

May 27, 2025

Collier County Board of County Commissioners
3299 Tamiami Trail East
Naples, FL 34112

Re: Proposed ordinance to create a Clam Bay Advisory Committee to be considered at the June 24th meeting of the Board of County Commissioners

Dear Board of County Commissioners:

Ordinance 2013-61 grants the Pelican Bay Services Division (PBSD) the exclusive responsibility to manage and advise the County on all matters pertaining to Clam Pass and the Natural Resource Protection Area (NRPA), contained therein. In that capacity we recommend that the ordinance be withdrawn or that important changes be made.

Transfer of management of Clam Pass and the NRPA to the PBSD was made after significant problems, such as extensive mangrove die-off, were encountered when managed by other County agencies. Since 2013, PBSD has successfully managed Clam Bay and the NRPA under the terms of the Clam Bay NRPA Management Plan 6.5, approved by the Commissioners in 2014 and periodically dredged in accordance with a plan developed with and approved by the U.S. Army Corp. of Engineers (USACE) and Florida Department of Environmental Protection (FDEP). There is no data that would justify a change to that arrangement. From results of our extensive ongoing third-party monitoring procedures, consultant reports, observations from entities like the Conservancy of Southwest Florida and our own staff about the condition of the mangroves, we know that the Clam Bay system is generally healthy and monitoring data is within prescribed limits.

Data that has been shared with Commissioners by Seagate and Clam Bay representatives is taken from PBSD data but is a very selective sample of all the data that PBSD collects in monitoring the health of the system. The Clam Bay Management Plan requires PBSD to undertake a periodic review of the Plan. That review is currently being undertaken by Humiston & Moore engineers and a full report should be available this summer.

The unprecedented spate of recent hurricanes has significantly damaged beaches along the Collier County coastline, including those in Pelican Bay. Large amounts of sand have been deposited behind our beaches, adjacent to our mangroves. PBSD is undertaking a project to reclaim as much of that sand as possible to rebuild a dune behind the beaches and a \$4,500,000 project of trucked-in sand to renourish Pelican Bay beaches in conjunction with the County's renourishment of Vanderbilt beaches in the fall. Additional sand will be reclaimed from the dredging of Clam Pass. Clam Pass has been dredged

in six of the last eight years. On the advice of the USACE, PBSB is seeking a two-year extension of our current Clam Bay maintenance dredging permit. During this period, we will be studying issues, including the impact of recent hurricanes on water quality and water flow in Clam Bay (which may result in expanded or more frequent dredging being incorporated into a new dredging permit). PBSB is open to having representatives from Seagate and Naples Cay work with our Clam Bay committee on the development of our permit renewal. In that regard, and as promised at the Commissioner's March 4th workshop, the recently received 2025 Clam Bay/Pass bathymetric survey has been shared with the representatives of Seagate and Naples Cay.

A main purpose of the proposed committee (as stated by representatives of Naples Cay and the Seagate community), is to address long standing and previously studied water quality issues in their canals – an area in the City of Naples, which is outside Clam Bay, the NRPA and the PBSB MSTBU. In considering water quality issues specific to the canals within the City of Naples, the Commissioners should be mindful of the fact that water quality within Clam Bay adjacent to the canals (CB7, 8, 9) is consistent with water quality generally in Clam Bay (see attached charts from the most recently available Clam Bay Water Quality Analysis for Total Phosphorus, Total Nitrogen, and Dissolved Oxygen). The 2023 data shows improvement over the prior year. Per the County's pollution control website, the water quality in Clam Bay is less impaired than Vanderbilt Lagoon to the north and is the same as the Moorings Bay system to the south. In addition, the mean tide ratios of Markers 4 and 14, closest and farthest from the canals respectively, are virtually the same (2024 Clam Bay Annual Report).

To the extent the canals have water quality issues, they do not appear to relate to Clam Bay and may be a consequence of the design and location of the canals themselves. The canals are artificial with vertical walls, similar to the structures in Venetian Bay and Outer Doctors Bay within the City of Naples. These are in sharp contrast with the naturally maintained Clam Bay NRPA outside the City. Commissioners may wish to create a committee to revisit these water quality issues but the scope of such a committee should be limited to those particular issues and not usurp the larger responsibilities of the PBSB. Such a committee might better be named "Seagate and Naples Cay Neighborhood Water Quality Advisory Committee."

Greater watercraft access to Clam Pass through Outer Clam Bay has also been mentioned in discussions. That possibility was the subject of a lawsuit filed by the Pelican Bay Foundation (PBF) against the State of Florida in 2014 which was settled by the parties acknowledging the right of the PBF to restrict access to additional watercraft in Outer Clam Bay, on the grounds that it would have a harmful effect on the conservation purpose for which the Clam Bay system is maintained.

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PBSD's management functions are entirely funded through a special tax assessment levied on the 13,000 residents of Pelican Bay. Seagate and Naples Cay residents do not contribute. Input from Pelican Bay residents (and their representatives, particularly the Pelican Bay Foundation, which owns a property interest and a reversionary interest in the entire Clam Bay NRPA system) needs to be weighed in consideration of this proposal. Considering this issue and seeking that input in the summer season when many residents are away is not ideal.

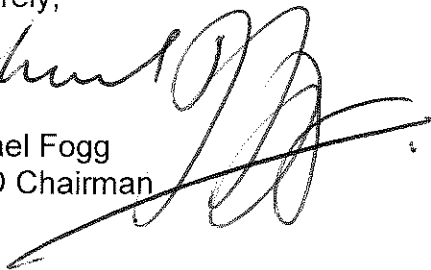
As drafted, the ordinance does not specify the issue the committee is formed to address, and it does not provide for funding of its activities or indicate how it would be staffed. To the extent the proposed committee's work would relate to property outside of Clam Bay and the NRPA, PBSD resources (funded by special assessment taxes) could not be directly used for such a purpose.

Should the Commissioners choose to move forward with the creation of a committee to study the Seagate and Naples Cay water quality issues, PBSD would provide three board members to sit on the committee, as set out in the Ordinance. However, PBSD advises Commissioners, in the strongest possible way, that the scope of the proposed committee's activities do not change in any way PBSD's current responsibilities with respect to its successful ongoing management of Clam Bay and the NRPA.

I will be out of the country on June 24th and unable to attend the meeting. I would appreciate the opportunity to discuss this matter in more detail with you individually at your convenience.

Sincerely,

Michael Fogg
PBSD Chairman

A handwritten signature in black ink, appearing to read "Michael Fogg", is written over the typed name and title.

6.2 Dissolved Oxygen Saturation

Dissolved Oxygen Saturation was out of compliance in 7/107 (6.5%) samples collected throughout 2023. The noncompliance samples occurred at the northernmost sampling locations (CB1 and CB2). The following tables and figures depict findings for compliance of DO at each sample location.

Table 3. Dissolved Oxygen Saturation values per sample location over the period of January 2023 to December 2023 in Clam Bay in relation to the established standard criteria for Class II waters (42% saturation).

Yellow represents samples not in compliance with criteria.

TABLE 3. Dissolved Oxygen Saturation (%)									
Date (month/year)	Station Location								
	CB1	CB2	CB3	CB4	CB5	CB6	CB7	CB8	CB9
Jan-23	85.3	79.2	77.6	81.1	85.7	94.6	95.7	80.7	91
Feb-23	NS	67.6	77.3	79.9	87.5	101.1	95.1	99.9	78.4
Mar-23	57.4	39.4	60.7	59.7	73	80.1	76.8	72.4	72.8
Apr-23	64.8	56.5	61.2	86.8	88.9	93.6	81.6	67	59.5
May-23	59.5	27.1	42.8	78.4	74	80.9	76.2	68.9	73.3
Jun-23	56.8	41.7	56.2	73.4	90.3	84.6	62.8	69.3	78.5
Jul-23	54.3	52.1	76.3	82.7	70.1	86	81.4	88.5	110.1
Aug-23	62.3	46.1	78.1	67.8	82.7	95.9	88.6	91.5	84.5
Sep-23	36	35.2	73.9	73.6	82.8	96.1	85.7	92.5	87.9

Oct-23	31.8	25	64.1	70.6	67.4	95	85.7	72.3	61
Nov-23	76.3	45.4	78.8	74.1	75.1	100.7	92	109.7	89.4
Dec-23	60.5	46.8	71	73.5	79	104.6	110.4	92	98.4

10.0 TIDAL RATIOS

Graphs 7 & 8 below show Clam Pass tidal ratios for 2024 and 2023. Tide gauges are located on canoe markers #4, #14, #26, and #32. All four tide stations remained standing during Hurricanes Helen and Milton. The equipment at all four stations was damaged and failed during the storm. Each station was replaced in April 2023 with a new fiberglass piling, protective PVC pipe, modem, battery, sensor, and solar panel. During maintenance events and routine fieldwork throughout 2024, the solar panels and sensors were cleaned.

Dredging activities at Clam Pass have been as follows:

2024: June mechanical dredging

2023: No dredging activities

2022: February - April mechanical dredging

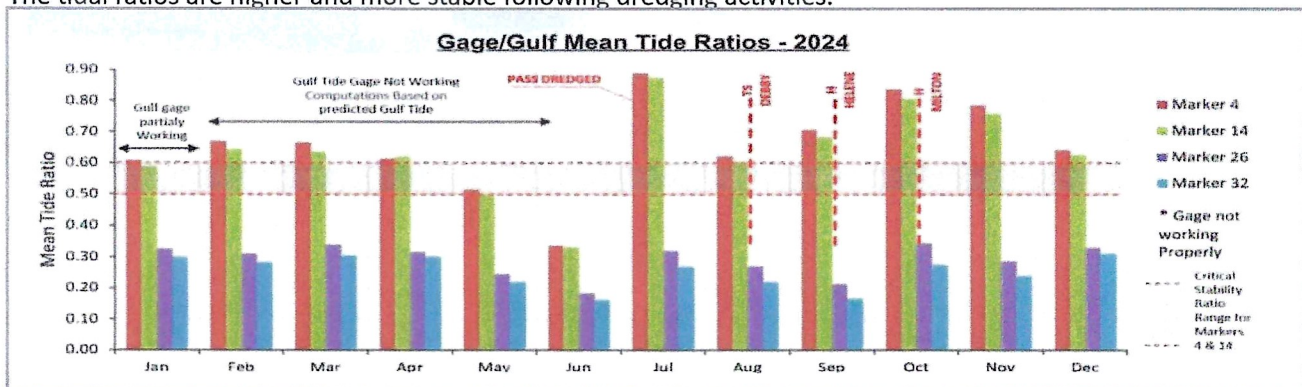
2021: No dredging activities

2020: April and December mechanical dredging

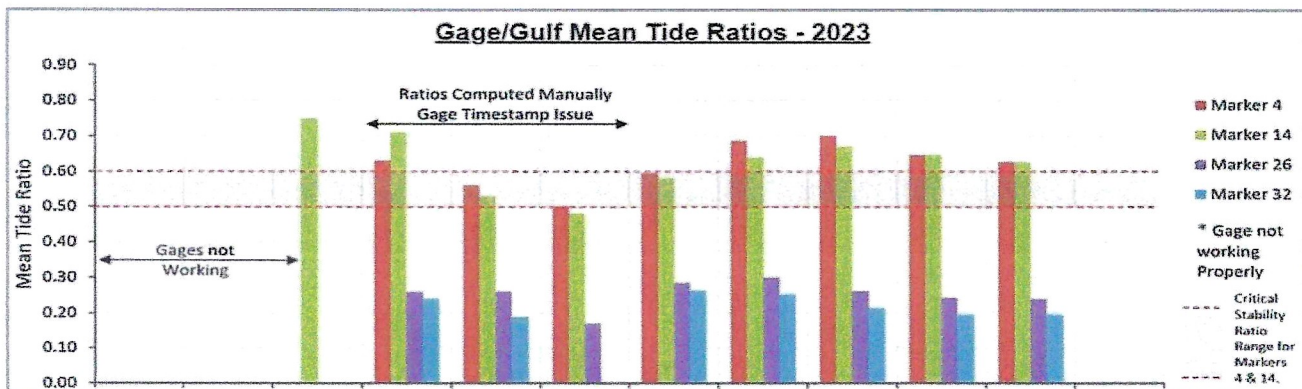
2019: No dredging activities

2018: April/May mechanical dredging

The tidal ratios are higher and more stable following dredging activities.



GRAPH 7. 2024 Clam Pass Tidal Ratios (as provided by Humiston & Moore)



GRAPH 8. 2023 Clam Pass Tidal Ratios (as provided by Humiston & Moore)

ArcGIS ▾ Collier County Government Water Quality Monitoring in Collier County, Florida

