



US Army Corps  
of Engineers®

# PUBLIC NOTICE

Applicant:  
Andrew Miller  
Collier County Coastal Zone

Published: March 20, 2025  
Expires: April 10, 2025

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**Jacksonville District**  
**Permit Application No. SAJ-2004-07621**

TO WHOM IT MAY CONCERN: The Jacksonville District of the U.S. Army Corps of Engineers (Corps) has received an application for a Department of the Army permit pursuant to Section 404 of the Clean Water Act (33 U.S.C. §1344) **and** Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. §403). The purpose of this public notice is to solicit comments from the public regarding the work described below:

If you are interested in receiving additional project drawings associated with this public notice, please send an e-mail to the project manager by electronic mail at [Stephen.J.Fleming@usace.army.mil](mailto:Stephen.J.Fleming@usace.army.mil).

**APPLICANT:** Andrew Miller  
Collier County Coastal Zone  
3301 Tamiami Trail East  
Naples, Florida 34112

**AGENT:** Brett Moore  
Humiston & Moore Engineers  
5579 Strand Court  
Naples, Florida 34110

**WATERWAY AND LOCATION:** The project would affect waters of the United States and navigable waters of the United States associated with the nearshore waters of the Gulf of America. The project site is located at Wiggins Pass, west of the intersection of Wiggins Pass Road and Vanderbilt Beach Road in Sections 17 & 20, Township 48 South, Range 45 East, Collier County, Florida. in 17 & 20 Section, 48 South Township, 45 East Range; at Latitude 26.28903 N and Longitude -81.83027 W; in Naples, Collier County, Florida.

**EXISTING CONDITIONS:** The wetland system consists of an open water tidal pass and adjacent mangrove (red, white and black) and nearshore beach systems. The dredge template and disposal areas have no seagrasses or hardbottom present. The inlet system consists of a routinely dredged navigation pass with sandy bottom, adjacent mangroves and inlet channels near the flood shoal areas. There are intersecting channels to the north that enter the pass ebb and flood shoal areas associated with the total system. The shifting main navigation pass has been problematic from a maintenance standpoint due to the large volume of sand deposited annually which

requires frequent maintenance dredging to maintain the navigational capacity of the channel. The adjacent beach system to the north at Barefoot Beach Preserve has experienced increasing erosion while the beach to the south at Delnor-Wiggins State Park has been more stable or accreting due to recent dredge and disposal activities. The vegetation surrounding the project beach fill area on the adjacent beaches to Wiggins Pass are minimally developed nature preserves with vegetation consisting of dune fields of Sea Oats (*Uniola paniculata*), dune sunflower (*Helianthus debilis* var. *vestitus*), panic grass (*Panicum amarum*), and railroad vine (*Ipomoea pes-caprae*).

**BACKGROUND:** The Department of the Army permit dated 13 February 2013, authorized periodic maintenance dredging of the authorized navigation channel location, including the north, south and east tributary channels and placement of material within the ebb shoal disposal area and adjacent shorelines for nourishment.

The adaptive project plan intends to straighten and expand the Wiggins Pass navigation channel by dredging a new alignment and filling the existing channel meander within the flood shoal. Due to the morphological changes the inlet has undergone since the issuance of the USACE permit in 2013 and several dredging events since then, the adaptive maintenance dredging program will allow for the plans to be adjusted to the changing conditions at the inlet while remaining consistent with the overall intent of the maintenance dredging program. The location boundary of dredging plans will coincide with the location of the natural channel based on monitoring of the inlet at that time. The dimensions of the design channel dredging will not change, only the location where the channel will be dredged may change relative to the channel morphology at the time of the project.

#### **PROJECT PURPOSE:**

**Basic:** Inlet maintenance dredging and nourishment.

**Overall:** To maintenance dredge the Wiggins Pass Channel and nourish the shoreline on Barefoot Beach and Delnor-Wiggins State Park, Naples, Collier County Florida.

**PROPOSED WORK:** The applicant requests authorization to: 1) amend the alignment of dredge cut across ebb shoal; 2) extend beach and nearshore disposal along the gulf shoreline at Delnor-Wiggins State Park (R-18 to R-17); 3) extend beach disposal further south along gulf shoreline at Delnor-Wiggins State Park (R-20 to R-23); 4) add south inlet bank disposal area; 5) extend beach disposal along the gulf at Barefoot Beach Preserve (R-12 to R-10); and 6) conduct nearshore inlet mouth grading.

Periodic maintenance dredging of the authorized navigation channel location, including the north, south and east tributary channels, may also be conducted. Dredged material may be placed within the onshore and nearshore disposal areas authorized north and south of the pass, including the South Inlet Bank Disposal Area and the Ebb Shoal Disposal Area. Placement of material in specific segments of the onshore disposal areas is restricted to above mean high water. Placement of material in the Ebb Shoal

Disposal Area, may be conducted providing that the inlet bypassing objectives are met. For each maintenance event, distribution of the dredged material amongst the authorized disposal areas and the alignment of the entrance channel (STA 15+00 through STA C-6) within the range depicted on the drawings, will be determined based on beach and inlet monitoring surveys. Additionally, minor grading of the shoreline in the vicinity of the inlet mouth (between STA -1+00 and STA C-8), may be conducted when the mean high-water line encroaches within 50 feet of the outer range of inlet channel alignment.

**AVOIDANCE AND MINIMIZATION:** The applicant has provided the following information in support of efforts to avoid and/or minimize impacts to the aquatic environment: The applicant has designed the project to have a net increase in improved beach habitat. The dredge template within Wiggins Pass has been dredged previously and no impacts to hardbottom resources or seagrass beds.

**COMPENSATORY MITIGATION:** The applicant has provided the following explanation why compensatory mitigation should not be required: The proposed work is for dredging of a previously dredged channel and placement of sand for nourishment. The project will result in a net increase of enhanced dry beach habitat. No hardbottom or seagrass resources exist within the dredge footprint or nearshore fill areas, therefore, compensatory mitigation is not warranted for the proposed project.

**CULTURAL RESOURCES:**

The Corps is evaluating the undertaking for effects to historic properties as required under Section 106 of the National Historic Preservation Act. This public notice serves to inform the public of the proposed undertaking and invites comments including those from local, State, and Federal government Agencies with respect to historic resources. Our final determination relative to historic resource impacts may be subject to additional coordination with the State Historic Preservation Officer, federally recognized tribes and other interested parties.

**ENDANGERED SPECIES:** The Corps has performed an initial review of the application, the U.S. Fish and Wildlife Service (USFWS) Information for Planning and Consultation (IPaC), National Marine Fisheries Service (NMFS) Section 7 Mapper, and the NMFS Critical Habitat Mapper to determine if any threatened, endangered, proposed, or candidate species, as well as the proposed and final designated critical habitat may occur in the vicinity of the proposed project. Based on this initial review, the Corps has made a preliminary determination that the proposed project may affect species and critical habitat listed below. No other ESA-listed species or critical habitat will be affected by the proposed action.

**Table 1:** ESA-listed species and/or critical habitat potentially present in the action area.

<b>Species Common Name and/or Critical Habitat Name</b>	<b>Scientific Name</b>	<b>Federal Status</b>
Green Sea Turtle	<i>Chelonia mydas</i>	Threatened
Kemp's Ridley Sea Turtle	<i>Lepidochelys kempii</i>	Endangered
Loggerhead Sea Turtle	<i>Caretta caretta</i>	Threatened
Leatherback Sea Turtle	<i>Dermochelys coriacea</i>	Threatened
Hawksbill Sea Turtle	<i>Eretmochelys imbricata</i>	Endangered
Smalltooth Sawfish	<i>Pristis pectinata</i>	Endangered
Giant Manta Ray	<i>Mobula birostris</i>	Threatened
West Indian manatee	<i>Trichechus manatus</i>	Endangered
Nassau Grouper	<i>Epinephelus striatus</i>	Threatened
Rufa Red Knot	<i>Calidris canutus rufa</i>	Endangered
Piping Plover	<i>Charadrius melodus</i>	Endangered
Florida Bonneted Bat	<i>Eumops floridanus</i>	Endangered

Pursuant to Section 7 ESA, any required consultation with the Service(s) will be conducted in accordance with 50 CFR part 402. The Corps is the lead Federal agency for ESA consultation for the proposed action. Any required consultation will be completed by Corps.

This notice serves as request to the U.S. Fish and Wildlife Service and National Marine Fisheries Service for any additional information on whether any listed or proposed to be listed endangered or threatened species or critical habitat may be present in the area which would be affected by the proposed activity.

**ESSENTIAL FISH HABITAT:** Pursuant to the Magnuson-Stevens Fishery Conservation and Management Act 1996, the Corps reviewed the project area, examined information provided by the applicant, and consulted available species information.

This notice initiates the Essential Fish Habitat (EFH) consultation requirements of the Magnuson-Stevens Fishery Conservation and Management Act. Our initial determination is that the proposed action may adversely affect EFH and/or fisheries managed by Fishery Management Councils and the National Marine Fisheries Service (NMFS). Implementation of the proposed project would directly impact approximately 5,600 linear feet of shoreline and shallow beach habitat. The effects of the project are determined to be substantial and permanent. These habitat(s) are utilized by the following species and their various life stages:

<b>Species</b>	<b>Life Stage</b>
Bonnethead Shark (Gulf of Mexico Stock)	Juvenile
Coastal Migratory Pelagics	ALL
Lemon Shark	Adult
Scalloped Hammerhead Shark	Neonate
Blacknose Shark (Gulf of Mexico Stock)	Juvenile/Adult
Nurse Shark	Juvenile/Adult
Red Drum	ALL
Blacktip Shark (Gulf of Mexico Stock)	Juvenile/Adult
Tiger Shark	Juvenile/Adult
Great Hammerhead Shark	ALL
Atlantic Sharpnose Shark (Gulf of Mexico Stock)	Juvenile/Adult
Shrimp	ALL
Blacktip Shark (Gulf of Mexico Stock)	Neonate
Bull Shark	Juvenile/Adult
Sandbar Shark	Adult
Bonnethead Shark (Gulf of Mexico Stock)	Neonate
Reef Fish	ALL
Atlantic Sharpnose Shark (Gulf of Mexico Stock)	Neonate
Blacknose Shark (Gulf of Mexico Stock)	Neonate
Bonnethead Shark (Gulf of Mexico Stock)	Adult

Our final determination relative to project impacts and the need for mitigation measures is subject to review by and coordination with the National Marine Fisheries Service.

**NAVIGATION:** Based on the Florida State Plane coordinates provided by the applicant, the waterward edge of the proposed maintenance dredging will have no impact on any Intracoastal Waterway Federal channel.

**SECTION 408:** The applicant will not require permission under Section 14 of the Rivers and Harbors Act of 1899 (33 USC 408) because the activity, in whole or in part, would not alter, occupy, or use a Corps Civil Works project.

**WATER QUALITY CERTIFICATION:** Water Quality Certification is required from the Florida Department of Environmental Protection (FDEP). The FDEP issued Permit Modification 0142538-019-JM for the project on 13 February 2023.

**COASTAL ZONE MANAGEMENT CONSISTENCY:** Coastal Zone Consistency Concurrence is required from the Florida Department of Environmental Protection (FDEP). In Florida, the State approval constitutes compliance with the approved Coastal Zone Management Plan.

**NOTE:** This public notice is being issued based on information furnished by the applicant. This information has not been verified or evaluated to ensure compliance with laws and regulation governing the regulatory program. The geographic extent of aquatic resources within the proposed project area that either are, or are presumed to be, within the Corps jurisdiction has been verified by Corps personnel.

**EVALUATION:** The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits, which reasonably may be expected to accrue from the proposal, must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered including cumulative impacts thereof; among these are conservation, economics, esthetics, general environmental concerns, wetlands, historical properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food, and fiber production, mineral needs, considerations of property ownership, and in general, the needs and welfare of the people. A permit will be granted unless its issuance is found to be contrary to the public interest.

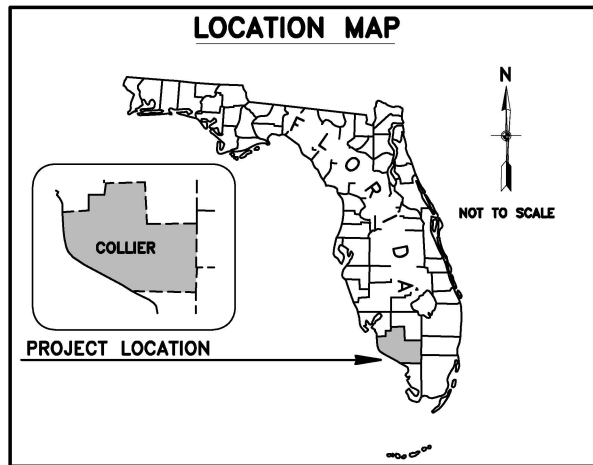
**COMMENTS:** The Corps is soliciting comments from the public; Federal, State, and local agencies and officials; Indian Tribes; and other Interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps to determine whether to issue, modify, condition, or deny a permit for this proposal. To make this determination, comments are used to assess impacts to endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment (EA) and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act (NEPA). Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

The Jacksonville District will receive written comments on the proposed work, as outlined above, until April 10, 2025. Comments should be submitted electronically via the Regulatory Request System (RRS) at <https://rrs.usace.army.mil/rrs> or to Stephen Fleming at [stephen.j.fleming@usace.army.mil](mailto:stephen.j.fleming@usace.army.mil). Alternatively, you may submit comments in writing to the Commander, U.S. Army Corps of Engineers, Jacksonville District,

Attention: Stephen Fleming, 1520 Royal Palm Square Boulevard, Suite 310 Fort Myers, Florida 33919. Please refer to the permit application number in your comments.

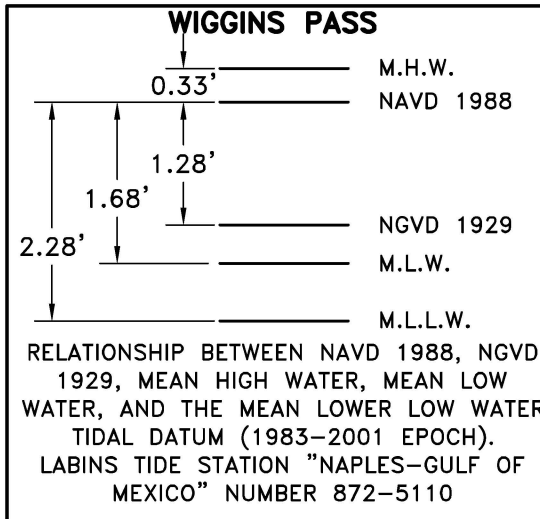
Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider the application. Requests for public hearings shall state, with particularity, the reasons for holding a public hearing. Requests for a public hearing will be granted, unless the District Engineer determines that the issues raised are insubstantial or there is otherwise no valid interest to be served by a hearing.

# 2021 PERMIT MODIFICATION PLANS WIGGINS PASS MAINTENANCE DREDGING AND NAVIGATION IMPROVEMENT PROJECT



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6. SITE PLAN DISPOSAL R12 TO R15
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9. SITE PLAN DISPOSAL R20 TO R22
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15. DISPOSAL SECTIONS R17-200 TO R18
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**NOTES:**

1. AERIAL PHOTOGRAPH DATED DECEMBER 2020 COURTESY OF THE COLLIER COUNTY APPRAISER'S OFFICE UNLESS STATED OTHERWISE.
2. COORDINATES SHOWN ARE IN FEET BASED ON THE NORTH AMERICAN DATUM OF 1983, EAST ZONE (NAD83).
3. ELEVATIONS SHOWN ARE IN FEET BASED ON THE NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD88).
4. DEP PERMIT 0142538-015-JN ISSUED OCTOBER 5, 2017; ACOE PERMIT SAJ-2004-07621 ISSUED IN 2013 FOR THE WIGGINS PASS NAVIGATION CHANNEL EXPANSION AND MAINTENANCE.



**HUMISTON  
& MOORE  
ENGINEERS**  
COASTAL  
ENGINEERING DESIGN  
AND PERMITTING

WIGGINS PASS MAINTENANCE DREDGING AND NAVIGATION IMPROVEMENT PROJECT - COVER SHEET		
FOR: COLLIER COUNTY		
DATE: 12/1/21	FILE: COVER	SCALE: SHOWN
JOB: 29018	DATUM: NAVD	SHEET: 1

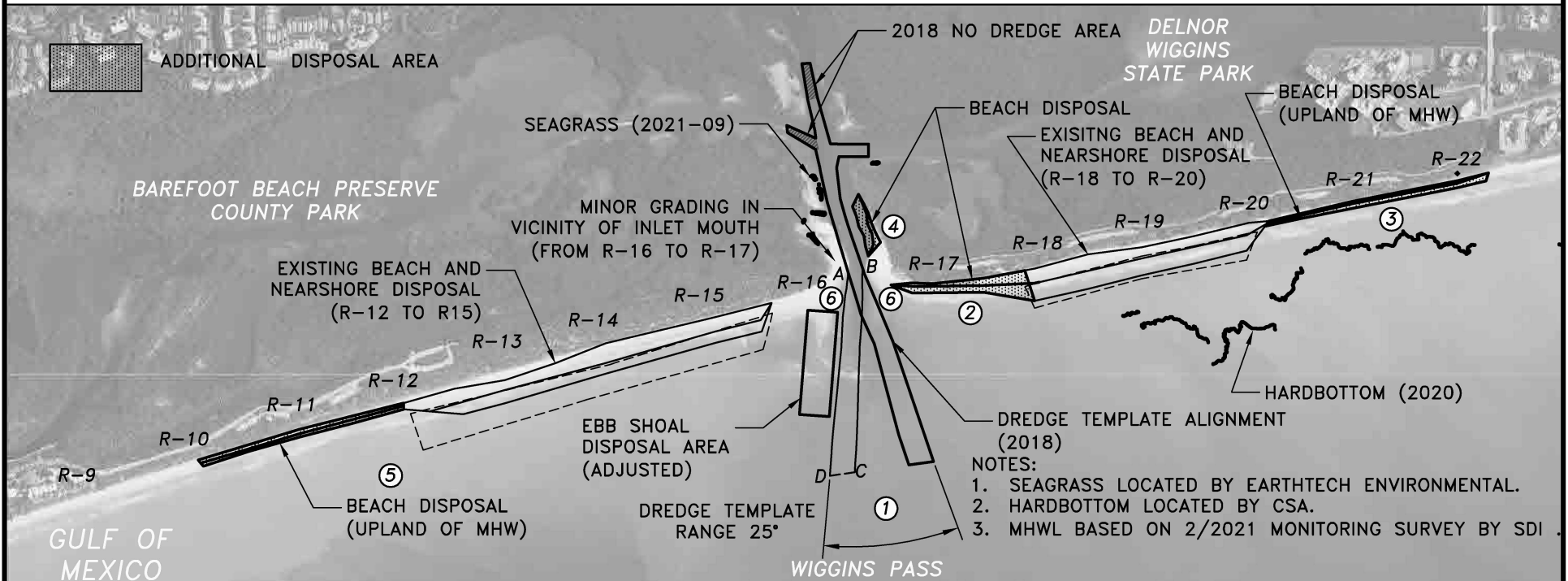
5679 STRAND COURT  
NAPLES, FL 34110  
FAX: (239) 594-2025  
PHONE: (239) 594-2021  
[www.humistonandmoore.com](http://www.humistonandmoore.com)



POINT COORDINATE TABLE		
POINT	EASTING (FT)	NORTHING (FT)
A	381789.9	718887.8
B	381430.3	718742.6
C	383245.0	712518.6
D	383595.3	712429.3

**LEGEND (X) MODIFICATION ITEMS**

- ① CHANNEL DREDGING ACROSS EBB SHOAL.
- ② BEACH AND NEARSHORE DISPOSAL FROM R-17 TO R-18.
- ③ BEACH DISPOSAL ABOVE MHW FROM R-20 TO R-22+300.
- ④ SOUTH INLET BANK DISPOSAL. (PARTIAL RESTORATION)
- ⑤ BEACH DISPOSAL ABOVE MHW FROM R-10 TO R-12.
- ⑥ INLET MOUTH GRADING.



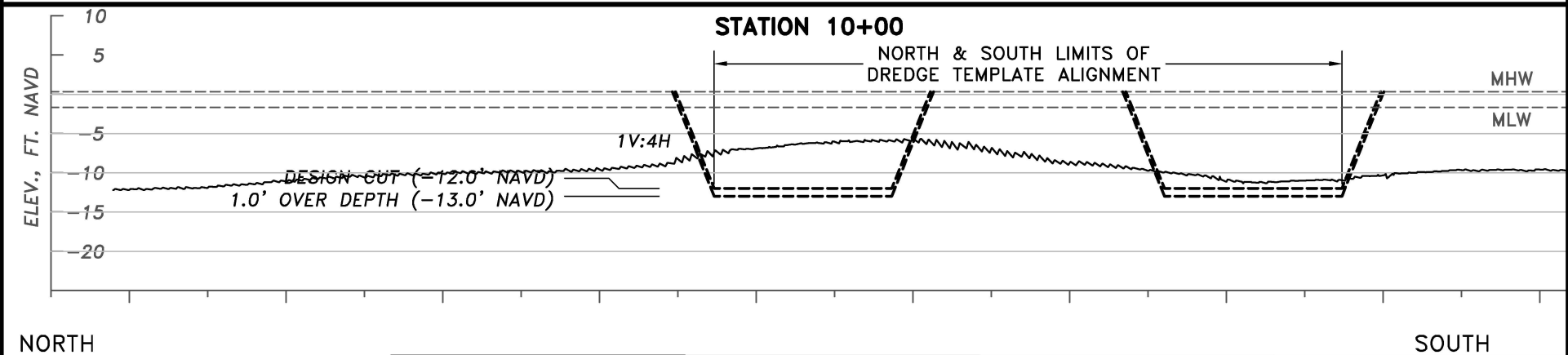
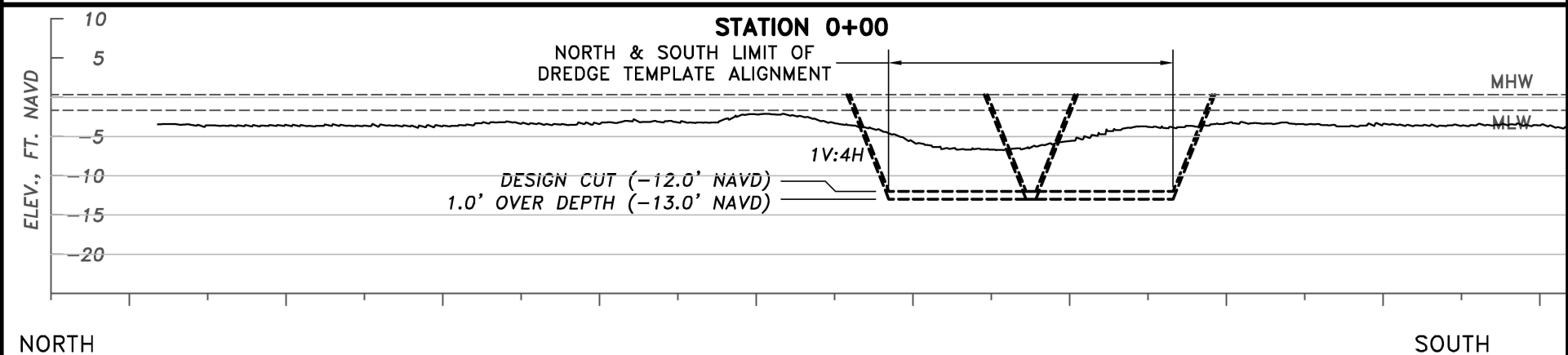
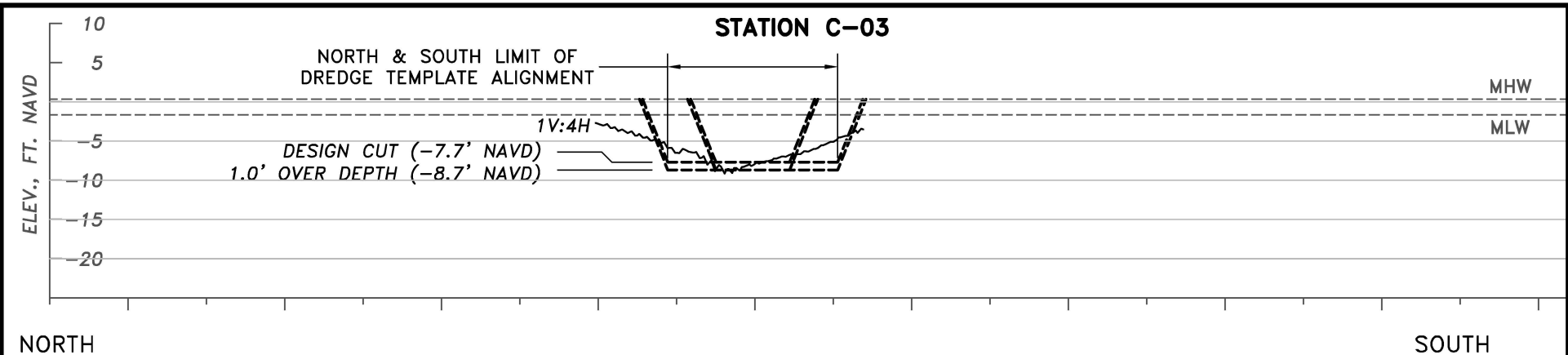
- NOTES:
1. SEAGRASS LOCATED BY EARTHTECH ENVIRONMENTAL.
  2. HARDBOTTOM LOCATED BY CSA.
  3. MHWL BASED ON 2/2021 MONITORING SURVEY BY SDI



**HUMISTON & MOORE ENGINEERS**  
 COASTAL ENGINEERING DESIGN AND PERMITTING

WIGGINS PASS MAINTENANCE DREDGING AND NAVIGATION IMPROVEMENT PROJECT - PLAN		
FOR: COLLIER COUNTY		
DATE: 12/1/21	FILE: PLAN	SCALE: SHOWN
JOB: 29018	DATUM: NAVD	SHEET: 2

5679 STRAND COURT  
 NAPLES, FL 34110  
 FAX: (239) 594-2025  
 PHONE: (239) 594-2021  
 www.humistonandmoore.com



	<b>HUMISTON &amp; MOORE ENGINEERS</b> <small>COASTAL ENGINEERING DESIGN AND PERMITTING</small>	WIGGINS PASS MAINTENANCE DREDGING AND NAVIGATION IMPROVEMENT PROJECT - SECTION			— DESIGN TEMPLATE — 2021-07 CZM
		FOR: COLLIER COUNTY			
		DATE: 12/1/21	FILE: SECTION	SCALE: SHOWN	HOR. 1"=200' VER. 1"=20'
		JOB: 29018	DATUM: NAVD	SHEET: 10	