

**APPENDIX B**  
**PONCE DELEON INLET NAVIGATION IMPROVEMENTS**  
**FLORIDA COASTAL ZONE CONSISTENCY PROGRAM**  
**FEDERAL CONSISTENCY EVALUATION PROCEDURE**

1. Chapter 161, Beach and Shore Preservation: The intent of the coastal construction permit program established by this chapter is to regulate construction projects located seaward of the line of mean high water and which might have an effect on natural shoreline processes.

**Consistency Statement:** The purpose of the proposed action is to stabilize the navigation channel and inlet at Ponce DeLeon Inlet, Volusia County, Florida. It is intended to alter the pattern of water and, as a result, sand movement in and through the inlet. Information will be submitted to the State for a permit in compliance with this chapter.

2. Chapters 186 and 187, State and Regional Planning: These chapters establish the State Comprehensive Plan which sets goals that articulate a strategic vision of the State's future. It's purpose is to define in a broad sense, goals and policies that provide decision-makers directions for the future and long-range guidance for orderly social, economic and physical growth.

**Consistency Statement:** The work has been coordinated with the State without objection.

3. Chapter 252, Disaster Preparation, Response and Mitigation: This chapter creates a State Emergency Management Agency, with authority to provide for the common defense; to protect the public peace, health and safety; and to preserve and protect the lives and property of the people of Florida.

**Consistency Statement:** Stabilization of the inlet and navigation channel will enhance use of the inlet for boaters seeking sanctuary during periods of rough weather. Under present conditions, during such occasions the unstable inlet exacerbates dangerous boating conditions for those seeking shelter. Therefore, this work would be consistent with the efforts of Division of Emergency Management.

4. Chapter 253, State Lands: This chapter governs the management of submerged State lands and resources within State lands. This includes archeological and historical resources; water resources; fish and wildlife resources; beaches and dunes; submerged grass beds and other benthic communities; swamps, marshes and other wetlands; mineral resources; unique natural features; submerged lands; spoil islands; and, artificial reefs.

**Consistency Statement:** Maintenance dredging, jetty construction and use of local disposal areas have been previously been performed. The use of these State lands has previously been approved by the State. The proposed activity has been coordinated with the State and appropriate State permits will be obtained. The proposed action would comply with the intent of this chapter.

5. Chapters 253, 259,260 and 375, Land Acquisition: These chapters authorizes the State to acquire land to protect environmentally sensitive areas.

**Consistency Statement:** As the property is already in public ownership, these chapters do not apply.

6. Chapter 258, State Parks and Aquatic Preserves. This chapter authorizes the State to manage State parks and preserves. Consistency with this chapter would include consideration of projects that would directly or indirectly adversely impact park property, natural resources, park programs or management or operations.

**Consistency Statement:** The proposed action will not affect State parks or preserves, and is consistent with the intent of this chapter.

7. Chapter 267, Historic Preservation: This chapter establishes the procedures for implementing the Florida Historic Resources Act responsibilities.

**Consistency Statement:** The construction of revetment and extension of the south jetty has been coordinated with the State Historic Preservation Officer and a magnetometer survey conducted. The work will be consistent with the goals of this chapter.

8. Chapter 288, Economic Development and Tourism: This chapter directs the State to provide guidance and promotion of beneficial development through the encouragement of economic diversification and promotion of tourism.

**Consistency Statement:** The stabilization of the inlet will encourage increased tourist and recreational use of facilities such as party boats at nearby marinas and increased use of recreational boats by individuals previously concerned about unsafe conditions in the inlet. Therefore, the work is consistent with the goals of this chapter.

9. Chapters 334 and 339, Public Transportation: This chapter authorizes the planning and development of a safe and efficient transportation system.

**Consistency Statement:** The proposed action will not adversely affect public transportation.

10. Chapter 370, Living Saltwater Resources: This chapter directs the State to preserve, manage and protect the marine, crustacean, shell and anadromous fishery resources in State waters; to protect and enhance the marine and estuarine environment; to regulate fishermen and vessels of the state engaged in the taking of such resources within or without state waters; to issue licenses for the taking and processing of fisheries products; to secure and maintain statistical records of the catch of each such species; and to conduct scientific, economic and other studies and research.

**Consistency Statement:** The stabilization of the inlet will not adversely affect such activities and is consistent with the goals of this chapter.

11. Chapter 372, Living Land and Freshwater Resources: This chapter establishes the Game and Freshwater Fish Commission and directs it to manage freshwater aquatic life and wild animal life and their habitat to perpetuate a diversity of species with densities and distributions which provide sustained ecological, recreational, scientific, educational, aesthetic and economic benefits.

**Consistency Statement:** Some upland habitat will be lost by constructing the revetment; However, additional acreage will be saved from erosion loss. Therefore, the work will comply with the goals of this chapter.

12. Chapter 373, Water Resources: This chapter provides the authority to regulate the withdrawal, diversion, storage and consumption of water.

**Consistency Statement:** This work does not involve water resources as described by this chapter.

13. Chapter 376, Pollutant Spill Prevention and Control: This chapter regulates the transfer, storage and transportation of pollutants and the cleanup of pollutant discharges.

**Consistency Statement:** This work does not involve the transportation or discharge of pollutants. Conditions will be placed in the contract to handle inadvertent spills of pollutants such as vehicle fuels. The proposed action will comply with this chapter.

14. Chapter 377, Oil and Gas Exploration and Production: This chapter authorizes the regulation of all phases of exploration, drilling and production of oil, gas and other petroleum products.

**Consistency Statement:** The proposed action does not involve the exploration, drilling or production of oil, gas or other petroleum products and therefore does not apply.

15. Chapter 380, Environmental Land and Water Management: This chapter establishes criteria and procedures to assure that local land development decisions consider the regional impact of large-scale development.

**Consistency Statement:** The proposed action has been coordinated with the local regional planning council. The work will conform with the goals of this chapter.

16. Chapter 388, Arthropod Control: This chapter provides for a comprehensive approach for abatement or suppression of mosquitoes and other arthropod pests within the state.

**Consistency Statement:** The proposed action will be consistent with the goals of this chapter.

17. Chapter 403, Environmental Control: This chapter authorizes the regulation of pollution of the air and waters of the State by the Department of Environmental Protection.

**Consistency Statement:** Appropriate State permits will be obtained for this project.

18. Chapter 582, Soil and Water Conservation: This chapter establishes policy for the conservation of State soils and water through the Department of Agriculture. Land use policies will be evaluated in terms of their tendency to cause or contribute to soil erosion or to conserve, develop and utilize soil and water resources both on-site or on adjoining properties affected by the work. Particular attention will be given to work on or near agricultural lands.

**Consistency Statement:** The proposed work is not located near agricultural lands. Therefore, this chapter does not apply.