



PELICAN BAY PROPERTY OWNERS ASSOCIATION, INC.

801 Laurel Oak Drive, Suite 712, • Naples, FL 34108

(239) 566-9707 • E-Mail PBPOA@pbpropertyowners.org

Web Site: PBPOA.ORG

Comments on Manatee Protection Zones in Collier County

Submitted to: ManateeRuleComments@MYFWC.com and Collier County Local Rule Review Committee

Date: 5/2/16

The Pelican Bay Property Owners Association, a voluntary Home Owners Association, representing the interests of 1,500 households in the Pelican Bay community requests that the Clam Bay system be designated as an "Idle Speed/No Wake" Manatee Protection Zone. The Pelican Bay community abuts the Clam Bay mangrove estuarine system.

The Clam Bay system is dedicated for preservation as part of the original Pelican Bay PUD approval; it is to be maintained in its essentially natural condition. Quit Claim Deed dated April 13, 1982 recorded in OR Book 966, page 1841, grants Collier County ownership of Clam Bay subject to restrictions. It states the Conservation Area may only be used for conservation purposes, for protection of the natural resources, wildlife, diversity, scenic beauty, and esthetic value of the area. USACE Permit No. 79K-0282 Special Conditions (for the filling of the 98 acres of wetlands for the Pelican Bay PUD), recorded on page 1826 in the same OR Book, specify that there is to be no dredging (by permit or otherwise) in Outer, Inner, or Upper Clam Bays, its connecting waterways, and/or adjacent wetlands or Clam Pass (except to maintain the opening). Clam Bay was designated by Collier County as a Natural Resources Protection Area (NRPA) in 1995.

Clam Bay system has been closely monitored by the County Pelican Bay Services Division, an MSTBU and a Collier County Advisory Committee since 1998. It is rich in biodiversity. Outer Clam Bay was once filled with seagrass beds, and other aquatic vegetation. It is a nature preserve intended for passive recreational activities. The system exists in its current state is capable of being used by small motorized vessels, kayaks, and canoes. A public canoe and kayak launch is located at the southern end of Outer Clam Bay, and is consistent with maintaining Clam Bay in its essentially natural condition. The boaters of Seagate community have been traversing Outer Clam Bay to access the Gulf since the 1960s. The distance from Seagate to the narrow connecting waterway where motorized boats must travel at "Idle Speed" is less than a half mile.

Since removal of the County's "Idle Speed/No Wake" signage in Clam Bay due to a change in State law in 2009, the increase of high speed motorized activities (boats, jet skis, and wave runners) has significantly reduced the seagrass beds in this historical seagrass habitat. "Idle Speed/No Wake" signage is needed in Clam Bay NRPA to protect and restore seagrasses to provide migrating manatees a haven to rest and forage. Manatees have been documented by FWC and observed by residents to visit Clam Bay.

Ability to access the Gulf by boaters of the Seagate community will not be affected. The "Idle Speed/No Wake" signage only asks that the motorize boaters slow down, respect and enjoy the Clam Bay system as a nature preserve.

Robert Naegele
President

Pelican Bay Property owners Association
801 Laurel Oak Drive, Suite 712, Naples, Florida 34108