

What happens to the Seaquarium if no marina gets approved? A draft lease lays out the plan

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Theo Miller/KBI

Miami-Dade County and developer David Martin have applied to build a marina capable of accommodating boats up to 200 feet long behind the old Seaquarium on Biscayne Bay.

A draft contract being negotiated by Miami-Dade County for a revamped Seaquarium leaves open the possibility that a new marina at the Virginia Key location, where a third of slips would accommodate yachts, may not be built.

If needed permits from the state and other regulators can't be secured, developer David Martin's vow to spend \$100 million on the makeover could also be far less, according to the draft.

It's not clear how that will impact the project unveiled last year for the county-owned land.

In addition to the marina, plans include a 200-seat event space in the geodesic dome performance area, shops, restaurants, space for the University of Miami to build a research center, a launch for kayaks and other non-motorized vessels, an aquarium and bayfront sidewalk connecting the site to the neighboring beach.

In response to questions, Martin said that the plans for the Seaquarium site and marina were designed as a single project.

“The lease reflects that vision,” he said in a statement. “The components of our program are inextricably connected and we intend to move forward with the totality of the project. The lease requires that our team exhaust all reasonable efforts in securing approvals for each of the individual elements of the plan, and we intend to do so.”

To make way for the marina, the Miami-Dade County staff, using plans supplied by Martin's consultant, applied to the Florida Department of Environmental Protection for a permit in May. The U.S. Army Corps of Engineers also permits docks and underwater construction in the bay. In response, FDEP raised dozens of questions, including if the project could damage seagrass and how boats will navigate channel between the Seaquarium and nearby flats. The county and consultant responded in September, answering many of the questions. But two key issues remain unsolved: a benthic survey determining what plants and animals live on the sea floor and a plan to address damage to seagrass.

The lease omits details on the scope of the marina, but the FDEP application includes a detailed plan showing docks extending into the channel, along with a breakwater wall to protect the docks from waves. Of the 325 wet slips, nearly 90 could fit boats 80 feet or longer.



Miami-Dade County

A rendering included in a draft lease being negotiated by Miami-Dade County and developer David Martin for the Seaquarium includes plans for 325 slips and wave breaks.

The dramatic makeover has also raised the possibility of a legal skirmish.

Residents Gregory Frankel and Aaron Stauber, both attorneys, have warned the county that the deal violates its charter that voters amended in the 1990s to protect public parks. The amendment requires approval from voters for changes to county park land. It exempted the Seaquarium, along with Zoo Miami, the Orange Bowl and other venues in operation at the time. County officials cited that exemption when WLRN inquired in July.

But in a letter earlier this month, Frankel and Stauber said the exemption applied only to land encompassed by the Seaquarium, not bay waters.

“A marina capable of independently serving boat owners, yachts and megayachts, with its own customers, revenue stream, infrastructure, fueling facilities, storage and substantial footprint in Biscayne Bay, is functionally and geographically different from the historic marine attraction the voters knew as ‘the Seaquarium,’” attorney Darrin Gursky wrote in a pre-suit notice.

Last year, Martin easily won initial approval from Miami-Dade County commissioners to take control of the site from the bankrupt Seaquarium operator after years of uncertainty about its fate.

But once details about the marina emerged, opponents began raising concerns over impacts to the bay’s prized waters, where historically seagrass meadows and gin-clear water provided a haven for anglers and wildlife. Decades of wear and tear fueled by development have wiped out about 80% of the bay’s seagrass, despite ongoing efforts to move septic tanks and clean water.

According to the county’s [2026 Biscayne Bay report card](#), every region in the 428-square mile bay remains in poor to fair condition.

Although no commission vote has been scheduled on the lease, an initial reading on changing the Seaquarium’s land use from parks to a special entertainment district is scheduled for Oct. 20. A zoning change, which is also required, has not yet been scheduled.

“If the County moves the lease forward without a vote, we are prepared to ask the court to enforce the Charter, but we would much rather the County simply put it to the voters,” Frankel wrote in an email.

Martin said last week that a timeline set in bankruptcy proceedings on the case doesn't allow for a public vote on the project.

In addition to shops and restaurants, the draft lease also lists the University of Miami as a potential tenant. Under environmental objectives, the lease describes a partnership with the school “to create a permanent marine science facility, where research will focus on environmental restoration of Biscayne Bay and its habitats.” Building the facility, however, could take years since the university would need to raise funds to pay for the project.



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