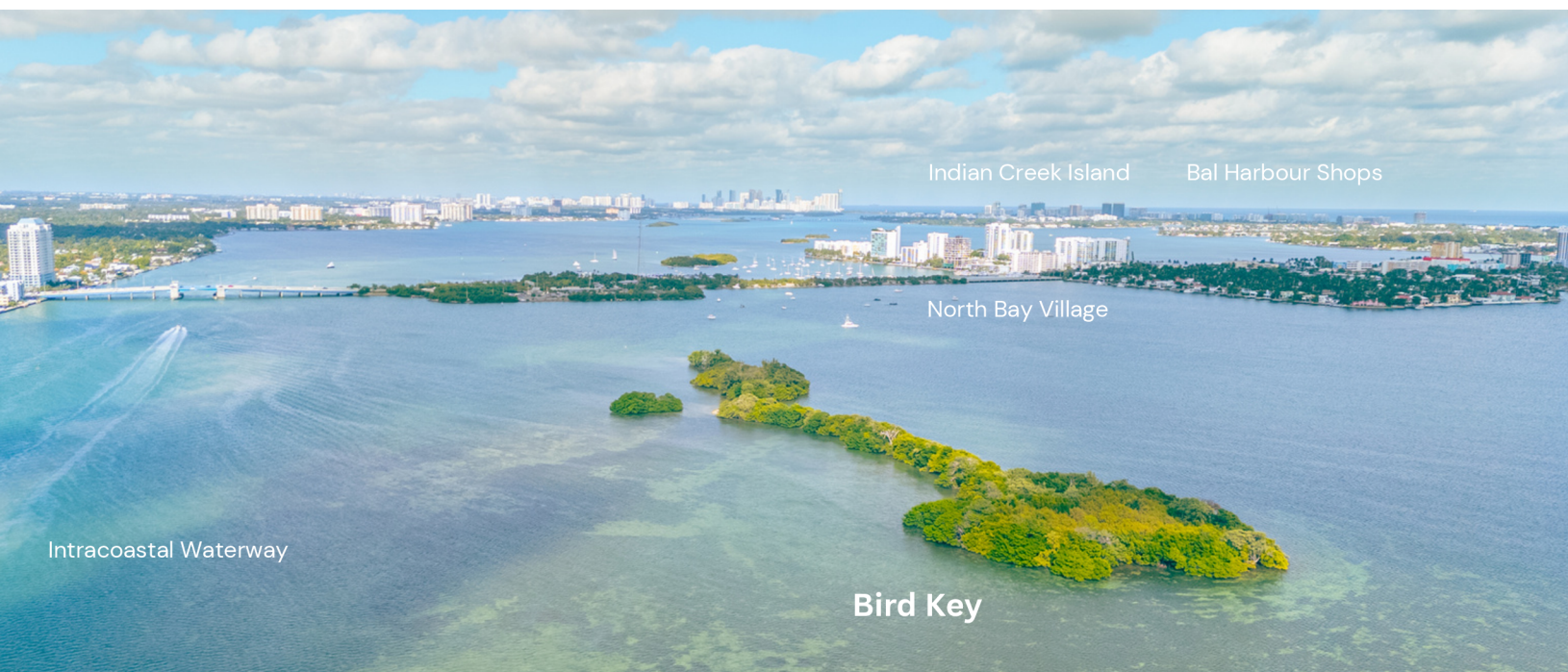
Bird Key - Biscayne Bay

Offered at \$31,500,000

The only privately owned island in Biscayne Bay, where the birds, stingrays, manatees and dolphins enjoy utter privacy and sights of the Miami skyline. This gem is located amid the clear beautiful, blue waters of Biscayne Bay, with the calming breezes blowing from the southeast, with no traffic and no people! This island is named Bird Key and it sits just offshore, south of 79th Street Causeway.

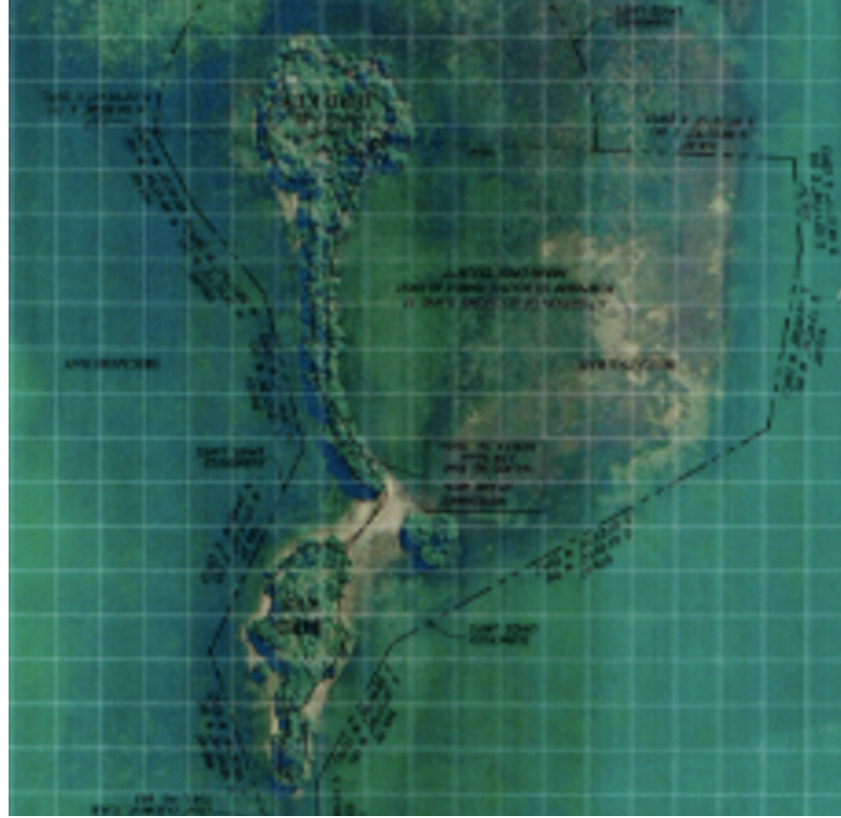
The Deering family purchased Bird Key from the State of Florida in 1933. Another founding family of Dade County, the Matheson family, purchased the island in 1985 from the Deering Estate. Thus, only four owners since the 1700s have been able to claim ownership to this property. It now presents a golden opportunity for either an individual or organization to acquire and shape this 37.5-acre property (including submerged land) to their aspirations. It could be used as an environmental research station or mitigation in conjunction with some future development. Bird Key is a unique and rare opportunity for a new owner to build what surely would be Miami's most exclusive address!

The property is listed by Audrey Ross, a Compass FL Vice President/Founding agent and Principal for the Audrey Ross Team (305-206-4003/aross@miamirealestate.com)



FEATURES

- Bird Key is the only undeveloped natural island in North Biscayne Bay.
- A surveyor sent by King George III to the British province of East Florida marked the spot on his map of Biscayne Bay in 1770.
- A natural quarter-acre islet sits next to the sandbar connecting the two islands, and they are surrounded by 33+- acres of submerged land totaling 37.5+- acres.



Views of Downtown Miami and Biscayne Bay



Audrey Ross

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The Palm Beach Post

Where is Bird Key? What to know about Florida seabird preserve's controversial \$31.5 million sale

By: Samantha Neely, USA TODAY NETWORK – Florida
Updated May 20, 2024, 11:56 am ET

Environmental [advocates are flocking to Miami's Biscayne Bay](#) to bring awareness to potentially controversial sale.

Bird Key, a barrier island in the bay, has garnered local and national attention after it [went on the market for over \\$30 million](#), with many wondering what will happen to the avian inhabitants living there if it's sold. The island has a reputation as a sanctuary for native birds such as egrets, cormorants, herons and pelicans.

Where is Bird Key? There are 2 on each coast in Florida

Bird Key is located in Miami's Biscayne Bay, which NOAA describes as a "shallow, clear water bay centered within the large metropolitan area of the city." The bay is home to major celebrities, such as Shaquille O'Neal, Shakira and Jeff Bezos.

The 4-acre barrier island is found just south of the 79th Street Causeway.

For those who thought Bird Key was located in Sarasota, you're not wrong. There's another island located on the state's west coast with the same name. However, this barrier island hosts a public park and houses several multi-million dollar homes.

Is Miami's Bird Key a natural preserve?

Not officially.

According to the [Guardian](#), Bird Key was named by British surveyors in 1770 during the reign of George III for its abundant wildlife. Over the years, it has changed ownership several times, most recently with current owner Finley Matheson purchasing the island in the 1980's for \$36,000.

However, the island has not been declared an official nature preserve. Last year, Miami-Dade County offered to purchase the island to officially establish environment regulation and preservation measures but their offer was turned down by the owner

"We are eager to find alternatives, including state or federal support, to purchase this property and expand the footprint of our Biscayne Bay protection programs," Miami-Dade Mayor Daniella Levine Cava said in a statement

How much is Bird Key for sale?

The listing shows [the island for sale for \\$31.5 million](#), going live in April.

"Presenting Bird Key, an uninhabited 4+/- acre island in Biscayne Bay," the listing reads. "The ONLY privately owned island, zoned RESIDENTIAL with sights of Miami's skyline, amid the clear, beautiful, blue waters of the Bay — with no traffic or people — is for sale!"

The list does mention developers can acquire and use the island for "environmental mitigation, or one could acquire it to donate it to the public as an environmental treasure, or finally a very lucky individual may create Miami's most exclusive address, because this gem is zoned residential."

Why is Bird Key for sale?

Matheson told the New Times he felt "it was about time" to sell the island.

"(Bird Key) has been sitting idle for a long time. There's lots of activity on the market," Matheson told New Times, who first reported the listing. "Now's the time."

Why is Bird Key's sale controversial?

Since the listing was first reported, local environmentalists have voiced their concerns over potential developers buying the island and tearing it down.

Bird Key is one of the few naturally formed islands in Biscayne Bay, serving as breeding grounds and sanctuary for thousands of local birds. Advocates worry any major impact on the island could lead to lasting consequences on these bird populations, as well as the marine life and the waters surrounding the bay,

In an interview with the Guardian, chief development officer of [Miami](#) Waterkeeper Chris Boykin said the loss of Bird Island would be a tragedy.

"Right now, it's a natural island as it's been for centuries, and to see it turned into condos would just be a blight on our community, a blight on south Florida, and would just be too painful to bear," he told the [outlet](#).

"It's one of the only naturally occurring islands in Biscayne Bay, it's covered with protected mangroves, and is valuable to fish and many other species of marine life, as well as the birds. Its biodiversity, the wealth of life, makes Bird Key a really special and magical place."

What birds are native to Miami? Are any of these species endangered?

Miami's [Pelican Harbor Seabird Station](#) highlights these local birds:

- Greater flamingo
- Brown pelican
- Roseate spoonbill
- Oystercatcher
- Laughing gull
- Black-bellied plover
- Long-bill dowitcher
- Snowy egret
- Black-necked stilt
- Sanderling
- Royal tern
- Black skimmer

Among those listed, the American oystercatcher, snowy plover, black skimmer, and the royal tern are state-designated threatened species under Florida's [Endangered and Threatened Species Rule](#).

Bird Key Hits Market for \$31.5 Million, Leaving Miami Wildlife Retreat in Limbo

Mayor Daniella Levine Cava tells *New Times* the owner rejected her administration's 2023 offer to buy the island.

By Alex DeLuca | May 14, 2024



Bird Key is a privately owned, undeveloped island in Biscayne Bay, south of the Pelican Harbor Marina.
Photo by Christopher Boykin

The historic island of Bird Key has hit the market with a listing price of \$31.5 million, leaving the fate of the centuries-old wildlife retreat in limbo.

On April 26, the sliver of mangrove-lined land – which has long served as a sanctuary for native bird species – was listed for sale by real estate investor and owner Finlay Matheson. The [online listing](#) describes the islet as a “golden opportunity for a developer...or finally a very lucky individual [who] may create Miami’s most exclusive address.”

“Presenting Bird Key, an uninhabited 4+/- acre island in Biscayne Bay,” the listing reads. “The ONLY privately owned island, zoned RESIDENTIAL with sights of Miami’s skyline, amid the clear, beautiful, blue waters of the Bay – with no traffic or people – is for sale!”

Matheson says that after almost four decades, he felt “it was about time” to sell the island.

“[Bird Key] has been sitting idle for a long time. There’s lots of activity on the market,” Matheson tells *New Times*. “Now’s the time.”



Flocks of different bird species can still be seen fluttering around Bird Key when the weather is right.

Photo by Christopher Boykin

Situated just off the coast of Miami’s Upper Eastside, the habitat offers birds like brown pelicans, herons, and double-crested cormorants a secluded nesting spot and shelter from predators. Listed on Miami-Dade County’s register of environmentally endangered lands, it’s one of just a handful of naturally formed islands in Biscayne Bay.

While conservationists fear that listing the land at such a steep price will allow only wealthy developers or private interests to swoop in and acquire it (as opposed to a nonprofit or state agency focused on protecting the precious habitat), Matheson isn’t as distressed about the island’s fate.

“I’m not concerned at all,” Matheson says, adding that he welcomes whoever’s interested to come forward to buy the land – and urges them to move quickly.

The land was marked for county acquisition for decades under Miami-Dade’s Environmentally Endangered Lands (EEL) Program, but Matheson told the *Miami Herald* back in 2019 that he never received offers from the county. A county acquisition of Bird Key would establish environment regulation and preservation measures to protect the island and its wildlife.

Miami-Dade County Mayor Daniella Levine Cava tells *New Times* that an offer was made to buy Bird Key “as recently as last year” through the EEL program, but that the owner rejected it. The program works with the Nature Conservancy, a global nonprofit organization, to negotiate land purchases, according to the mayor’s office.

“My administration has been closely following the process at Bird Key and made a purchase offer that unfortunately did not meet the owner’s expectations. Biscayne Bay is both a recreational oasis and an economic engine for our county, but it is also home to some of Florida’s most iconic species, including birds, marine life, and storm-reducing mangroves,” Levine Cava said in a statement. “And so, an opportunity to restore our bay and protect its wildlife through land acquisition is something my administration will always consider. We are eager to find alternatives, including state or federal support, to purchase this property and expand the footprint of our Biscayne Bay protection programs.” Christopher Boykin, a local conservationist and former executive director of Pelican Harbor Seabird Station, says “it would be an environmental atrocity to lose such an iconic greenspace to development.” In addition to serving as a historically significant rookery, the island is home to protected coastal and wetland tree species, he says.

Boykin notes that the bird population on the island collapsed during the fall 2019 to spring 2020 nesting season but that conservationists had been holding out hope that it would recover.

“I was very concerned to see this historic island listed for sale and zoned residential. Other than the barrier islands, it’s only one of two naturally occurring islands in northern Biscayne Bay and served as a breeding rookery for over 1,000 birds of a dozen different species until 2020,” Boykin tells *New Times*.

Once owned by wealthy businessman Charles Deering, Bird Key was bought by Matheson and fellow real estate investor Edward Easton for \$36,000 in the mid-1980s. Over the last ten years, ownership of the property shifted between members of the Matheson family, county records show. In late 2022, the title was transferred from several Matheson family members to **Bird Key LLC**, a company that lists Finlay Matheson as a manager in state records.

Matheson says that since he listed Bird Key for sale less than two weeks ago, there’s been heavy interest in the property. He noted on Friday that two parties would likely submit bid contracts for the island within the next week.



The exclusive club, made up of four sleek solar-powered yachts bordering a natural pool, planned to host live music and yoga classes to a lucky 360 members.

Image by Arkhaus

As previously reported by *New Times*, Arkhaus, the brainchild of entrepreneurs Sam Payrovi and Nathalie Paiva, announced last year that it had secured a lease option for Bird Key and **planned to place a luxury, floating social club** next to the island. The company's marketing materials showed conceptual images of a two-story structure off the island's shores, where club members would enjoy live music, fine dining, and yoga classes, with annual memberships ranging from \$7,500 to \$10,000 a year.

In response to *New Times*' inquiry regarding the property sale, Arkhaus revealed that it is no longer planning to set up the club near Bird Key. Environmental studies and concerns over the project's impact on the potential return of the avian rookery population prompted the decision, according to Arkhaus.

"As an organization that deeply values the environment, its members, and broader community, ARKHAUS notified Bird Key ownership of its socially responsible decision to not move forward with the lease," Payrovi, Arkhaus' chief executive, says in a statement.

Boykin says he's heard rumblings about conservationists trying to round up the state's Department of Environmental Protection (DEP) or potentially Miami-Dade County to buy the island.

"I don't know the validity of this, but it does provide a glimmer of hope that the historic island will remain in its natural state and not fall into the hands of developers," Boykin says.

"This island is very linear and thin, so development would need to be limited to specific footprint, since the surrounding waters are protected from infilling via the Biscayne Bay Aquatic Preserves Act of 1974. The protected seagrass resources surrounding the island are dense and resilient," Boykin adds.

Matheson says that neither the county nor the DEP have reached out with offers for the land since the property was listed. The DEP has not responded to *New Times*' request for comment.

Unless conservationists or the county swiftly makes a competitive bid, the land could be developed in short order, eliminating one of the bay's last island sanctuaries for bird species.

Editor's note 5/13/2024: This article has been updated with a statement from Arkhaus, in which the company disclosed that it no longer plans to set up its floating social club near Bird Key.

Editor's note 5/14/2024: The article was updated to include a statement from Miami-Dade County Mayor Daniella Levine Cava regarding an attempt to purchase Bird Key under the county's Environmentally Endangered Lands Program.

Florida's Bird Key Island for Sale for \$31.5M Sparking 'Alarm'

By: Martha McHardy, US News Reporter
Updated: May 22, 2024 at 07:02 PM EDT

Florida's Bird Key island is on sale for \$31.5 million, leaving the fate of the centuries-old wildlife retreat in the balance.

Once owned by wealthy businessman Charles Deering, Bird Key, [one of only two natural islands in upper Biscayne Bay](#), was bought by real estate investors Finlay Matheson and Edward Easton for just \$36,000 in the mid-1980s. It had been their ambition to turn the 37-and-a-half acre private island into an official bird sanctuary, with the area serving as an important bird habitat for native species such as egrets, cormorants, herons and pelicans, since at least 1770.

But Matheson said he has now made the decision to sell the island.

"It was about time," he told the *Miami New Times*.

The [island's listing](#), published by Miami real estate agent Audrey Ross, states that the sale is a "golden opportunity for a developer...or finally a very lucky individual [who] may create Miami's most exclusive address."

"Presenting Bird Key, an uninhabited 4+/- acre island in Biscayne Bay," the listing says. "The ONLY privately owned island, zoned RESIDENTIAL with sights of Miami's skyline, amid the clear, beautiful, blue waters of the Bay — with no traffic or people — is for sale!"

"[Bird Key] has been sitting idle for a long time. There's lots of activity on the market," Matheson told the *Miami New Times*. "Now's the time."

Since the island was listed for sale on April 26, conservationists have expressed fears that the high listing price will attract only wealthy developers or private buyers rather than nonprofits or state agencies dedicated to preserving the habitat.

"It would be an environmental atrocity to lose such an iconic greenspace to development," Christopher Boykin, a local conservationist and former executive director of Pelican Harbor Seabird Station, said.

"I was very concerned to see this historic island listed for sale and zoned residential. Other than the barrier islands, it's only one of two naturally occurring islands in northern Biscayne Bay and served as a breeding rookery for over 1,000 birds of a dozen different species until 2020," he added.

"Right now, it's a natural island as it's been for centuries, and to see it turned into condos would just be a blight on our community, a blight on south Florida, and would just be too painful to bear," he told *The Guardian*.

The listing acknowledges that any purchaser could "acquire and use [the island] for environmental mitigation, or one could acquire it to donate it to the public as an environmental treasure."

But Boykin is unsure of whether this would be feasible. "It'd be wonderful, of course, if the island was purchased by someone that would preserve it, whether it be the federal, state or county government. But at an asking price of \$31.5 million, I just don't know," he said.

Meanwhile, Lauren Jonaitis, senior conservation director at the Tropical Audubon Society, told *Newsweek* that she was "alarmed by the prospect of development."

"Tropical Audubon Society considers Bird Key to be a crucial habitat for marine birds," she added. Despite these concerns, Matheson is not worried about the island's future and welcomes interested buyers to act quickly.

"I'm not concerned at all," Matheson said, telling the *Miami New Times* that interested buyers should come forward quickly.

Bird Key was designated for county acquisition under Miami-Dade's Environmentally Endangered Lands (EEL) Program for decades, which would establish environment regulation and preservation measures to protect the island and its wildlife.

Matheson told the *Miami Herald* in 2019 that he never received offers from the county.

Miami-Dade County Mayor Daniella Levine Cava contradicted this, telling the *Miami New Times* that an offer was made to buy Bird Key "as recently as last year" through the EEL program, but the owner rejected it.

"My administration has been closely following the process at Bird Key and made a purchase offer that unfortunately did not meet the owner's expectations. Biscayne Bay is both a recreational oasis and an economic engine for our county, but it is also home to some of Florida's most iconic species, including birds, marine life, and storm-reducing mangroves," Levine Cava said in a statement.

"And so, an opportunity to restore our bay and protect its wildlife through land acquisition is something my administration will always consider. We are eager to find alternatives, including state or federal support, to purchase this property and expand the footprint of our Biscayne Bay protection programs."

Jonaitis told *Newsweek* that she hopes to see the government, as well as private and nonprofit support involved in facilitating a conservation solution.

In this scenario, Jonaitis added, she hopes the Matheson family would be "open to negotiating with the goal to protect this vital habitat in perpetuity."

"Ideally, we'd like to see the Nature Conservancy involved, Audubon Florida, the Biscayne Bay Marine Health Coalition, the state, the county, and anyone else who can help make it happen," Jonaitis said.

"Hopefully the attention the listing brings will be what it takes to protect this bird sanctuary in perpetuity. But it's a big ticket, and it's going to take everyone coming together to pool their ideas and resources."

Boykin said he has heard rumors about conservationists trying to round up the state's Department of Environmental Protection (DEP) or potentially Miami-Dade County to buy the island.

"I don't know the validity of this, but it does provide a glimmer of hope that the historic island will remain in its natural state and not fall into the hands of developers," he told the *Miami New Times*.

Matheson told the publication that neither the county nor the DEP have reached out with offers for the land since the property was listed.