



**CZM PERMIT APPLICATION**  
V I S T E R S T X ( 0 0 3 )  
**Applicant: Government of the USVI - DPW**  
January 18, 2022



## **FEDERAL CONSISTENCY DETERMINATION**

The Coastal Zone Management Act of 1972 requires federal actions to be consistent to the maximum extent practicable with the enforceable policies of a coastal state's federally approved Coastal Management Plan. The rehabilitation and repairs of the 15 roads, culverts and bridge structures under the V I S T E R S T X ( 0 0 3 ) Proposed Road & Culvert Repair and Rehabilitation Project will be undertaken in a manner consistent to the maximum extent practicable with the enforceable policies of the U.S. Virgin Islands Coastal Zone Management Program. This federal consistency determination demonstrates the projects compliance with the U.S. Virgin Islands Coastal Zone Management Program.

The following policies are set forth in the Virgin Islands Code Title Twelve Conservation, Chapter 21 §903(b):

**12 VIC §903(b). The Legislature hereby determines that the basic goals of the United States Virgin Islands for its coastal zone are to:**

**(1) protect, maintain, preserve and, where feasible, enhance and restore, the overall quality of the environment in the coastal zone, the natural and man-made resources therein, and the scenic and historic resources of the coastal zone for the benefit of residents of and visitors of the United States Virgin Islands;**

- Each project site is designed to provide a repair that restores full function of delineated road length. Restoration will include adjustment to elevations and grading to improve quality of stormwater drainage and protection of flood waterways.
- Project will, where feasible, maintain and protect identified historical structures and resources.
- All construction activities will employ best management practices to protect stormwater from project sediment and other pollutant runoff, as well as prevent site and shoreline erosion. Silt fencing will be installed on-land, and turbidity barriers used where in water work will be performed.
- A Water Quality Monitoring Plan which includes protective measures for sea turtles and marine mammals will be implemented during all in-water work including concrete work, temporary detour installation and removal, and scour protection installation.
- The projects as designed protects, maintains, preserves and where feasible, enhances and restores the overall quality of the environment in the coastal zone, the natural and man-made resources therein, and the scenic and historic resources of the coastal zone for the benefit of residents of and visitors of the United States Virgin Islands and therefore is consistent with this policy of the Virgin Islands Code Title Twelve Conservation, Chapter 21 §903(b).

**(2) promote economic development and growth in the coastal zone and consider the need for development of greater than territorial concern by managing: (1) the impacts of human activity and (2) the use and development of renewable and nonrenewable resources so as to maintain and enhance the long-term productivity of the coastal environment;**

- This project entails the repair and restoration of 15 different sections of existing road, culverts and bridge structures around the island of St. Croix, and therefore this goal of the VICZMP is not applicable to this project.

**(3) assure priority for coastal-dependent development over other development in the coastal zone by reserving areas suitable for commercial uses including hotels and related facilities, industrial uses including port and marine facilities, and recreation uses;**

- This project entails the repair and restoration of 15 different sections of existing road, culverts and bridge structures around the island of St. Croix, and therefore this goal of the VICZMP is not applicable to this project.

**(4) assure the orderly, balanced utilization and conservation of the resources of the coastal zone, taking into account the social and economic needs of the residents of the United States Virgin Islands;**

- This project entails the repair and restoration of 15 different sections of existing road, culverts and bridge structures around the island of St. Croix, and therefore this goal of the VICZMP is not applicable to this project.

**(5) preserve, protect and maintain the trust lands and other submerged and filled lands of the United States Virgin Islands so as to promote the general welfare of the people of the United States Virgin Islands;**

- This project entails the repair and restoration of 15 different sections of existing road, culverts and bridge structures around the island of St. Croix, and therefore this goal of the VICZMP is not applicable to this project.

**(6) preserve what has been a tradition and protect what has become a right of the public by insuring that the public, individually and collectively, has and shall continue to have the right to use and enjoy the shorelines and to maximize public access to and along the shorelines consistent with constitutionally-protected rights of private property owners;**

- This project entails the repair and restoration of 15 different sections of existing road, culverts and bridge structures around the island of St. Croix, and therefore this goal of the VICZMP is not applicable to this project.

**(7) promote and provide affordable and diverse public recreational opportunities in the coastal zone for all residents of the United States Virgin Islands through acquisition, development and restoration of areas consistent with sound resource conservation principles;**

- This project entails the repair and restoration of 15 different sections of existing road, culverts and bridge structures around the island of St. Croix, and therefore this goal of the VICZMP is not applicable to this project.

**(8) conserve ecologically significant resource areas for their contribution to marine productivity and value as wildlife habitats, and preserve the function and integrity of reefs, marine meadows, salt ponds, mangroves and other significant natural areas;**

- Those project areas directly adjacent to shoreline, surface waters, or other significant resource areas will entail significant protections and best management
- All construction activities will employ best management practices to protect stormwater from project sediment and other pollutant runoff, as well as prevent site and shoreline erosion. Silt fencing will be installed on-land, and turbidity barriers used where in water work will be performed.
- A Water Quality Monitoring Plan which includes protective measures for sea turtles and marine mammals will be implemented during all in-water work including concrete work , temporary detour installation and removal, and scour protection installation.

**(9) maintain or increase coastal water quality through control of erosion, sedimentation, runoff, siltation and sewage discharge;**

- Each project site is designed to provide a repair that restores full function of delineated road length. Restoration will include adjustment to elevations and grading to improve quality of stormwater drainage and protection of flood waterways.
- Project will, where feasible, maintain and protect identified historical structures and resources.
- All construction activities will employ best management practices to protect stormwater from project sediment and other pollutant runoff, as well as prevent site and shoreline erosion. Silt fencing will be installed on-land, and turbidity barriers used where in water work will be performed.
- A Water Quality Monitoring Plan which includes protective measures for sea turtles and marine mammals will be implemented during all in-water work including concrete work , temporary detour installation and removal, and scour protection installation.

**12 V.I. R. & Regs. § 904-8 Content of Consistency Determination**

The Coastal Zone Management Act of 1972 requires federal actions to be consistent to the maximum extent practicable with the enforceable policies of a coastal state's federally approved Coastal Management Plan. The rehabilitation and repairs of the 15 roads, culverts and bridge structures under the VI ST ER STX (003) Proposed Road & Culvert Repair and Rehabilitation Project will be undertaken in a manner consistent to the maximum extent practicable with the enforceable policies of the U.S. Virgin Islands Coastal Zone Management Program.

The drawings, project documents, and supporting application forms submitted with this package provide detailed descriptions of the overall project, including maps, diagrams, technical data, and other material relevant to the work proposed for the 15 different project sites.

Relevant federal and territorial permits applicable to the 15 different sites include ACOE 404 permits, FEMA Flood Permits, CWA 401 Certificates, Earth Change Permits and TPDES Stormwater CGP Coverages.

The relevant applications, supporting documentation to include complete Environmental Assessment Reports provide a detailed analysis showing the probable effects of the proposed activity and its associated facilities, as well as that the project and its effects are consistent with the goals and policies of the VICZMP

As a result of these assessments and details provided in this package, the proposed activity is consistent to the maximum extent practicable with the Virgin Islands Coastal Zone Management Program and will be conducted in a manner consistent with such program.