



March 28, 2023

Honorable Jean-Pierre L. Oriol
Commissioner
Department of Planning and Natural Resources
4611 Tutu Park Mall
Suite 300, 2nd Floor
St. Thomas, U.S. Virgin Islands 00802

RE: Federal Consistency Request for Improvements to Northside Roadway (Route-75) including Undergrounding of Existing Electrical Service and Replacement of Water Distribution and Sanitary Sewer in the Mon Bijou-Glynn, Morning Star, Richmond-Princesse and Contentment-Richmond Neighborhoods, St. Croix

Dear Commissioner Oriol:

The Virgin Islands Department of Public Works (DPW) is proposing roadway, drainage, and utility improvements along the Northside Roadway (Route 75), from the intersection of Centerline Road to the intersection of Contentment Road. Additionally, DPW is proposing to underground existing electrical utilities within four adjacent neighborhoods along the Northside Roadway corridor.

The Northside Roadway project will include improvements to approximately 6.5 miles of roadway. The design documents include improvements to paved shoulders, traffic flow and safety, underground electrical distribution, drainage to prevent roadway flooding, signage and pavement markings, roadway lighting, ADA improvements, and transit/bus stop improvements. The proposed roadway improvements will enhance traffic flow and make the roadways safer for drivers and pedestrians.

DPW is also proposing to place existing electrical service underground in four neighborhoods serviced by the Virgin Islands Water and Power Authority (WAPA). The four neighborhoods include Mon Bijou-Glynn, Morning Star, Richmond-Princesse and Contentment-Richmond. Electrical distribution will be moved underground, and the existing pole mounted transformers will be replaced with pad mounted transformers. Poles will be topped off where needed, and the existing above ground lines will be removed.

Additionally, DPW, along with the Virgin Islands Waste Management Authority (WMA) and WAPA, is proposing to replace and improve the existing sanitary sewer and potable water distribution within the limits of the roadway and electrical improvements. This will make the area more resilient against future storms and improve the overall infrastructure in these neighborhoods.

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 Northshore Road improvements and underground Electrical Installation as proposed 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).

The Coastal Zone Management Act of 1972 requires that federal actions, within and outside the coastal zone, which have reasonably foreseeable effects on any coastal use (land or water), or natural resource of the coastal zone be consistent with the enforceable policies of a state's federally approved coastal management program. The proposed Northside Road improvements and placement of utilities underground in four neighborhoods, as proposed, 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 (CZM) Program. This federal consistency determination demonstrates the Northside Road improvements and placement of utilities underground in four neighborhoods projects' compliance with the U.S. Virgin Islands' CZM Program.

The following policies are set forth in the U.S. Virgin Islands Code Title 12, Conservation Chapter 21, Virgin Islands Coastal Zone Management [V.I. Code tit. 12, § 903(b)]. The proposed Northside Road improvements and placement of utilities underground in four neighborhoods projects meets each of the basic goals of the USVI for its coastal zone. Additional details are as follows:

USVI Code Title Twelve Conservation, Chapter 21 § 903 (b)

(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.

- The proposed Northside Road improvements and placement of utilities underground in four neighborhoods projects are designed to be within a currently disturbed area.

The projects will have minimal impact on natural resources, archeological resources, and will enhance experience of Virgin Islanders who drive Northside Road and live in Mon Bijou-Glynn, Morning Star, Richmond-Princesse and Contentment-Richmond.

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(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 to maintain and enhance the long-term productivity of the coastal environment.

- The proposed project promotes the economic development and growth in the coastal zone by providing a safer roadway for residents and visitors. It will protect property, allow for better access during flooding events and will minimize repairs needed in future catastrophic weather events. The placement of utilities underground will improve the quality of life for residents in Mon Bijou-Glynn, Morning Star, Richmond-Princesse and Contentment-Richmond and allow them to have power restored more quickly after storms.

(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.

- The proposed project involves the improvement of the roadway and will provide better access for commercial uses such as hotels and related facilities. The proposed utility improvements provide more reliable services for commercial and residential uses.

(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.

- The roadway improvements have been designed to minimize impact to resources and will protect critical infrastructure and, therefore, will meet and protect the economic and social needs of the St. Croix residents. The replacement of aging and damaged sewer and water infrastructure, along with the placement of utilities underground, provides more reliable services for commercial and residential uses.

(5) Preserve, protect, and maintain the trust lands and other submerged and filled lands of the United States Virgin Islands to promote the general welfare of the people of the United States Virgin Islands.

- The proposed projects will not impact trust lands or other submerged or filled lands of the U.S. Virgin Islands.

(6) Preserve what has been a tradition and protect what has become a right of the public by ensuring 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.

- The proposed projects will in no way affect public access to, or use of, the shoreline.

(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.

- The proposed projects will not affect public recreational opportunities in the coastal zone.

(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.

- The project will have minimal impact on natural resources and will implement best management practices (BMPs) to minimize areas of disturbance, thereby protecting adjacent habitats.

(9) Maintain or increase coastal water quality through control of erosion, sedimentation, runoff, siltation, and sewage discharge.

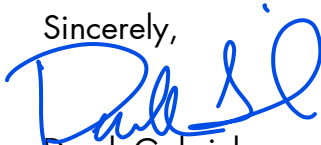
- As necessary, the project will implement sedimentation and erosion control BMPs to prevent loss of sediment from the project area during construction.

The proposed Northside Road Improvements project and utility improvements in Mon Bijou-Glynn, Morning Star, Richmond-Princesse and Contentment-Richmond, as designed, will maintain coastal water quality through control of erosion, sedimentation, runoff, and siltation, protect island resource and benefit Virgin Islanders providing a safer roadway and a more resilient power source for Mon Bijou-Glynn, Morning Star, Richmond-Princesse

and Contentment-Richmond. It is, therefore, consistent with the policy set forth in the U.S. Virgin Islands Code Title 12, Conservation Chapter 21, Virgin Islands Coastal Zone Management [V.I. Code tit. 12, § 903(b)].

We respectfully request your concurrence with this request. If you have any questions or concerns, please contact Piotr Gajewski, Design Program Manager, at (340) 776-4844 ext.4257 or via email at piotr.gajewski@vi.gov.

Sincerely,



Derek Gabriel
Commissioner

DG/JM/PG

cc: Jomo McClean, Highway Program Manager, DPW
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