



Virgin Islands Port Authority

Engineering Division

May 15, 2023

LTR-23-0014

Jack Rock B-A C, LLC
Attention: Attorney George Dudley
Dudley Newman Feuerzig LLP

Subject: Revised VIPA Performance Criteria for Proposed Latitude 18 Marina Development

Dear Attorney Dudley:

Following the correspondence and multiple discussions that took place between the Latitude 18 marina development team and the Virgin Islands Port Authority (VIPA), VIPA still has concerns when it comes to simultaneous operations of the Urman Victor Fredericks (UVF) Marine Terminal and the proposed Latitude 18 Marina but believes that these concerns can be mitigated with the revised operating restrictions for the proposed marina. The requested operating restrictions are as follows:

- Restriction of vessels queuing for fuel operations to be solely located within the riparian footprint that constitutes the lease space of the marina;
- Restriction of vessel length overall (*Loa*) utilizing the T-dock to be 150-feet to ensure all turning maneuvers of vessels utilizing the T-dock occur outside of the car transport berth pocket;
- Development of an operations plan for the storage of the wave attenuation system as part of an adverse weather preparation plan. The wave attenuator storage operations plan will provide criteria for the timing and trigger event that commences the dismantling and storage process to ensure no impact to UVF Marine Terminal operations or the safety of operations in the navigational channel pre-storm event and post-storm event. VIPA will review and approve the wave attenuation system storage plan to satisfy that the removal, installation, and storage of floating wave attenuation elements does not create risk to VIPA facilities and that removal and installation operations do not interfere with port operations in the navigation channel.
- Applicant is aware of the implicit risk of adverse impacts to vessels mooring on the T-dock adjacent to the waterway due to the surrounding sea state in and around the existing waterway and agrees to indemnify VIPA, VIPA tenants, and operators utilizing VIPA property against those adverse impacts.

VIPA believes that these reasonable measures will mitigate any potential impact to UVF Marine Terminal from operations at the proposed Latitude 18 Marina as long as the preliminary design of the marina facility that have presented to VIPA are maintained. If substantial changes to the proposed layout, usage, or functions of the facility are to change, VIPA is to be made aware of said changes in writing and reserves the right to provide additional comments and operating restrictions to ensure the continued safety of operations for the traveling public.



In order to ensure compliance with these proposed restrictions, VIPA would support the inclusion of these restrictions as special conditions to the necessary Department of Planning and Natural Resources – Coastal Zone Management Commission (DPNR-CZM) permit for the facility.

Please do not hesitate to reach out with any questions or concerns that you may have surrounding the performance criteria.

Best regards,

A handwritten signature in blue ink, appearing to read "Preston J. Beyer".

Preston J. Beyer
Director of Engineering, Virgin Islands Port Authority

CC: Carlton Dowe, Executive Director (VIPA)
Anise Hodge, Deputy Executive Director (VIPA)
Julice Holder, Chief of Staff (VIPA)
Joseph Cranston Jr., Marine Manager – STT/STJ (VIPA)
Dale Gregory, Assistant Director of Engineering (VIPA)
Mark Pirrello, (Moffatt & Nichol)