



## Memorandum

To: Gary McAlpin, Director  
Coastal Zone Management Department

From: Michele R. Mosca, AICP, Principal Planner  
Land Development Services Department, Comprehensive Planning Section

Date: August 30, 2010

RE: Petition PL20100001441 (CPCD-2010-7), Comprehensive Plan Consistency Determination for Wiggins Pass Interim Maintenance Dredging, located within Section 17, Township 48 South, Range 25 East, Collier County, Florida. (Memorandum is needed to satisfy requirements of the Florida Department of Environmental Protection.)

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The Elements under review for this Consistency Determination are the Future Land Use Element and Conservation and Coastal Management Element of the Growth Management Plan. Below is staff's analysis.

Project Summary: Per the submitted request, the proposed project involves maintenance dredging to widen and deepen the channel at Wiggins Pass, and the placement of dredged materials in the near-shore of Barefoot Beach.

### **A. Consistency with the Future Land Use Element (FLUE)**

The proposed dredging area is located within the Conservation designated area on the countywide Future Land Use map, and within the Coastal High Hazard Area.

The Future Land Use Element does not specifically address dredging. However, the proposed dredging is intended to deepen and widen the channel at Wiggins Pass to restore navigable depths. This function pertains, in part, to providing access to waterways, which is promoted and supported in certain Goals, Objectives and Policies of the Future Land Use Element (and Recreation and Open Space Element and Conservation and Coastal Management Element) of the Growth Management Plan and allowed by the Conservation designation. Therefore, the Comprehensive Planning staff is of the opinion that the proposed project does not conflict with the Goals, Objectives and Policies of the Future Land Use Element.

**B. Consistency with the Conservation and Coastal Management Element, including the Manatee Protection Plan (review completed by Stephen Lenberger)**

Policy 10.4.7 of the Conservation and Coastal Management Element of the Growth Management Plan restricts construction of all structures seaward of the Coastal Construction Control Line (CCCL), as established by the Florida Coastal Zone Protection Act of 1985. The CCCL included in the Collier County Growth Management Plan is that which was established in 1974, is referred to as the Coastal Construction Setback Line (CCSL) by Collier County and will be the line for this consistency determination.

Policy 10.5.9 of the Conservation and Coastal Management Element of the Growth Management Plan prohibits construction seaward of the Coastal Construction Setback Line on undeveloped shorelines except as follows:

- a. Construction will be allowed for public access;
- b. For protection and restoration of beach resources;
- c. In cases of demonstrated land use related hardship or safety concerns as specified in The 1985 Florida Coastal Zone Protection Act, there shall be no shore armoring allowed except in cases of public safety.

Staff's review of the subject property finds the dredging as proposed, including the widening and deepening of the channel and placement of dredged material in the near-shore of Barefoot Beach, to be seaward of the CCSL. This would require a variance from the Board of County Commissioners (BCC) to be consistent with Policy 10.4.7 and, in turn, with the Conservation and Coastal Management Element. In November 1997 the Board of County Commissioners approved CCSL Variance No. 97-3. This maintenance dredging is consistent with that which was approved by the BCC in 1997, and is therefore consistent with the Growth Management Plan.

Cc: File CPCD-2010-7  
Stephen Lenberger, Senior Environmental Specialist, Stormwater and Environmental Planning