



GOVERNMENT OF THE UNITED STATES VIRGIN ISLANDS

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DEPARTMENT OF PLANNING AND NATURAL RESOURCES

Division of Comprehensive and Coastal Zone Planning

4611 Tutu Park Mall Suite 300 St. Thomas, Virgin Islands, 00802

45 Mars Hill, Frederiksted, Virgin Islands, 00840-4474

St. Thomas Telephone: (340) 774-3320

St. Croix Telephone: (340) 773-1082

<https://dpr.vi.gov/>

Notice of Public Hearing

06/24/2024

Subject: DPNR Application No. CZM0017-24: The Virgin Islands Waste Management Authority (VIWMA) requests a Decision of Coastal Consistency for their proposed St. Croix Convenience Center at Estate Concordia, Cotton Valley, and Mon Bijou. VIWMA is proposing to create three (3) convenience centers for St. Croix Residents. The residential convenience centers will create convenient, safe disposal sites for solid waste and recycling. The proposed convenience centers will help reduce environmental burdens directly affecting the neighboring communities through improper dumping and household waste disposal. The construction and implementation of the proposed residential convenience centers will improve cleanliness through organized disposal and reduce disturbances, noise, and/or environmental pollution.

Dear Adjacent Property Owner(s):

In accordance with the provisions of Act 3284 passed by the Ninth Legislature of the U.S. Virgin Islands and approved by the then Governor on August 8, 1972, you are notified that a zoning map amendment public hearing is scheduled by the Division of Comprehensive and Coastal Zone Planning to discuss the above-referenced application.

As owner(s) of adjacent property, you are entitled to attend the public hearing and provide comments on the proposal.

If you have any questions regarding this matter, please contact the undersigned by email leia.laplace@dpr.vi.gov or at 340-773-1082, extension 2241.

Sincerely,



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Leia LaPlace
Territorial Planner



U.S. Department of Housing and Urban Development

451 Seventh Street, SW
Washington, DC 20410
www.hud.gov

espanol.hud.gov

Environmental Review for Activity/Project that is Categorically Excluded Subject to Section 58.5

Pursuant to 24 CFR 58.35(a)

This is a suggested format that may be used by Responsible Entities to document completion of a Categorically Excluded Subject to Section 58.5 environmental review.

Project Information

Project Name: St. Croix Convenience Center – Estate Concordia

Responsible Entity: Virgin Islands Housing Finance Authority (VIHFA)

Grant Recipient (if different than Responsible Entity): Virgin Islands Waste Management Authority

State/Local Identifier: United States Virgin Islands

Preparer: Amy Claire Dempsey, M.A. Bioimpact, Inc

Certifying Officer Name and Title: Ms. Dayna Clendinen, Interim Executive Director/Chief Disaster Recovery Officer

Consultant (if applicable): Oasis Consulting Services, 45 Woodstock St., Roswell Georgia 30075

Direct Comments to: Virgin Islands Housing Finance Authority, Attention: Dayna Clendinen, 3202 Demarara Plaza, Suite 200, St. Thomas, VI 00802

Project Location: Parcel 73-C Concordia, Estate Concordia (West), St. Croix, U.S. Virgin Islands (Figures 1 and 2).

Description of the Proposed Project [24 CFR 50.12 & 58.32; 40 CFR 1508.25]: The proposed project site is located on southwestern side of the island of St. Croix (Latitude 17.700674° Longitude - 64.870890°) as shown on Figures 1 and 2. It is 2 acres and will be converted into a residential convenience center for the disposal of solid waste and recycling (Figure 3). The site is currently being used for collection of solid waste with several bins at the site which are periodically collected by Virgin Islands Waste Management. The southeastern corner of the site is forested. Traffic will enter to the north and exit to the south on to Alexander Henderson Drive. The proposed project is a Design-Build and will be built to the latest hurricane standards, fenced, and landscaped to provide a buffer between the actual site and neighboring properties. It will also be used for debris staging following hurricanes. The convenience center will have a 5,175 square foot

household hazardous waste storage drop-off and offices. A total of 8,400 square feet will be dedicated to the compactors. There will be agricultural buffers to the south and east as shown in Figure 3. The site will be manned, and the hours of operation will be between 7:00am and 7:00pm, seven days a week. The site will have separate bins for scrap metal, recyclable “green” waste (e.g., cardboard, plastic, glass), and household waste. Clear signage will be posted to identify which bin can be used to dispose of applicable waste. The site will have a small office (minimum 800sq.ft.) with a restroom and three to four parking spaces for the site operators. To ensure, and maintain, the cleanliness of the site, rainwater will be harvested via roof catchment and a minimum 20,000-gallon cistern to back up the public water supply in case of a water outage. The site will be enclosed by an eight-foot fence with surveillance cameras outside and inside of the facility to prevent any illegal dumping, ensure that the site remains clean, and to prevent any rodent infestation or any unsightly activities at the site. Waste disposal will only be allowed during standard operating hours. Compactors will be contained within leak-proof containers and will not have leachate. It is anticipated that the proposed project design, permitting, and construction will take between 18 and 24 months.

Level of Environmental Review Determination:

Categorically Excluded per 24 CFR 58.35(a), and subject to laws and authorities at §58.5:

Rehabilitation of public facilities and improvements other than buildings 24 CFR 58.35(a)(1) This activity is CEST if the facilities and improvements are in place and retained in the same use without change in size or capacity of more than 20 percent. Acceptable activities include replacement of water or sewer lines, reconstruction of curbs and sidewalks, and repaving of streets.

Funding Information

Grant Number	HUD Program	Funding Amount
P-17-VI-78-HIM1	CDBG-DR	\$1,692,223.72

Estimated Total HUD Funded Amount:

\$1,692,223.72

This project does not anticipate the use of funds or assistance from another Federal Agency in addition to HUD.

Estimated Total Project Cost (HUD and non-HUD funds) [24 CFR 58.32(d)]:

\$1,692,223.72

Compliance with 24 CFR 50.4, 58.5, and 58.6 Laws and Authorities

Record below the compliance or conformance determinations for each statute, executive order, or regulation. Provide credible, traceable, and supportive source documentation for each authority. Where applicable, complete the necessary reviews or consultations and obtain or note applicable permits of approvals. Clearly note citations, dates/names/titles of contacts, and page references. Attach additional documentation as appropriate.

Compliance Factors: Statutes, Executive Orders, and Regulations listed at 24 CFR §58.5 and §58.6	Are formal compliance steps or mitigation required?	Compliance determinations
STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR 50.4 & 58.6		
Airport Hazards 24 CFR Part 51 Subpart D	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	<p>The proposed project site is located approximately 3.6 miles from the Henry E. Rohlsen Airport (HERA) and over 11.0 miles from the Svend Aage Ovesen Seaplane Facility ("Seaplane Ramp") in Christiansted, St. Croix (Figure 4). The site is within the flight path of airplanes landing at HERA but is well out from the final approach.</p> <p>The proposed project is compliant with Airport Hazards 24 CFR Part 51 Subpart D.</p>
Coastal Barrier Resources Coastal Barrier Resources Act, as amended by the Coastal Barrier Improvement Act of 1990 [16 USC 3501]	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	<p>The proposed project site is well inland and is not located within a Coastal Barrier as defined by the Coastal Barrier Resources Act according to the U.S. Fish and Wildlife Service, Coastal Barrier Resources System Mapper (Figure 6)</p> <p>The proposed project is in compliance with the Coastal Barrier Resources Act, as amended by the Coastal Barrier Improvement Act of 1990 [16 USC 3501].</p>
Flood Insurance Flood Disaster Protection Act of 1973 and National Flood Insurance Reform Act of 1994 [42 USC 4001-4128 and 42 USC 5154a]	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	<p>The proposed project site is located entirely within Flood Zone X where the 100-year coastal flooding is not expected (FIRM Map Panel 88 of 94, April 16, 2007, Figure 7 and USVI Advisory Base Flood Elevation Map Figure 8).</p> <p>The proposed project is compliant with Flood Disaster Protection Act of 1973 and National</p>

		Flood Insurance Reform Act of 1994 [42 USC 4001-4128 and 42 USC 5154a]
STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR 50.4 & 58.5		
Clean Air Clean Air Act, as amended, particularly section 176(c) & (d); 40 CFR Parts 6, 51, 93	Yes No <input checked="" type="checkbox"/> <input type="checkbox"/>	<p>According to the Environmental Protection Agency (EPA) Criteria Pollutant Nonattainment Summary Report, the proposed project site is not within a Designated Nonattainment Area. (See Figure 9 and 10). The Contractor for the proposed project will develop and implement a Dust Control Plan to prevent negative impacts to surrounding properties. The proposed project site will be kept clean, and waste separated which will minimize any odors emanating from the site.</p> <p>The proposed project is required to adhere to the mitigation measures of implementing air quality controls during construction to remain compliant with the Clean Air Act, as amended, particularly section 176(c) & (d); 40 CFR Parts 6, 51, 93.</p>
Coastal Zone Management Coastal Zone Management Act, sections 307(c) & (d)	Yes No <input checked="" type="checkbox"/> <input type="checkbox"/>	<p>The proposed project site is in Tier II of the Coastal Zone (Figure 11) and does not require a Coastal Zone Management Permit. However, as advised by the Department of Planning and Natural Resources during the project's Pre-Application Meeting on July 7, 2023, the proposed project will need to obtain a Federal Consistency Determination from the state's regulatory agency, through the Division of Coastal Zone Management. The federal consistency must be obtained prior to construction.</p> <p>The proposed project is required to adhere to the mitigative measures required by the Department of Planning and Natural Resources, Division of Coastal Zone Management, to remain complaint with the Coastal Zone Management Act, sections 307(c) & (d).</p>
Contamination and Toxic Substances 24 CFR Part 50.3(i) & 58.5(i)(2)	Yes No <input checked="" type="checkbox"/> <input type="checkbox"/>	<p>The proposed site is currently being used by the U.S. Virgin Islands Waste Management Authority (VIWMA) as a solid waste disposal for residents and businesses on the east end of St. Croix. The site has been utilized as a "dumpster site" for almost two decades. The inspection of the site found signs of illegal dumping and</p>

		<p>improperly disposed refuse, hydrocarbon contaminated soils, used tire piles and evidence of runoff from the site onto the adjacent properties. There is notable hydrocarbon staining of the soil under and around the existing dumpsters, and under and around the pile of tires that is between eight and 10-feet high. The tire pile caught fire in 2021 and the site had to be temporarily closed as a result.</p> <p>Phase II sampling was conducted of the site in June 2023. Four soil samples were collected at different areas of the site. All four soil samples were found to be contaminated with Total Petroleum Hydrocarbon (TPH) over the U.S. Virgin Islands Regulatory limit of 460ppm for hydrocarbons. Lead was also detected in all four soil samples, however the amount detected was below the USVI Regulatory Limit of 400mg/kg. Laboratory results of both parameters can be referenced in Figure 12.</p> <p>As a result of these findings, a remediation plan will be developed and approved by the Division of Environmental Protection and implemented prior to the start of construction. Runoff from all hardscapes will be directed through an oil and water separator as part of the project's mitigative measure to control stormwater pollution. See Appendix B for photographs taken during a Phase I Site Visit on January 31, 2023.</p> <p>The proposed project is required to adhere to the mitigation measures identified within this review to remain compliant with Contamination and Toxic Substances 24 CFR Part 50.3(i) & 58.5(i)(2).</p>
<p>Endangered Species</p> <p>Endangered Species Act of 1973, particularly section 7; 50 CFR Part 402</p>	<p>Yes No</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>The U.S. Fish and Wildlife Service (USFWS) Information for Planning and Consultation (IPaC) tool identifies one federally listed, terrestrial plant species – Vahl's Boxwood (<i>Buxus vahlia</i>) – potentially within the proposed project area (Figure 13). Vahl's Boxwood (<i>Buxus vahlia</i>) is a listed Endangered Species Act (ESA) species (1979) and is included in Appendix I of the Convention on International Trade in Endangered Species (CITES). There are no critical habitats within the area of the proposed project, nor are there refuge lands, fish hatcheries</p>

		<p>or migratory birds of conservation concern expected to occur within the area of the proposed project. The proposed project is within existing paved roadways and in previously developed areas and, thus, should not impact <i>Buxus vahliei</i>.</p> <p>A letter requesting concurrence that the proposed project will result in no effect for Vahl's boxwood was submitted to the USFWS on June 16, 2023. In their response, USFWS stated that "We acknowledge receipt of your no effect (NE) determinations for Vahl's boxwood. Currently we do not have any information to refute your determination. Because you made a NE determination, you are not required to conduct formal or informal section 7 consultation with the Service and the Service is not required to concur with your NE determination." The USFWS concurrence letter can be referenced in Figure 14.</p> <p>The proposed project will have No Effect on ESA species and is compliant with Endangered Species Act of 1973, particularly section 7; 50 CFR Part 402. If new information reveals impacts of this identified action that may affect listed species or critical habitat in a manner that was not previously considered; this action is subsequently modified in a manner not previously considered in this assessment or a new species is listed, or critical habitat determined that may be affected by the identified action consultation must be reinitiated.</p>
<p>Explosive and Flammable Hazards</p> <p>24 CFR Part 51 Subpart C</p>	<p>Yes No</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>There are no large fuel storage tanks in the immediate vicinity of the proposed project site. See Appendix B for photographs taken during a site visit on January 31, 2023. The nearest fuel storage is an underground storage tank at Amigo's Gas Station which is 833' from the convenience center site. The closest above ground storage tank for fuel is located at Stop and Shop Supermarket 0.25 miles away (Figure 15).</p> <p>Figure 16 shows the results of HUD's Acceptable Separation Distance Assessment Tool.</p> <p>The convenience center will be manned during operations which will reduce the potential of the dumping of explosive and flammable waste.</p> <p>The proposed project is compliant with Explosive and Flammable Hazards 24 CFR Part 51 Subpart C.</p>

Farmlands Protection Farmland Protection Policy Act of 1981, particularly sections 1504(b) and 1541; 7 CFR Part 658	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	<p>The proposed project site is not designated as “Prime Farmland” in the U.S. Department of Agriculture–Natural Resources Conservation Service’s (USDA-NRCS) Farmland Classification Map (Figure 17). The proposed site is classified as “not prime farmland.”</p> <p>The proposed project is compliant with Farmland Protection Policy Act of 1981, particularly sections 1504(b) and 1541; 7 CFR Part 658.</p> <p>The area is zoned P-Public as per Act No. 8605 and the use is permitted under the category "Refuse Disposals (Solid Waste) (Figure 18).</p>
Floodplain Management Executive Order 11988, particularly section 2(a); 24 CFR Part 55	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	<p>The proposed project site is located entirely within a Flood Zone X where the 100-year coastal flooding is not expected as depicted on the FIRM Map Panel 88 of 94, April 16, 2007, found in Figure 7 and the USVI Advisory Flood Hazard Map Figure 8.</p> <p>The project is compliant with the Floodplain Management Executive Order 11988, particularly section 2(a); 24 CFR Part 55.</p>
Historic Preservation National Historic Preservation Act of 1966, particularly sections 106 and 110; 36 CFR Part 800	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	<p>A Historic Preservation and Cultural Resources Assessment conducted by the U.S. Virgin Islands’ State Historic Preservation Office (VISHPO) determined that the proposed project is not on the National Register of Historic Places; is not within the vicinity of a property that appears to be historic, or fit to be listed, or is already listed on the National Register; and does not require the Section 106 Compliance Process. Thus, VISHPO recorded that no initial survey is required and commented, “advisement to notify DPNR-VISHPO upon discovery of any human burials or historic resources during excavation work” (Figure 19).</p> <p>The project is compliant with Historic Preservation National Historic Preservation Act of 1966, particularly sections 106 and 110; 36 CFR Part 800.</p>
Noise Abatement and Control Noise Control Act of 1972, as amended by the Quiet	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	<p>The area around the proposed project site is a mixed use, commercial and residential area. The proposed site is off the Queen Mary Highway, one of the main east-west thoroughfares on St. Croix and is impacted by traffic-related noise. To</p>

Communities Act of 1978; 24 CFR Part 51 Subpart B		<p>minimize noise impacts to neighboring properties, the site will be fenced and landscaped to provide a buffer between the site and neighboring properties. In addition, the site will be manned, and the specific hours of operation will be between 7:00am and 7:00pm, seven days a week. .</p> <p>The proposed project is compliant with the Noise Abatement and Control in order to remain compliant with the Noise Control Act of 1972, as amended by the Quiet Communities Act of 1978; 24 CFR Part 51 Subpart B.</p>
Sole Source Aquifers Safe Drinking Water Act of 1974, as amended, particularly section 1424(e); 40 CFR Part 149	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	<p>According to the EPA, there are no Sole Source Aquifers in the U.S. Virgin Islands which falls under the EPA Region 2 (Figure 20). The nearest wells to the proposed project site are approximately 0.41 miles and 0.34 miles away to the north and west, respectively (Figure 21).</p> <p>The proposed project is in compliance with the Safe Drinking Water Act of 1974, as amended, particularly section 1424(e); 40 CFR Part 149.</p>
Wetlands Protection Executive Order 11990, particularly sections 2 and 5	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	<p>According to the USFWS National Wetlands Inventory, the proposed project site is not located within a wetland (Figure 22). There are no estuarine, freshwater wetlands, freshwater ponds, or riverine systems in the vicinity of the proposed site. The environmental professional preparing this document is a certified wetland delineator. The proposed site does not contain a jurisdictional wetland per the 1987 U.S. Army Corps of Engineers Wetland Delineation Manual and Caribbean Supplement.</p> <p>The proposed project is in compliance with the Wetlands Protection Executive Order 11990, particularly sections 2 and 5.</p>
Wild and Scenic Rivers Wild and Scenic Rivers Act of 1968, particularly section 7(b) and (c)	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	<p>According to the U.S. Fish and Wildlife Service, there are 226 national Wild and Scenic Rivers across the 40 states and Puerto Rico (Figure 23). There are no Wild and Scenic Rivers in the U.S. Virgin Islands.</p>

		The proposed project is in compliance with the Wild and Scenic Rivers Act of 1968, particularly section 7(b) and (c).
ENVIRONMENTAL JUSTICE		
Environmental Justice Executive Order 12898	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	<p>The purpose of the proposed project is to provide a clean and environmentally friendly waste disposal center for the residents and businesses in western St. Croix. The site will be fenced and landscaped to provide a buffer between the site and the neighboring properties. The site will also be manned, and the hours of operation will be between 7:00am and 7:00pm, seven days a week the existing solid waste disposal facility on the proposed site disproportionately impacts the surrounding community with environmental pollution. The pollution is expressed in the form of stormwater runoff originating from an area that is heavily contaminated with hydrocarbons. An oil water separator will be installed during construction to treat all runoff originating on the hardscape at the site.</p> <p>The community around the proposed project site is underserved and overburdened, and is, primarily, a low-income community of color. The Concordia Convenience Center, as proposed, would both cleanup and alleviate the environmental burdens of this community that have been caused by years of poor and improper solid waste management at the proposed project site.</p> <p>The proposed project will help reduce environmental burdens directly affecting the neighboring community through improper dumping and household waste disposal. The construction and implementation of the proposed residential convenience center will improve cleanliness through organized disposal and reduce any disturbances, noise, and/or environmental pollution associated with the absence of said convenience center.</p> <p>The proposed residential convenience center is compliant with the Environmental Justice Executive Order 12898.</p>

Field Inspection (Date and completed by):

A field inspection was conducted on January 31, 2023, by Amy Claire Dempsey, M.A. of Bioimpact Inc. and Phase II sampling was undertaken on June 13, 2023, by Jose Sanchez and Jaughna Nielsen Bobbit.

Summary of Findings and Conclusions:

This project is both a needed and desired service for residents and businesses on the western end of St. Croix. It will have a beneficial impact on the human environment and impacts to the natural environment will be mitigated, as supported through local and federal agency consultations, assessments, and requirements for regulatory compliance, such as permitting.

The Concordia Convenience Center is compliant with:

- Airport Hazards 24 CFR Part 51 Subpart D.
- Coastal Barrier Resources Act, as amended by the Coastal Barrier Improvement Act of 1990 [16 USC 3501].
- Flood Disaster Protection Act of 1973 and National Flood Insurance Reform Act of 1994 [42 USC 4001-4128 and 42 USC 5154a].
- Noise Control Act of 1972, as amended by the Quiet Communities Act of 1978; 24 CFR Part 51 Subpart B
- Endangered Species Act of 1973, particularly section 7; 50 CFR Part 402.
- Explosive and Flammable Hazards 24 CFR Part 51 Subpart C.
- Farmland Protection Policy Act of 1981, particularly sections 1504(b) and 1541; 7 CFR Part 658.
- Floodplain Management Executive Order 11988, particularly section 2(a); 24 CFR Part 55.
- Safe Drinking Water Act of 1974, as amended, particularly section 1424(e); 40 CFR Part 149.
- Wetlands Protection Executive Order 11990, particularly sections 2 and 5; and
- Wild and Scenic Rivers Act of 1968, particularly section 7(b) and (c).

With the implementation of a Dust Control Plan during construction, the proposed project will be compliant with the Clean Air Act, as amended, particularly section 176(c) & (d); 40 CFR Substances 6, 51, 93. In order to maintain compliance with the Coastal Zone Management Act, the proposed project is required to obtain a Federal Consistency Certificate as required by the regulatory requirements set forth by the Virgin Islands Department of Planning and Natural Resources.

As it relates to the mitigation measures required to demonstrate compliance with the Contamination and Toxic Substances 24 CFR Part 50.3(i) & 58.5(i)(2), having a manned and fenced residential convenience center will also prevent “dumpster fires” which release air contaminants into the atmosphere. Furthermore, a Phase II sampling was conducted of the site in June 2023. Four soil samples were collected at different areas of the site. All four soil samples were found to be contaminated with TPH over the USVI Regulatory Limit of 460ppm for hydrocarbons. Lead was also detected in all four soil samples. However, the amount detected was below the USVI Regulatory Limit of 400mg/kg. As a result of these findings, a remediation plan will be developed and approved by the Division of Environmental Protection and implemented prior to the start of construction. Runoff from all hardscapes will be directed through an oil and water separator. With these mitigative measures the proposed project is compliant with Contamination and Toxic Substances 24 CFR Part 50.3(i) & 58.5(i)(2).

The project will have No Effect on ESA listed plant or animal species. In their June 30, 2023, FWS stated, “We acknowledge receipt of your no effect (NE) determinations for Vahl’s boxwood. Currently we do not have any information to refute your determination. Because you made a NE determination, you are not required to conduct formal or informal section 7 consultation with the Service and the Service is not

required to concur with your NE determination.” And went on to state, “In view of this, we believe that requirements of section 7 of the Act have been satisfied”. Obligations under section 7 of the Act must be reconsidered if new information reveals a potential impact to a listed species or critical habitat.

Through consultation with the Virgin Islands State Historic Preservation Office, the Virgin Islands Waste Management Authority will engage an archeological monitor during excavation to ensure compliance with Historic Preservation National Historic Preservation Act of 1966, particularly sections 106 and 110; 36 CFR Part 800. In addition, as a condition proposed by VISHPO, the proposed project will immediately notify the DPNR-VISHPO office if any archaeological artifacts or human burials are located or discovered during excavation.

To be compliant with Noise Abatement and Control Noise Control Act of 1972, as amended by the Quiet Communities Act of 1978; 24 CFR Part 51 Subpart B, 10-foot buffers will be provided on the sides of the site facing residential properties and the site will only be operational between 7:00 am and 7:00pm, seven days a week.

In order to eliminate any disproportionate impacts of environmental pollution on the surrounding Estate Concordia community, reduce noise and disturbances and improve environmental conditions that may negatively affect the community through improper household waste and trash disposal, the proposed project will create a clean and organized residential convenience center with standard operating hours and stormwater controls to treat runoff from all hardscapes at the site. With the implementation of these measures, the proposed project will demonstrate Environmental Justice and remain compliant with the Executive Order 12898.

Mitigation Measures and Conditions [40 CFR 1505.2(c)]

Summarize below all mitigation measures adopted by the Responsible Entity to reduce, avoid, or eliminate adverse environmental impacts and to avoid non-compliance or non-conformance with the above-listed authorities and factors. These measures/conditions must be incorporated into project contracts, development agreements, and other relevant documents. The staff responsible for implementing and monitoring mitigation measures should be clearly identified in the mitigation plan.


Law, Authority, or Factor	Mitigation Measure	Comments or Conditions
Standard Conditions		<p>Any changes to the approved scope of work will require a review to determine if a re-evaluation for compliance with NEPA and other Laws and Executive Orders is required.</p> <p>This review does not address all federal, state, and local requirements. Acceptance of federal funding requires that all permits, approvals, etc. must be acquired prior to construction activities.</p>

National Historic Preservation Act of 1966, particularly sections 106 and 110; 36 CFR Part 800	All excavation activities, including foundation and utility trenching activity will have archaeological monitoring during the Project's activity.	All ground disturbing activities occurring during construction must be monitored. If any potential archaeological resources are discovered, construction activities will immediately cease in the area and the necessary parties will be notified.
Clean Air Act	<p>The proposed project is required to develop a Dust Control Plan and submit it to the Department of Planning and Natural Resources for approval. The Dust Control Plan will be used to implement air quality controls during construction.</p> <p>The project is also required to obtain a Permit to Construct and Operate any generators that are anticipated to be installed at the site before construction is complete.</p> <p>A permit to Construct and Operate the proposed generator installation is required to maintain compliance with and standards of the Clean Air Act</p>	
Contamination and Toxic Substances 24 CFR Part 50.3(i) & 58.5(i)(2)	The proposed project was investigated for contamination through the application of a Phase I and Phase II ESA. Findings of this assessment confirmed that the soil sample collected from different areas at the proposed project site were found to be above the USVI TPH Regulatory Limits of 460ppm for Hydrocarbons. As a result of these findings, the proposed project is required to develop a remediation to address all contamination identified at the site. The plan must be approved by the Department of Planning and Natural Resources, Division of Environmental Protection and implemented prior to the start of construction.	The cleanup plan must be approved by the Department of Planning and Natural Resources, Division of Environmental Protection and implemented prior to the start of construction. A No Further Action (NFA) letter must be obtained upon completion of the remediation.
Coastal Zone Management Act, sections 307(c) & (d)	The proposed project will need to obtain a Federal Consistency Determination from the state's regulatory agency, through the	

	Division of Coastal Zone Management prior to construction.	
Endangered Species Act of 1973, particularly section 7; 50 CFR Part 402		If new information reveals impacts of this identified action that may affect listed species or critical habitat in a manner that was not previously considered; this action is subsequently modified in a manner not previously considered in this assessment or a new species is listed, or critical habitat determined that may be affected by the identified action consultation must be reinitiated.

Determination:

- ☐ This categorically excluded activity/project converts to Exempt, per 58.34(a)(12) because there are no circumstances which require compliance with any of the federal laws and authorities cited at §58.5. **Funds may be committed and drawn down after certification of this part** for this (now) EXEMPT project; OR
- ☒ This categorically excluded activity/project cannot convert to Exempt because there are circumstances which require compliance with one or more federal laws and authorities cited at §58.5. Complete consultation/mitigation protocol requirements, **publish NOI/RROF and obtain “Authority to Use Grant Funds”** (HUD 7015.16) per Section 58.70 and 58.71 before committing or drawing down any funds; OR
- ☐ This project is now subject to a full Environmental Assessment according to Part 58 Subpart E due to extraordinary circumstances (Section 58.35(c)).

Preparer Signature: 

Name/Title/Organization: Amy Claire Dempsey, M.A. President, Bioimpact, Inc.

Certifying Officer Signature:

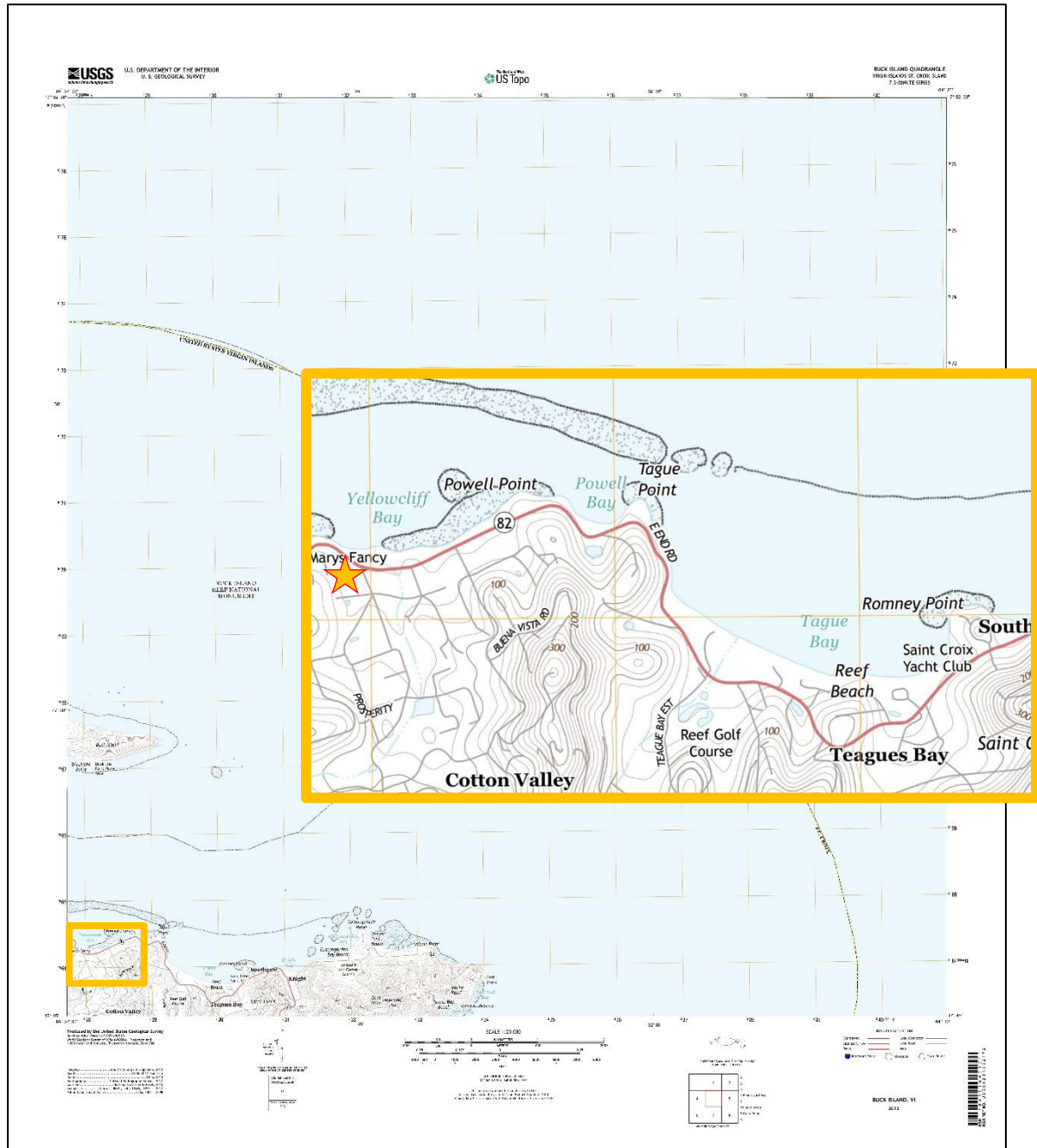
Date: _____

Name/Title: Dayna Clendinen, Interim Executive Director/Chief Disaster Recovery Officer.

This original, signed document and related supporting material must be retained on file by the Responsible Entity in an Environmental Review Record (ERR) for the activity/project (ref: 24 CFR Part 58.38) and in accordance with recordkeeping requirements for the HUD program(s).

APPENDIX A

Figure 1. Proposed Project Location, Cotton Valley, St. Croix
[Source: U.S. Geological Survey]



Note: The orange star indicates the location of the proposed project site.

Figure 2. Proposed Project Location, Cotton Valley, St. Croix
 [Source: Government of the U.S. Virgin Islands, Geospatial Information Systems Division]



Figure 3. Proposed Project Site Layout, Cotton Valley, St. Croix

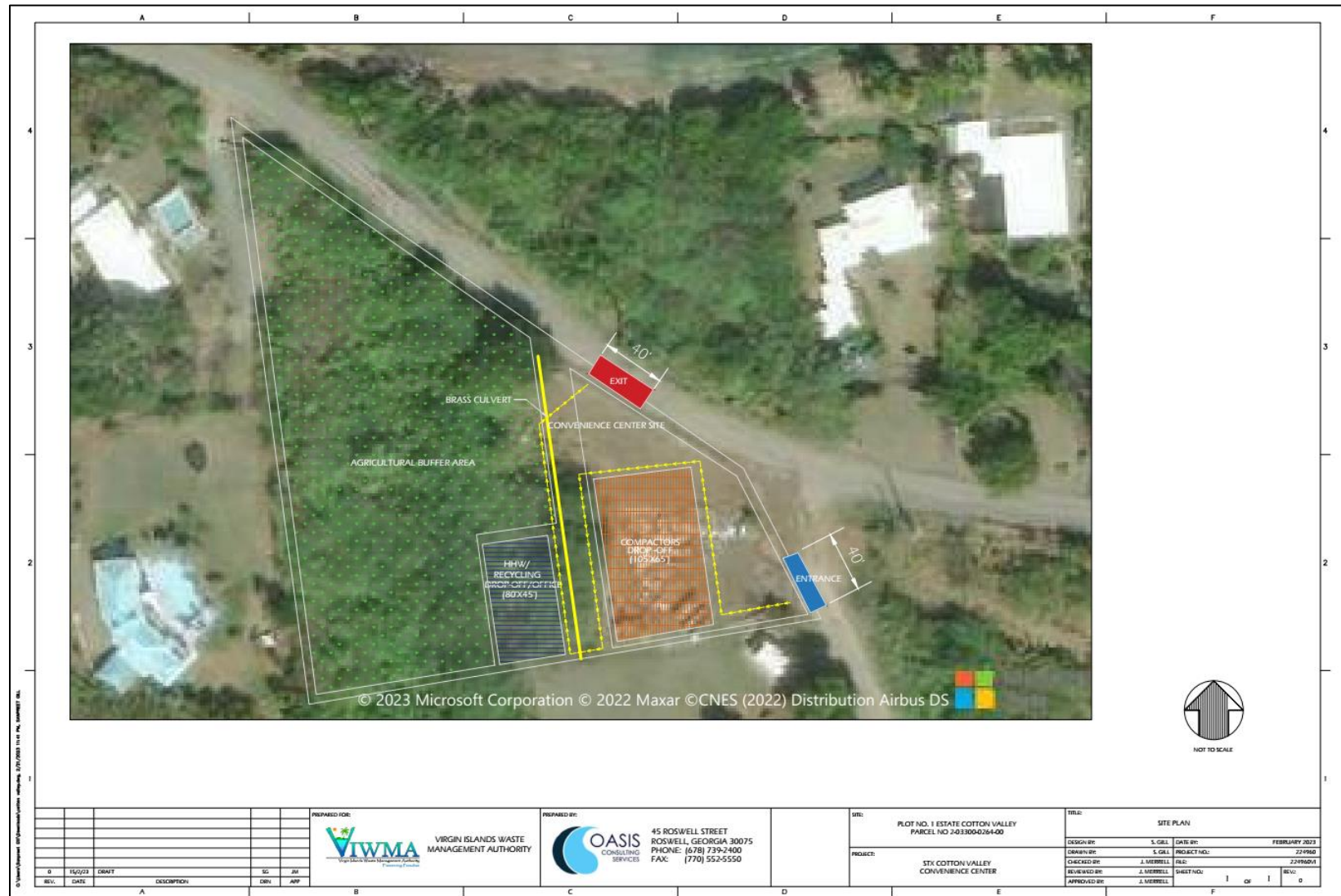


Figure 4. Proposed Project Site in Relation to Airports, St. Croix
[Source: NOAA, Office of Coast Survey]

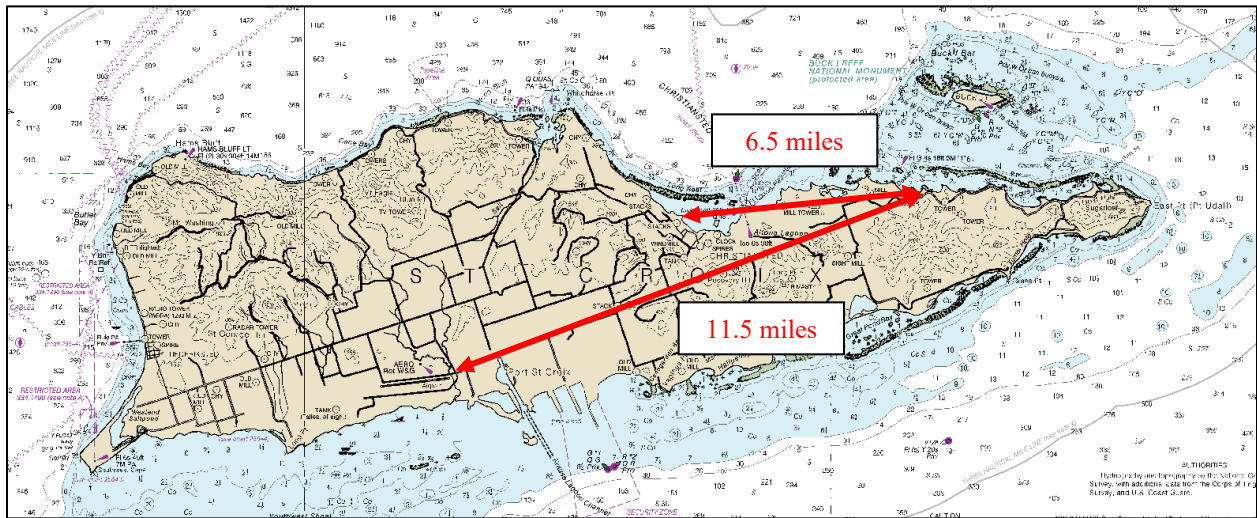
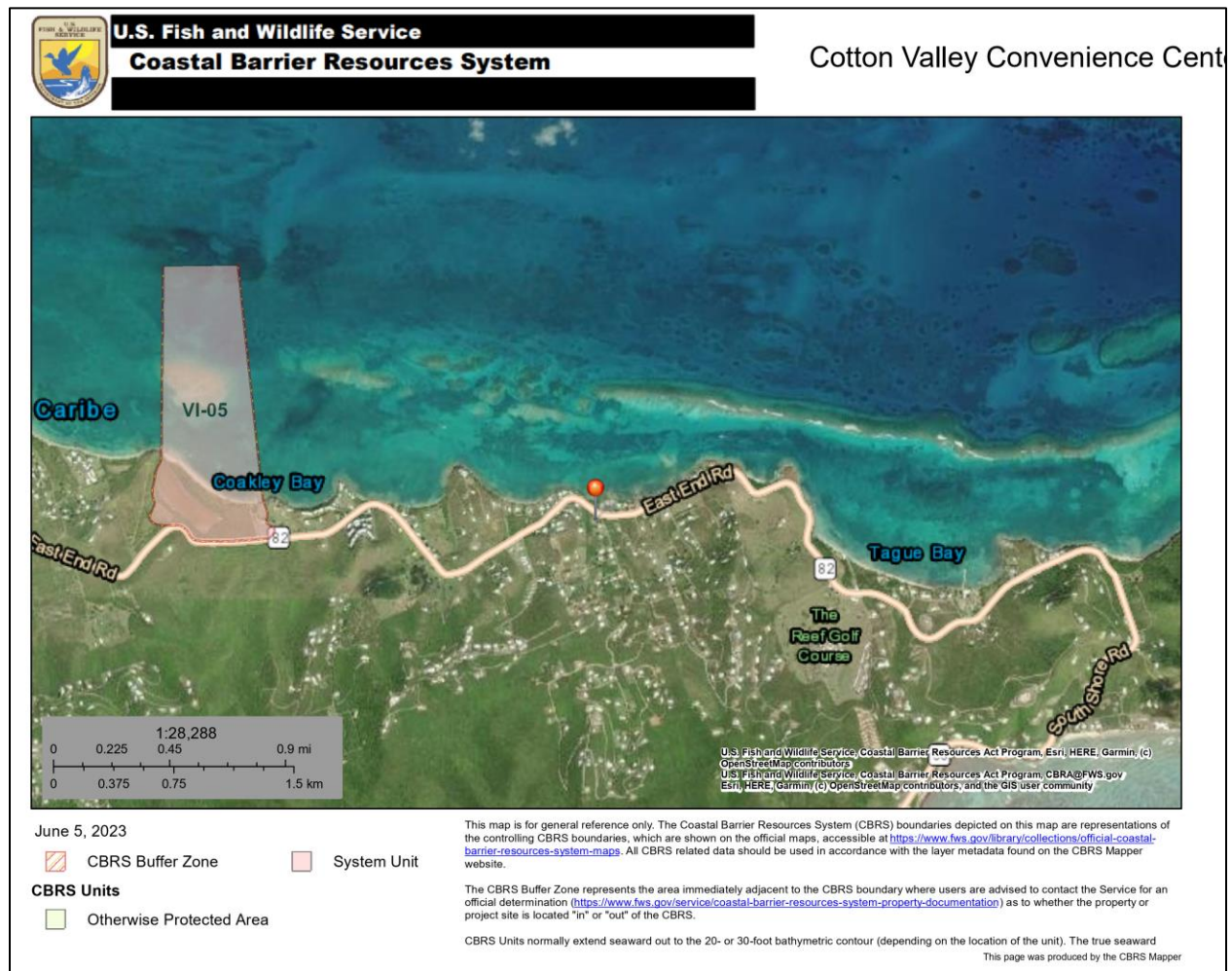


Figure 5. Historical Aerial of the Proposed Cotton Valley Convenience Center
[U.S. Geological Survey, November 1977]



Note: The area of the proposed project site is outlined in orange.

Figure 6. Coastal Barrier Map, Coastal Barriers in Relation to the Cotton Valley Convenience Site, St. Croix



Note: The pen indicates the location of the proposed project site.

MAP SCALE 1" = 500'

250 0 500 1000 FEET

0 0 150 300 MET

NFIP

PANEL 0074G

FIRM

FLOOD INSURANCE RATE MAP

U.S. VIRGIN ISLANDS

PANEL 74 OF 94

(SEE MAP INDEX FOR FIRM PANEL LAYOUT)

CONTAINS:

COMMUNITY	NUMBER	PANEL	SUFFIX
U.S. VIRGIN ISLANDS	780000	0074	G

NOTE:
THIS MAP INCLUDES COASTAL BARRIER RESOURCES SYSTEM BOUNDARIES ESTABLISHED UNDER THE COASTAL BARRIER RESOURCES ACT OF 1982 AND/OR SUBSEQUENT LEGISLATION.

Notice to User: The Map Number shown below should be used when placing map orders. The Community Number shown above should be used on insurance applications for the subject community.

MAP NUMBER
7800000074G

MAP REVISED
APRIL 16, 2007

Federal Emergency Management Agency

NATIONAL FLOOD INSURANCE PROGRAM

This is an official FIRMette showing a portion of the above-referenced flood map created from the MSC FIRMette Web tool. This map does not reflect changes or amendments which may have been made subsequent to the date on the title block. For additional information about how to make sure the map is current, please see the Flood Hazard Mapping Updates Overview Fact Sheet available on the FEMA Flood Map Service Center home page at <https://msc.fema.gov>.

Note: The orange star indicates the location of the proposed project site.

Figure 8. DPNR Advisory Flood Hazard Resource Map

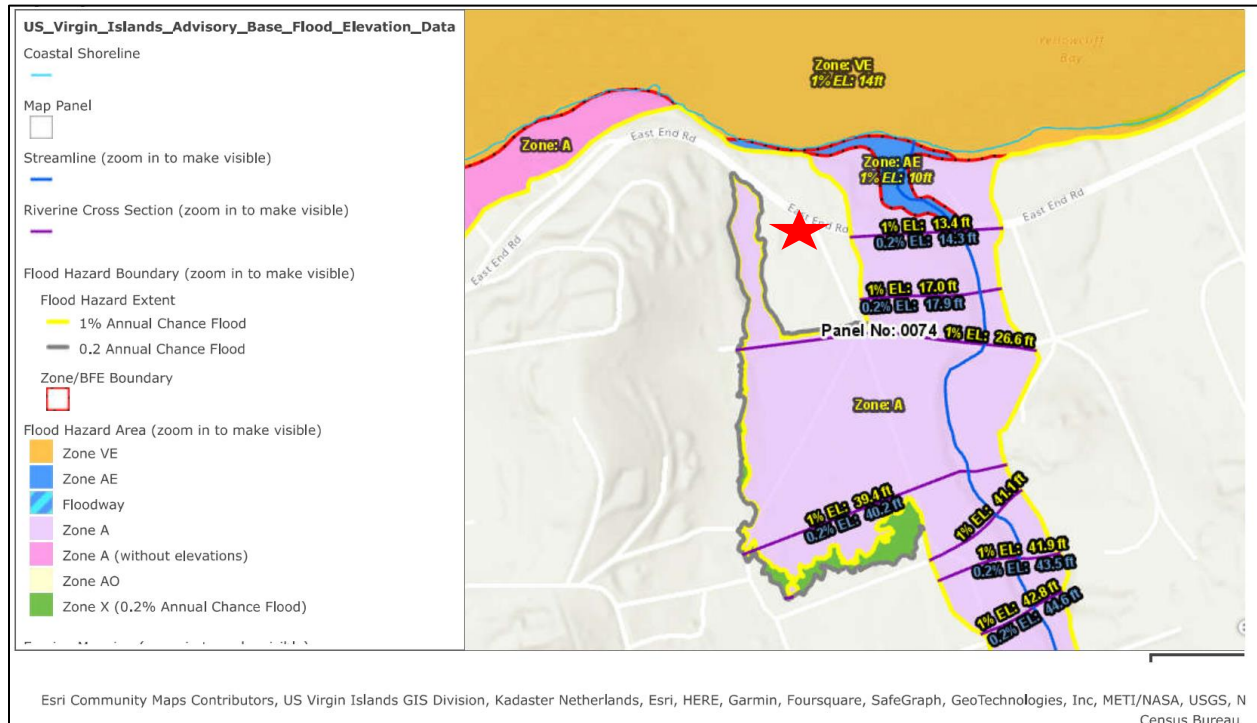


Figure 9. EPA Map of Nonattainment Areas for Criteria Pollutants (Green Book)

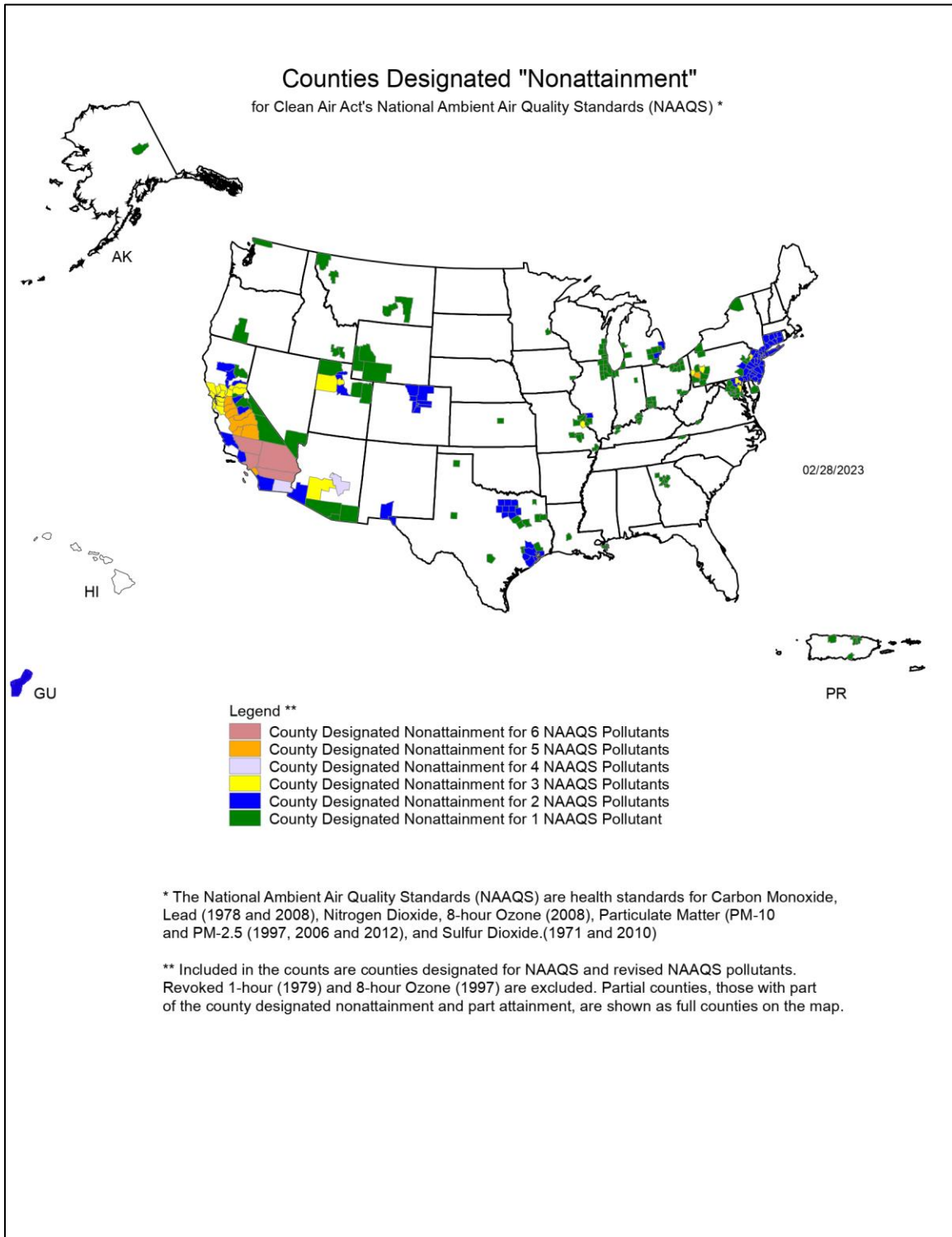



Figure 10. EPA Status of Air Quality State Implementation Plan (SIP)
 [Source: https://www3.epa.gov/airquality/urbanair/sipstatus/reports/vi_areabypoll.html]


 United States Environmental Protection Agency

SIP Status Reports

[Contact Us](#)

Air Quality Implementation Plans
 SIP Status Reports
 State Designated Area Reports
 National Designated Area Reports
 NAAQS Designated Area Reports
 State Infrastructure Reports
 National Infrastructure Reports

You are here: [EPA Home](#) > [Air Quality Implementation Plans](#) > [SIP Status Reports](#) > Status of U.S. Virgin Islands Designated Areas

Status of U.S. Virgin Islands Designated Areas

U.S. Virgin Islands Areas by NAAQS

NOTE: As of 03/12/2021, these reports are no longer being updated. For the latest information, see the [SIP Status Tools](#).

Jump to U.S. Virgin Islands section for: [CO \(1971\)](#) [Lead \(1978\)](#) [Lead \(2008\)](#) [NO2 \(1971\)](#) [Ozone-1Hr \(1979\)](#) [Ozone-8Hr \(1997\)](#) [Ozone-8Hr \(2008\)](#) [Ozone-8Hr \(2015\)](#) [PM-10 \(1987\)](#) [PM-2.5 \(1997\)](#) [PM-2.5 \(2006\)](#) [PM-2.5 \(2012\)](#) [SO2 \(1971\)](#) [SO2 \(2010\)](#)

U.S. Virgin Islands CO (1971) Areas	Return to map
No designated areas for this pollutant.	
U.S. Virgin Islands Lead (1978) Areas	Return to map Top of page
No designated areas for this pollutant.	
U.S. Virgin Islands Lead (2008) Areas	Return to map Top of page
No designated areas for this pollutant.	
U.S. Virgin Islands NO2 (1971) Areas	Return to map Top of page
No designated areas for this pollutant.	
U.S. Virgin Islands Ozone-1Hr (1979) Areas	Return to map Top of page
No designated areas for this pollutant.	
U.S. Virgin Islands Ozone-8Hr (1997) Areas	Return to map Top of page
No designated areas for this pollutant.	
U.S. Virgin Islands Ozone-8Hr (2008) Areas	Return to map Top of page
No designated areas for this pollutant.	
U.S. Virgin Islands Ozone-8Hr (2015) Areas	Return to map Top of page
No designated areas for this pollutant.	
U.S. Virgin Islands PM-10 (1987) Areas	Return to map Top of page
No designated areas for this pollutant.	
U.S. Virgin Islands PM-2.5 (1997) Areas	Return to map Top of page
No designated areas for this pollutant.	
U.S. Virgin Islands PM-2.5 (2006) Areas	Return to map Top of page
No designated areas for this pollutant.	
U.S. Virgin Islands PM-2.5 (2012) Areas	Return to map Top of page
No designated areas for this pollutant.	
U.S. Virgin Islands SO2 (1971) Areas	Return to map Top of page
No designated areas for this pollutant.	
U.S. Virgin Islands SO2 (2010) Areas	Return to map Top of page
No designated areas for this pollutant.	

We have made our best effort to ensure that the data contained in these reports is accurate. We note that there may be brief delays in updating the reports as we receive new state submissions and we take rulemaking action on plans. In order to assist us in providing accurate information, we request that you contact us by clicking on the "Contact Us" link near the top of this page with any comments regarding or corrections to the posted information, including concerns about whether the entries reflect the most recent status.

Current and historical design value data can be found on the [EPA Air Quality Design Values website](#) and the [EPA Green Book](#) contains comprehensive nonattainment area, designation status, and historical information.

The level of the 1-hour NAAQS for sulfur dioxide is 75 parts per billion (ppb) calculated as the 3-year average of the 99th percentile of the annual distribution of daily maximum 1-hour average concentrations.

Discover.
 Accessibility
 EPA Administrator
 Budget & Performance
 Contracting
 Grants
 No FEAR Act Data
 Privacy and Security

Connect.
 Data.gov
 Inspector General
 Jobs
 Newsroom
 Open Government
 Regulations.gov
 Subscribe
 USA.gov
 White House

Act.
 Contact Us
 Hotlines
 FOIA Requests
 Frequent Questions
 Follow:
 Facebook
 Twitter
 YouTube
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 Instagram
 2021-03-12


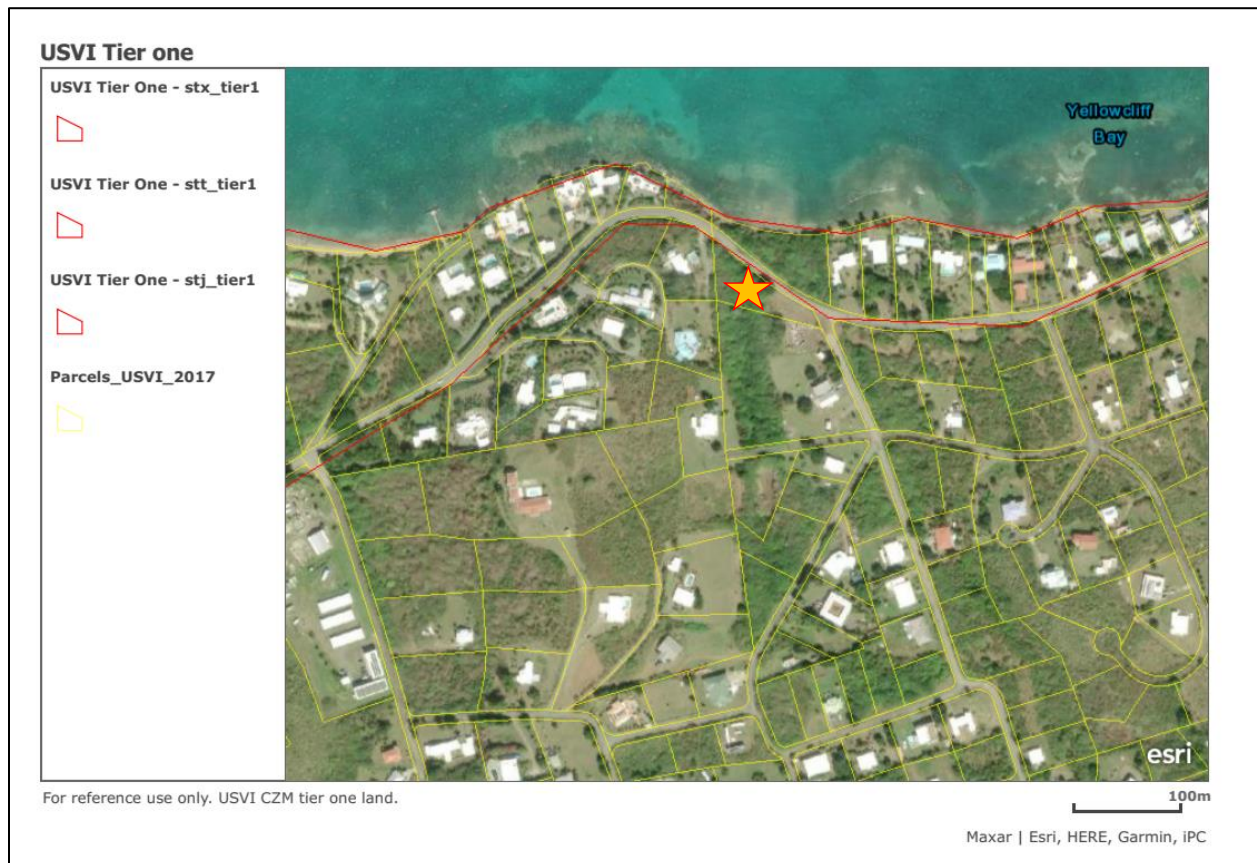



Figure 11. U.S. Virgin Islands Department of Planning and Natural Resources (DPNR) Coastal Zone Management Agency (CZM) Tier 1 Map

[Source: <https://dpnr.vi.gov/coastal-zone-management/what-we-do/coastal-zone-permitting/>]



Note: The orange star indicates the location of the proposed project site.

Figure 12. Phase II Soil Sample Results



Pace Analytical
www.pacelabs.com

Pace Analytical Services, LLC
8 East Tower Circle
Ormond Beach, FL 32174
(386)672-5668

ANALYTICAL RESULTS

Project: Cotton Valley
Pace Project No.: 35806837

Sample: Cotton Valley-01 N17.75827 Lab ID: 35806837001 Collected: 06/13/23 13:13 Received: 06/15/23 10:20 Matrix: Solid
W64

Results reported on a "dry weight" basis and are adjusted for percent moisture, sample size and any dilutions.

Parameters	Results	Units	PQL	MDL	DF	Prepared	Analyzed	CAS No.	Qual
FL-PRO Soil Microwave Analytical Method: FL-PRO Preparation Method: EPA 3546 Pace Analytical Services - Ormond Beach									
Petroleum Range Organics	523	mg/kg	6.1	5.3	1	06/15/23 23:58	06/16/23 12:38		
Surrogates									
o-Terphenyl (S)	79	%	66-136		1	06/15/23 23:58	06/16/23 12:38	84-15-1	
N-Pentatriacontane (S)	66	%	42-159		1	06/15/23 23:58	06/16/23 12:38	630-07-09	
6010 MET ICP Analytical Method: EPA 6010 Preparation Method: EPA 3050 Pace Analytical Services - Ormond Beach									
Lead	2.8	mg/kg	0.46	0.23	1	06/21/23 05:55	06/21/23 21:19	7439-92-1	
Percent Moisture Analytical Method: ASTM D2974-87 Pace Analytical Services - Ormond Beach									
Percent Moisture	2.9	%	0.10	0.10	1		06/20/23 09:21		

Sample: Cotton Valley-02 N17.75837 Lab ID: 35806837002 Collected: 06/13/23 13:21 Received: 06/15/23 10:20 Matrix: Solid
W64

Results reported on a "dry weight" basis and are adjusted for percent moisture, sample size and any dilutions.

Parameters	Results	Units	PQL	MDL	DF	Prepared	Analyzed	CAS No.	Qual
FL-PRO Soil Microwave Analytical Method: FL-PRO Preparation Method: EPA 3546 Pace Analytical Services - Ormond Beach									
Petroleum Range Organics	577	mg/kg	6.4	5.5	1	06/15/23 23:58	06/19/23 11:13		
Surrogates									
o-Terphenyl (S)	79	%	66-136		1	06/15/23 23:58	06/19/23 11:13	84-15-1	
N-Pentatriacontane (S)	72	%	42-159		1	06/15/23 23:58	06/19/23 11:13	630-07-09	
6010 MET ICP Analytical Method: EPA 6010 Preparation Method: EPA 3050 Pace Analytical Services - Ormond Beach									
Lead	340	mg/kg	2.8	1.4	5	06/21/23 05:55	06/23/23 02:21	7439-92-1	
Percent Moisture Analytical Method: ASTM D2974-87 Pace Analytical Services - Ormond Beach									
Percent Moisture	7.4	%	0.10	0.10	1		06/20/23 09:21		

REPORT OF LABORATORY ANALYSIS

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Date: 06/23/2023 12:07 PM

Page 5 of 13



Pace Analytical Services, LLC
8 East Tower Circle
Ormond Beach, FL 32174
(386)672-5668

ANALYTICAL RESULTS

Project: Cotton Valley
Pace Project No.: 35806837

Sample: Cotton Valley-03 N175849 Lab ID: 35806837003 Collected: 06/13/23 13:30 Received: 06/15/23 10:20 Matrix: Solid
W64.6

Results reported on a "dry weight" basis and are adjusted for percent moisture, sample size and any dilutions.

Parameters	Results	Units	PQL	MDL	DF	Prepared	Analyzed	CAS No.	Qual
FL-PRO Soil Microwave Analytical Method: FL-PRO Preparation Method: EPA 3546 Pace Analytical Services - Ormond Beach									
Petroleum Range Organics	54900	mg/kg	1260	1080	200	06/15/23 23:58	06/19/23 12:50		
Surrogates									
o-Terphenyl (S)	229	%	66-136		200	06/15/23 23:58	06/19/23 12:50	84-15-1	S5
N-Pentatriacontane (S)	144	%	42-159		200	06/15/23 23:58	06/19/23 12:50	630-07-09	
6010 MET ICP Analytical Method: EPA 6010 Preparation Method: EPA 3050 Pace Analytical Services - Ormond Beach									
Lead	38.7	mg/kg	1.2	0.60	2	06/21/23 05:55	06/21/23 21:42	7439-92-1	
Percent Moisture Analytical Method: ASTM D2974-87 Pace Analytical Services - Ormond Beach									
Percent Moisture	5.1	%	0.10	0.10	1		06/20/23 09:21		

Sample: Cotton Valley-04 N17.75846 Lab ID: 35806837004 Collected: 06/13/23 13:41 Received: 06/15/23 10:20 Matrix: Solid
W64

Results reported on a "dry weight" basis and are adjusted for percent moisture, sample size and any dilutions.

Parameters	Results	Units	PQL	MDL	DF	Prepared	Analyzed	CAS No.	Qual
FL-PRO Soil Microwave Analytical Method: FL-PRO Preparation Method: EPA 3546 Pace Analytical Services - Ormond Beach									
Petroleum Range Organics	1310	mg/kg	62.4	53.7	10	06/15/23 23:58	06/19/23 13:03		
Surrogates									
o-Terphenyl (S)	99	%	66-136		10	06/15/23 23:58	06/19/23 13:03	84-15-1	
N-Pentatriacontane (S)	90	%	42-159		10	06/15/23 23:58	06/19/23 13:03	630-07-09	
6010 MET ICP Analytical Method: EPA 6010 Preparation Method: EPA 3050 Pace Analytical Services - Ormond Beach									
Lead	21.3	mg/kg	0.56	0.28	1	06/21/23 05:55	06/21/23 21:45	7439-92-1	
Percent Moisture Analytical Method: ASTM D2974-87 Pace Analytical Services - Ormond Beach									
Percent Moisture	4.8	%	0.10	0.10	1		06/20/23 09:21		


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Date: 06/23/2023 12:07 PM

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Figure 13. U.S. Fish and Wildlife Service, IPaC Tool, Endangered Species

IPaC Information for Planning and Consultation	U.S. Fish & Wildlife Service
<h2>IPaC resource list</h2> <p>This report is an automatically generated list of species and other resources such as critical habitat (collectively referred to as <i>trust resources</i>) under the U.S. Fish and Wildlife Service's (USFWS) jurisdiction that are known or expected to be on or near the project area referenced below. The list may also include trust resources that occur outside of the project area, but that could potentially be directly or indirectly affected by activities in the project area. However, determining the likelihood and extent of effects a project may have on trust resources typically requires gathering additional site-specific (e.g., vegetation/species surveys) and project-specific (e.g., magnitude and timing of proposed activities) information.</p> <p>Below is a summary of the project information you provided and contact information for the USFWS office(s) with jurisdiction in the defined project area. Please read the introduction to each section that follows (Endangered Species, Migratory Birds, USFWS Facilities, and NWI Wetlands) for additional information applicable to the trust resources addressed in that section.</p> <h3>Location</h3> <p>St. Croix County, Virgin Islands</p>  <h3>Local office</h3> <p>Caribbean Ecological Services Field Office</p> <p>☎ (787) 834-1600 📠 (787) 851-7440 ✉ CARIBBEAN_ES@FWS.GOV</p> <p>MAILING ADDRESS Post Office Box 491 Boqueron, PR 00622-0491</p> <p>PHYSICAL ADDRESS Office Park I State Road #2 Km 156.5, Suite 303) Mayaguez, PR 00680</p>	

Endangered species

This resource list is for informational purposes only and does not constitute an analysis of project level impacts.

The primary information used to generate this list is the known or expected range of each species. Additional areas of influence (AOI) for species are also considered. An AOI includes areas outside of the species range if the species could be indirectly affected by activities in that area (e.g., placing a dam upstream of a fish population even if that fish does not occur at the dam site, may indirectly impact the species by reducing or eliminating water flow downstream). Because species can move, and site conditions can change, the species on this list are not guaranteed to be found on or near the project area. To fully determine any potential effects to species, additional site-specific and project-specific information is often required.

Section 7 of the Endangered Species Act requires Federal agencies to "request of the Secretary information whether any species which is listed or proposed to be listed may be present in the area of such proposed action" for any project that is conducted, permitted, funded, or licensed by any Federal agency. A letter from the local office and a species list which fulfills this requirement can only be obtained by requesting an official species list from either the Regulatory Review section in IPaC (see directions below) or from the local field office directly.

For project evaluations that require USFWS concurrence/review, please return to the IPaC website and request an official species list by doing the following:

1. Draw the project location and click CONTINUE.
2. Click DEFINE PROJECT.
3. Log in (if directed to do so).
4. Provide a name and description for your project.
5. Click REQUEST SPECIES LIST.

Listed species¹ and their critical habitats are managed by the [Ecological Services Program](#) of the U.S. Fish and Wildlife Service (USFWS) and the fisheries division of the National Oceanic and Atmospheric Administration (NOAA Fisheries²).

Species and critical habitats under the sole responsibility of NOAA Fisheries are **not** shown on this list. Please contact [NOAA Fisheries](#) for [species under their jurisdiction](#).

1. Species listed under the [Endangered Species Act](#) are threatened or endangered; IPaC also shows species that are candidates, or proposed, for listing. See the [listing status page](#) for more information. IPaC only shows species that are regulated by USFWS (see FAQ).
2. [NOAA Fisheries](#), also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

The following species are potentially affected by activities in this location:

Mammals

NAME	STATUS
West Indian Manatee <i>Trichechus manatus</i> Wherever found There is final critical habitat for this species. Your location does not overlap the critical habitat. https://ecos.fws.gov/ecp/species/4469	Threatened Marine mammal

Reptiles

NAME	STATUS
Green Sea Turtle <i>Chelonia mydas</i> There is final critical habitat for this species. Your location does not overlap the critical habitat. https://ecos.fws.gov/ecp/species/6199	Threatened
Hawksbill Sea Turtle <i>Eretmochelys imbricata</i> Wherever found There is final critical habitat for this species. Your location does not overlap the critical habitat. https://ecos.fws.gov/ecp/species/3656	Endangered
Leatherback Sea Turtle <i>Dermochelys coriacea</i> Wherever found There is final critical habitat for this species. Your location does not overlap the critical habitat. https://ecos.fws.gov/ecp/species/1493	Endangered
Loggerhead Sea Turtle <i>Caretta caretta</i> There is final critical habitat for this species. Your location does not overlap the critical habitat. https://ecos.fws.gov/ecp/species/1110	Threatened
Olive Ridley Sea Turtle <i>Lepidochelys olivacea</i> No critical habitat has been designated for this species. https://ecos.fws.gov/ecp/species/1513	Threatened

Critical habitats

Potential effects to critical habitat(s) in this location must be analyzed along with the endangered species themselves.

There are no critical habitats at this location.

You are still required to determine if your project(s) may have effects on all above listed species.

Bald & Golden Eagles

There are no documented cases of eagles being present at this location. However, if you believe eagles may be using your site, please reach out to the local Fish and Wildlife Service office.

Additional information can be found using the following links:

- Eagle Management <https://www.fws.gov/program/eagle-management>
- Measures for avoiding and minimizing impacts to birds <https://www.fws.gov/library/collections/avoiding-and-minimizing-incident-take-migratory-birds>

- Nationwide conservation measures for birds <https://www.fws.gov/sites/default/files/documents/nationwide-standard-conservation-measures.pdf>

What does iPaC use to generate the potential presence of bald and golden eagles in my specified location?

The potential for eagle presence is derived from data provided by the [Avian Knowledge Network \(AKN\)](#). The AKN data is based on a growing collection of [survey, banding, and citizen science datasets](#), and is queried and filtered to return a list of those birds reported as occurring in the 10km grid cell(s) which your project intersects, and that have been identified as warranting special attention because they are a BCC species in that area, an eagle ([Eagle Act](#) requirements may apply). To see a list of all birds potentially present in your project area, please visit the [Rapid Avian Information Locator \(RAIL\) Tool](#).

What does iPaC use to generate the probability of presence graphs of bald and golden eagles in my specified location?

The Migratory Bird Resource List is comprised of USFWS [Birds of Conservation Concern \(BCC\)](#) and other species that may warrant special attention in your project location.

The migratory bird list generated for your project is derived from data provided by the [Avian Knowledge Network \(AKN\)](#). The AKN data is based on a growing collection of [survey, banding, and citizen science datasets](#) and is queried and filtered to return a list of those birds reported as occurring in the 10km grid cell(s) which your project intersects, and that have been identified as warranting special attention because they are a BCC species in that area, an eagle ([Eagle Act](#) requirements may apply), or a species that has a particular vulnerability to offshore activities or development.

Again, the Migratory Bird Resource list includes only a subset of birds that may occur in your project area. It is not representative of all birds that may occur in your project area. To get a list of all birds potentially present in your project area, please visit the [Rapid Avian Information Locator \(RAIL\) Tool](#).

What if I have eagles on my list?

If your project has the potential to disturb or kill eagles, you may need to obtain a permit to avoid violating the [Eagle Act](#) should such impacts occur. Please contact your local Fish and Wildlife Service Field Office if you have questions.

Migratory birds

Certain birds are protected under the Migratory Bird Treaty Act¹ and the Bald and Golden Eagle Protection Act².

Any person or organization who plans or conducts activities that may result in impacts to migratory birds, eagles, and their habitats should follow appropriate regulations and consider implementing appropriate conservation measures, as described below.

1. The [Migratory Birds Treaty Act](#) of 1918.
2. The [Bald and Golden Eagle Protection Act](#) of 1940.

Additional information can be found using the following links:

- Birds of Conservation Concern <https://www.fws.gov/program/migratory-birds/species>
- Measures for avoiding and minimizing impacts to birds <https://www.fws.gov/library/collections/avoiding-and-minimizing-incident-take-migratory-birds>
- Nationwide conservation measures for birds <https://www.fws.gov/sites/default/files/documents/nationwide-standard-conservation-measures.pdf>

The [data](#) in this location indicates there are no migratory [birds of conservation concern](#) expected to occur in this area.

There may be migratory birds in your project area, but we don't have any survey data available to provide further direction. For additional information, please refer to the links above for recommendations to minimize impacts to migratory birds or contact your local FWS office.

Tell me more about conservation measures I can implement to avoid or minimize impacts to migratory birds.

[Nationwide Conservation Measures](#) describes measures that can help avoid and minimize impacts to all birds at any location year round. Implementation of these measures is particularly important when birds are most likely to occur in the project area. When birds may be breeding in the area, identifying the locations of any active nests and avoiding their destruction is a very helpful impact minimization measure. To see when birds are most likely to occur and be breeding in your project area, view the Probability of Presence Summary. [Additional measures](#) or [permits](#) may be advisable depending on the type of activity you are conducting and the type of infrastructure or bird species present on your project site.

What does iPaC use to generate the list of migratory birds that potentially occur in my specified location?

The Migratory Bird Resource List is comprised of USFWS [Birds of Conservation Concern \(BCC\)](#) and other species that may warrant special attention in your project location.

The migratory bird list generated for your project is derived from data provided by the [Avian Knowledge Network \(AKN\)](#). The AKN data is based on a growing collection of [survey, banding, and citizen science datasets](#) and is queried and filtered to return a list of those birds reported as occurring in the 10km grid cell(s) which your project intersects, and that have been identified as warranting special attention because they are a BCC species in that area, an eagle ([Eagle Act](#) requirements may apply), or a species that has a particular vulnerability to offshore activities or development.

Again, the Migratory Bird Resource list includes only a subset of birds that may occur in your project area. It is not representative of all birds that may occur in your project area. To get a list of all birds potentially present in your project area, please visit the [Rapid Avian Information Locator \(RAIL\) Tool](#).

What does iPaC use to generate the probability of presence graphs for the migratory birds potentially occurring in my specified location?

The probability of presence graphs associated with your migratory bird list are based on data provided by the [Avian Knowledge Network \(AKN\)](#). This data is derived from a growing collection of [survey, banding, and citizen science datasets](#).

Probability of presence data is continuously being updated as new and better information becomes available. To learn more about how the probability of presence graphs are produced and how to interpret them, go the Probability of Presence Summary and then click on the "Tell me about these graphs" link.

How do I know if a bird is breeding, wintering or migrating in my area?

To see what part of a particular bird's range your project area falls within (i.e. breeding, wintering, migrating or year-round), you may query your location using the [RAIL Tool](#) and look at the range maps provided for birds in your area at the bottom of the profiles provided for each bird in your results. If a bird on your migratory bird species list has a breeding season associated with it, if that bird does occur in your project area, there may be nests present at some point within the timeframe specified. If "Breeds elsewhere" is indicated, then the bird likely does not breed in your project area.

What are the levels of concern for migratory birds?

Migratory birds delivered through iPaC fall into the following distinct categories of concern:

1. "BCC Rangewide" birds are [Birds of Conservation Concern \(BCC\)](#) that are of concern throughout their range anywhere within the USA (including Hawaii, the Pacific Islands, Puerto Rico, and the Virgin Islands);
2. "BCC - BCR" birds are BCCs that are of concern only in particular Bird Conservation Regions (BCRs) in the continental USA; and
3. "Non-BCC - Vulnerable" birds are not BCC species in your project area, but appear on your list either because of the [Eagle Act](#) requirements (for eagles) or (for non-eagles) potential susceptibilities in offshore areas from certain types of development or activities (e.g. offshore energy development or longline fishing).

Although it is important to try to avoid and minimize impacts to all birds, efforts should be made, in particular, to avoid and minimize impacts to the birds on this list, especially eagles and BCC species of rangewide concern. For more information on conservation measures you can implement to help avoid and minimize migratory bird impacts and requirements for eagles, please see the FAQs for these topics.

Details about birds that are potentially affected by offshore projects

For additional details about the relative occurrence and abundance of both individual bird species and groups of bird species within your project area off the Atlantic Coast, please visit the [Northeast Ocean Data Portal](#). The Portal also offers data and information about other taxa besides birds that may be helpful to you in your project review. Alternately, you may download the bird model results files underlying the portal maps through the [NOAA NCCOS Integrative Statistical Modeling and Predictive Mapping of Marine Bird Distributions and Abundance on the Atlantic Outer Continental Shelf](#) project webpage.

Bird tracking data can also provide additional details about occurrence and habitat use throughout the year, including migration. Models relying on survey data may not include this information. For additional information on marine bird tracking data, see the [Diving Bird Study](#) and the [nanotag studies](#) or contact [Caleb Spiegel](#) or [Pam Loring](#).

What if I have eagles on my list?

If your project has the potential to disturb or kill eagles, you may need to [obtain a permit](#) to avoid violating the Eagle Act should such impacts occur.

Proper Interpretation and Use of Your Migratory Bird Report

The migratory bird list generated is not a list of all birds in your project area, only a subset of birds of priority concern. To learn more about how your list is generated, and see options for identifying what other birds may be in your project area, please see the FAQ "What does iPaC use to generate the migratory birds potentially occurring in my specified location". Please be aware this report provides the "probability of presence" of birds within the 10 km grid cell(s) that overlap your project; not your exact project footprint. On the graphs provided, please also look carefully at the survey effort (indicated by the black vertical bar) and for the existence of the "no data" indicator (a red horizontal bar). A high survey effort is the key component. If the survey effort is high, then the probability of presence score can be viewed as more dependable. In contrast, a low survey effort bar or no data bar means a lack of data and, therefore, a lack of certainty about presence of the species. This list is not perfect; it is simply a starting point for identifying what birds of concern have the potential to be in your project area, when they might be there, and if they might be breeding (which means nests might be present). The list helps you know what to look for to confirm presence, and helps guide you in knowing when to implement conservation measures to avoid or minimize potential impacts from your project activities, should presence be confirmed. To learn more about conservation measures, visit the FAQ "Tell me about conservation measures I can implement to avoid or minimize impacts to migratory birds" at the bottom of your migratory bird trust resources page.

NOT FOR CONSULTATION

Marine mammals

Marine mammals are protected under the [Marine Mammal Protection Act](#). Some are also protected under the Endangered Species Act¹ and the Convention on International Trade in Endangered Species of Wild Fauna and Flora².

The responsibilities for the protection, conservation, and management of marine mammals are shared by the U.S. Fish and Wildlife Service (responsible for otters, walrus, polar bears, manatees, and dugongs) and NOAA Fisheries³ (responsible for seals, sea lions, whales, dolphins, and porpoises). Marine mammals under the responsibility of NOAA Fisheries are **not** shown on this list; for additional information on those species please visit the [Marine Mammals](#) page of the NOAA Fisheries website.

The Marine Mammal Protection Act prohibits the take (to harass, hunt, capture, kill, or attempt to harass, hunt, capture or kill) of marine mammals and further coordination may be necessary for project evaluation. Please contact the U.S. Fish and Wildlife Service Field Office shown.

1. The [Endangered Species Act](#) (ESA) of 1973.
2. The [Convention on International Trade in Endangered Species of Wild Fauna and Flora](#) (CITES) is a treaty to ensure that international trade in plants and animals does not threaten their survival in the wild.
3. [NOAA Fisheries](#), also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

The following marine mammals under the responsibility of the U.S. Fish and Wildlife Service are potentially affected by activities in this location:

NAME

West Indian Manatee *Trichechus manatus*
<https://ecos.fws.gov/ecp/species/4469>

Facilities

National Wildlife Refuge lands

Any activity proposed on lands managed by the [National Wildlife Refuge](#) system must undergo a 'Compatibility Determination' conducted by the Refuge. Please contact the individual Refuges to discuss any questions or concerns.

There are no refuge lands at this location.

Fish hatcheries

There are no fish hatcheries at this location.

Wetlands in the National Wetlands Inventory (NWI)

Impacts to [NWI wetlands](#) and other aquatic habitats may be subject to regulation under Section 404 of the Clean Water Act, or other State/Federal statutes.

For more information please contact the Regulatory Program of the local [U.S. Army Corps of Engineers District](#).

Please note that the NWI data being shown may be out of date. We are currently working to update our NWI data set. We recommend you verify these results with a site visit to determine the actual extent of wetlands on site.

This location overlaps the following wetlands:

ESTUARINE AND MARINE DEEPWATER

[M1UBL](#)
[M1RF1L](#)

ESTUARINE AND MARINE WETLAND

[M2B51N](#)

FRESHWATER EMERGENT WETLAND

[PEM1Ch](#)

RIVERINE

[R4SBC](#)

A full description for each wetland code can be found at the [National Wetlands Inventory website](#)

NOTE: This initial screening does **not** replace an on-site delineation to determine whether wetlands occur. Additional information on the NWI data is provided below.

Data limitations

The Service's objective of mapping wetlands and deepwater habitats is to produce reconnaissance level information on the location, type and size of these resources. The maps are prepared from the analysis of high altitude imagery. Wetlands are identified based on vegetation, visible hydrology and geography. A margin of error is inherent in the use of imagery; thus, detailed on-the-ground inspection of any particular site may result in revision of the wetland boundaries or classification established through image analysis.

The accuracy of image interpretation depends on the quality of the imagery, the experience of the image analysts, the amount and quality of the collateral data and the amount of ground truth verification work conducted. Metadata should be consulted to determine the date of the source imagery used and any mapping problems.

Wetlands or other mapped features may have changed since the date of the imagery or field work. There may be occasional differences in polygon boundaries or classifications between the information depicted on the map and the actual conditions on site.

Data exclusions



Certain wetland habitats are excluded from the National mapping program because of the limitations of aerial imagery as the primary data source used to detect wetlands. These habitats include seagrasses or submerged aquatic vegetation that are found in the intertidal and subtidal zones of estuaries and nearshore coastal waters. Some deepwater reef communities (coral or tubercid worm reefs) have also been excluded from the inventory. These habitats, because of their depth, go undetected by aerial imagery.

Data precautions

Federal, state, and local regulatory agencies with jurisdiction over wetlands may define and describe wetlands in a different manner than that used in this inventory. There is no attempt, in either the design or products of this inventory, to define the limits of proprietary jurisdiction of any Federal, state, or local government or to establish the geographical scope of the regulatory programs of government agencies. Persons intending to engage in activities involving modifications within or adjacent to wetland areas should seek the advice of appropriate Federal, state, or local agencies concerning specified agency regulatory programs and proprietary jurisdictions that may affect such activities.

NOT FOR CONSULTATION

Figure 14. U.S. Fish and Wildlife Service Concurrence Letter

	<p>United States Department of the Interior</p> <p>FISH AND WILDLIFE SERVICE Caribbean Ecological Services Field Office Bayamón Mayagüez Maricao Río Grande St Croix P.O. Box 491 Boquerón, Puerto Rico 00622</p>	
<p>In Reply Refer to: FWS/R4/CESFO/78MM-190</p>		
<p>Submitted Via Electronic Mail: (kveira@vihfa.gov)</p>		
<p>Kyora Veira Senior Environmental Manager Community Development Block Grant - Disaster Recovery Program Virgin Islands Housing Finance Authority 3202 Demarara Plaza, Ste. 200 St. Thomas, USVI 00802-6447</p>		
<p>Re: U.S. Virgin Island Waste Management Authority Convenience Centers</p>		
<p>Dear Mrs. Veira:</p>		
<p>Thank you for your letter of June 16, 2023, requesting concurrence on the above referenced project. As per your request, our comments are provided under the Endangered Species Act (Act) (87 Stat. 884, as amended; 16 United States Code 1531 et seq.), and the Fish and Wildlife Coordination Act (48 Stat. 401, as amended; 16 U.S.C. 661 et seq.).</p>		
<p>The Virgin Islands Housing Finance Authority (VIHFA) with funds from the U.S. Department of Housing and Urban Development's Community Development Block Grant – Recovery Funds (CDBG-DR) is proposing to develop five public Convenience Centers for the disposal of solid waste and recycling on the following locations of St. Croix and St. Thomas:</p>		
<p>St. Croix:</p> <ol style="list-style-type: none">1. Cotton Valley Convenience Center (17°45'30.3"N 64°37'22.9"W)2. Mon Bijou Convenience Center (17°44'21.8"N 64°47'02.7"W)3. Concordia Convenience Center (17°42'02.4"N 64°52'15.2"W)		
<p>St. Thomas:</p> <ol style="list-style-type: none">1. Red Hook Convenience Center (18°19'22.8"N 64°51'22.7"W)2. Smith Bay Convenience Center (18°20'37.4"N 64°52'08.3"W)		
<p>Based on the information provided in your letter, the proposed project sites are located within the range of the following federally listed species:</p>		

Location	Species
Mon Bijou Convenience Center	No listed species
Concordia Convenience Center	Vahl's boxwood (<i>Buxus vahliei</i>)
Cotton Valley Convenience Center	Vahl's boxwood (<i>Buxus vahliei</i>)
	West Indian manatee (<i>Trichechus manatus</i>)
	Hawksbill sea turtle (<i>Eretmochelys imbricata</i>)
	Green sea turtle (<i>Chelonia mydas</i>)
	Leatherback sea turtle (<i>Dermochelys coriacea</i>)
	Loggerhead sea turtle (<i>Caretta caretta</i>)
Red Hook Convenience Center	Virgin Islands tree boa (<i>Chilabothrus granti</i>)
Smith Bay Convenience Center	Virgin Islands tree boa (<i>Chilabothrus granti</i>)

Based on the nature of the project, scope of work, information available VIHFA has determined that the proposed project will result in no effect (NE) for the West Indian manatee, Vahl's boxwood and the sea turtles. As for the Virgin Islands tree boa, VIHFA determined that the proposed project *may affect but is not likely to adversely affect* (NLAA) the specie and will implement conservation measures previously provided by the U.S. Fish and Wildlife Service (Service).

We acknowledge receipt of your no effect (NE) determinations for the West Indian manatee, Vahl's boxwood and the sea turtles. Currently we do not have any information to refute your determination. Because you made a NE determination, you are not required to conduct formal or informal section 7 consultation with the Service and the Service is not required to concur with your NE determination.

As for the Virgin Islands tree boa, we have reviewed the information provided in your letter and our files and concur with the above *may affect but is not likely to adversely affect* (NLAA) determination.

In view of this, we believe that requirements of section 7 of the Act have been satisfied. However, obligations under section 7 of the Act must be reconsidered if: (1) new information reveals impacts of this identified action that may affect listed species or critical habitat in a manner that was not previously considered; (2) this action is subsequently modified in a manner not previously considered in this assessment; or (3) a new species is listed, or critical habitat determined that may be affected by the identified action.

Thank you for the opportunity to comment on this project. If you have any questions or require additional information, please contact us at caribbean_es@fws.gov.

Sincerely yours,

EDWIN MUNIZ

Digitally signed by EDWIN
MUNIZ
Date: 2023.06.30 13:38:08
-04'00'

Edwin E. Muñoz
Field Supervisor

dr

Figure 15. Nearest Above Ground Storage Tanks to the Cotton Valley Convenience Center

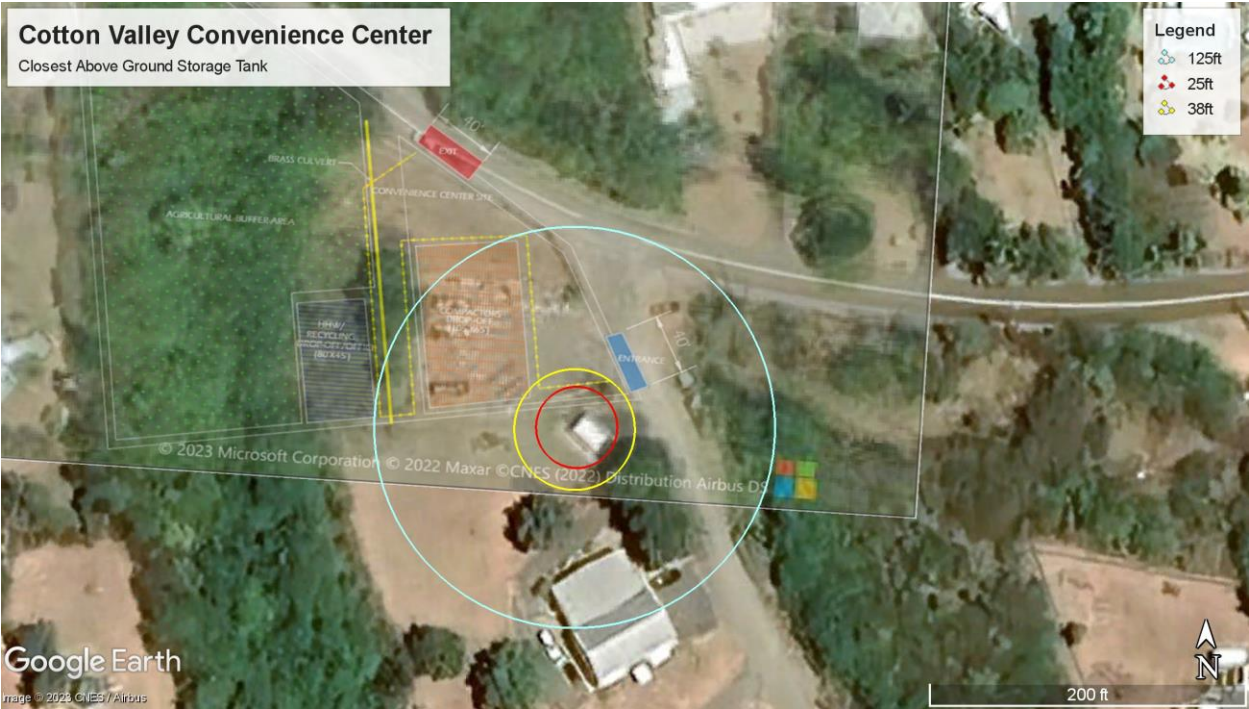


Figure 16. Acceptable Separation Distance (ASD) Electronic Assessment Tool

Acceptable Separation Distance Assessment Tool

Is the container above ground?	Yes: <input checked="" type="checkbox"/> No: <input type="checkbox"/>
Is the container under pressure?	Yes: <input type="checkbox"/> No: <input checked="" type="checkbox"/>
Does the container hold a cryogenic liquified gas?	Yes: <input type="checkbox"/> No: <input type="checkbox"/>
Is the container diked?	Yes: <input type="checkbox"/> No: <input checked="" type="checkbox"/>
What is the volume (gal) of the container?	<input type="text" value="90"/>
What is the Diked Area Length (ft)?	<input type="text"/>
What is the Diked Area Width (ft)?	<input type="text"/>
<input type="button" value="Calculate Acceptable Separation Distance"/>	
Diked Area (sqft)	<input type="text"/>
ASD for Blast Over Pressure (ASDBOP)	<input type="text"/>
ASD for Thermal Radiation for People (ASDPPU)	<input type="text" value="101.42"/>
ASD for Thermal Radiation for Buildings (ASDBPU)	<input type="text" value="16.52"/>
ASD for Thermal Radiation for People (ASDPNPD)	<input type="text"/>
ASD for Thermal Radiation for Buildings (ASDBNPD)	<input type="text"/>

For mitigation options, please click on the following link: [Mitigation Options](#)

Figure 17. USDA-NRCS Farmland Classification Map

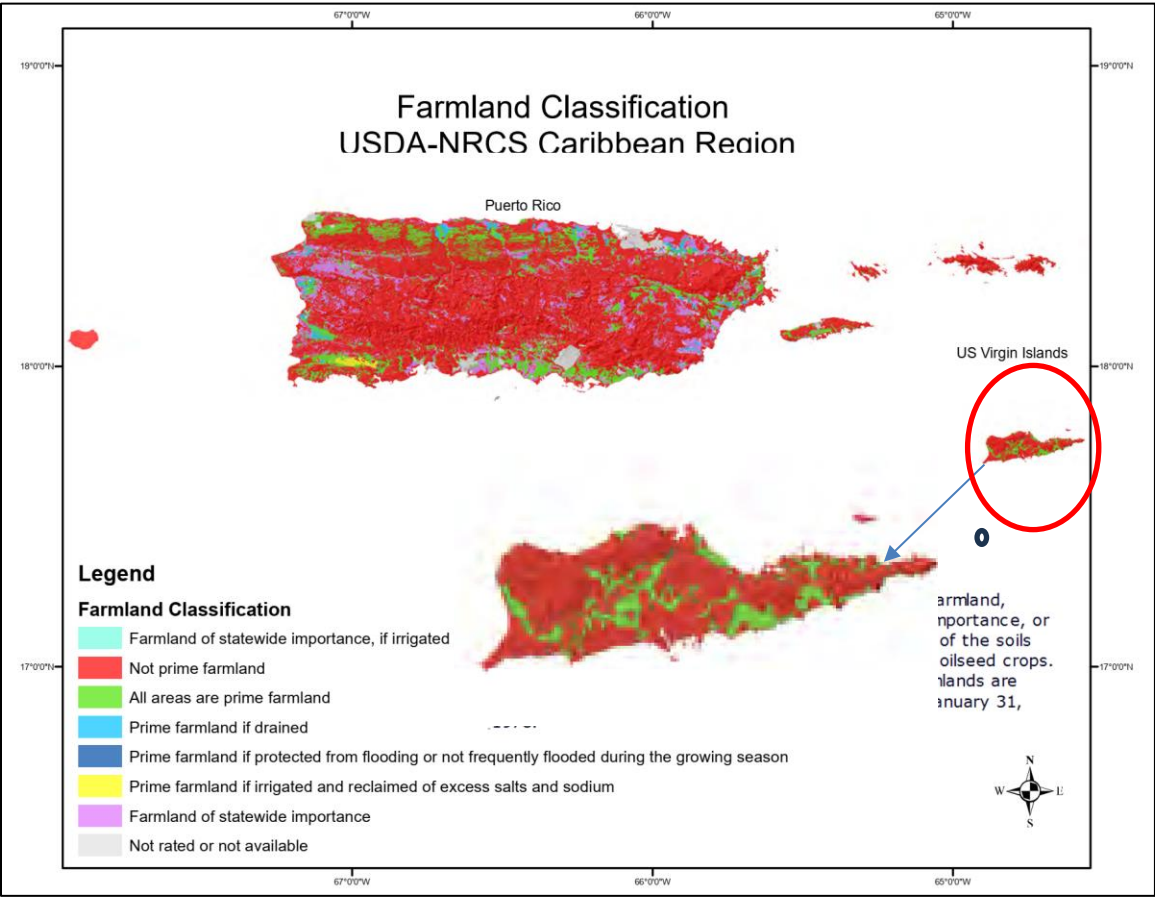


Figure 18. VIRGIN ISLANDS DEPARTMENT OF PLANNING AND NATURAL
RESOURCES -
ZONING AND LAND USE ASSESSMENT



Name of Project: Cotton Valley Convenience Center

Location: Parcel No. 1 Estate Cotton Valley, East End Quarter "B", St. Croix

Activity: Waste Management Solid Waste Facility- Convenience Center Developm

**VIRGIN ISLANDS DEPARTMENT OF PLANNING AND NATURAL RESOURCES -
ZONING AND LAND USE ASSESSMENT**

The activities and location of the proposed project have been analyzed and assessed and, to the best of my knowledge, the following situations apply:

- (1) What is the zoning designation for the proposed site location?
P-Public as per Act No. 8607
- (2) Is the property appropriately zoned for the proposed use?
Yes ☒ No ☐
- (3) If not, is the required zoning change feasible?
Yes ☐ No ☒
- (4) Is the use of the property in compliance with present or projected land use or development plans?
Yes ☒ No ☐
- (5) Does "important farmland", including prime farmland, unique farmland, or farmland of local importance regulated under the Farmland Protection Policy Act, occur on the proposed project site?
Yes ☐ No ☒
- (6) Will the proposed project cause a conversion of land use?
Yes ☐ No ☒
- (7) Other comments:
Use would be permitted under category "Refuse Disposals (Solid Waste)."

Name (Print): Leia LaPlace


Signature: 

Title: Territorial Planner

Date: 12/5/2022

Organization: Dept. of Planning & Natural Resources

Figure 19. Historic Preservation and Cultural Resources Assessment

 **Name of Project:** Cotton Valley Convenience Center
Location: Parcel No. 1 Estate Cotton Valley, East End Quarter "B", St. Croix
Activity: Waste Management Solid Waste Facility- Convenience Center Developm

**VIRGIN ISLANDS DEPARTMENT OF PLANNING AND NATURAL RESOURCES -
HISTORIC PRESERVATION AND CULTURAL RESOURCES ASSESSMENT**

The activities and location of the proposed project have been analyzed and assessed and, to the best of my knowledge, the following situations apply:

(1) Does the proposed project area contain any property listed on the National Register of Historic Places?
Yes ☐ No ☒

(2) Are there any other properties within the vicinity of the project that appears to be historic or fit to be listed or are already listed in the National Register?
Yes ☒ No ☐

(3) Is yes, will the proposed project have any adverse impact on these resources?
Yes ☒ No ☐

(4) Describe the design features necessary to minimize any potential impact on historic or cultural resources.
Previous known archaeological site. Further review of Convenience Center design to determine potential adverse effects.

(5) Is the Section 106 Compliance Process required?
Yes ☒ No ☐

(6) Initial Survey required:
A. Phase A ☐ B. Phase 1 ☒
C. Phase 2 ☐ D. Monitoring ☒
E. Other ☐ Please describe: _____

(7) Other comments: Further review needed

Name (Print): Sean L. Krigger Signature: Sean L. Krigger
Title: Director Date: 12/8/2022
Organization: DPNR- VI State Historic Preservation Office

ENVIRONMENTAL ASSESSMENT | Version 2.0



GOVERNMENT OF THE UNITED STATES VIRGIN ISLANDS

-----0-----

DEPARTMENT OF PLANNING AND NATURAL RESOURCES
Virgin Islands State Historic Preservation Office

Fort Christian National Historic Landmark Site
5064 Forts Straede 1
Charlotte Amalie, St. Thomas 00802

Telephone: (340) 776-8605

Ms. Kyora Veira
Environmental Senior Manager
Virgin Islands Housing Finance Authority
3202 Demerara Plaza, Suite 200
St. Thomas, VI 00802-6447

August 16, 2023

Ref: Section 106 Consultation on the CDBG Funded VIWMA
Cotton Valley Convenience Center St. Croix, Virgin Islands

Dear Ms. Moreno:

The Department of Planning and Natural Resources' Virgin Islands State Historic Preservation Office (VISHPO) is in receipt of the Virgin Islands Housing Finance Authority's correspondence requesting Section 106 consultation on the proposed federally funded project to upgrade the existing Cotton Valley bin site in St. Croix, Virgin Islands into a waste management convenience center.

The VISHPO has reviewed the submitted scope of work and supporting documentation for the Cotton Valley Convenience Center. Based on the site analysis and scope of work for the installation, the **VISHPO concurs with the determination of Adverse Effects to Archaeological Resources with the Condition that all excavation activities, including foundation and utility trenching activity will have archaeological monitoring during the Project's activity.**

Please see the attached Section 106 Review Certificate for contact information for the Senior Archaeologist and Archaeological Monitor for the trenching work.

Thank you for the opportunity to consult this matter.

Sincerely,

Sean L. Krigger
Director & Deputy SHPO

Figure 20. EPA Sole Source Aquifers
[Source: <https://www.epa.gov/dwssa/map-sole-source-aquifer-locations>]

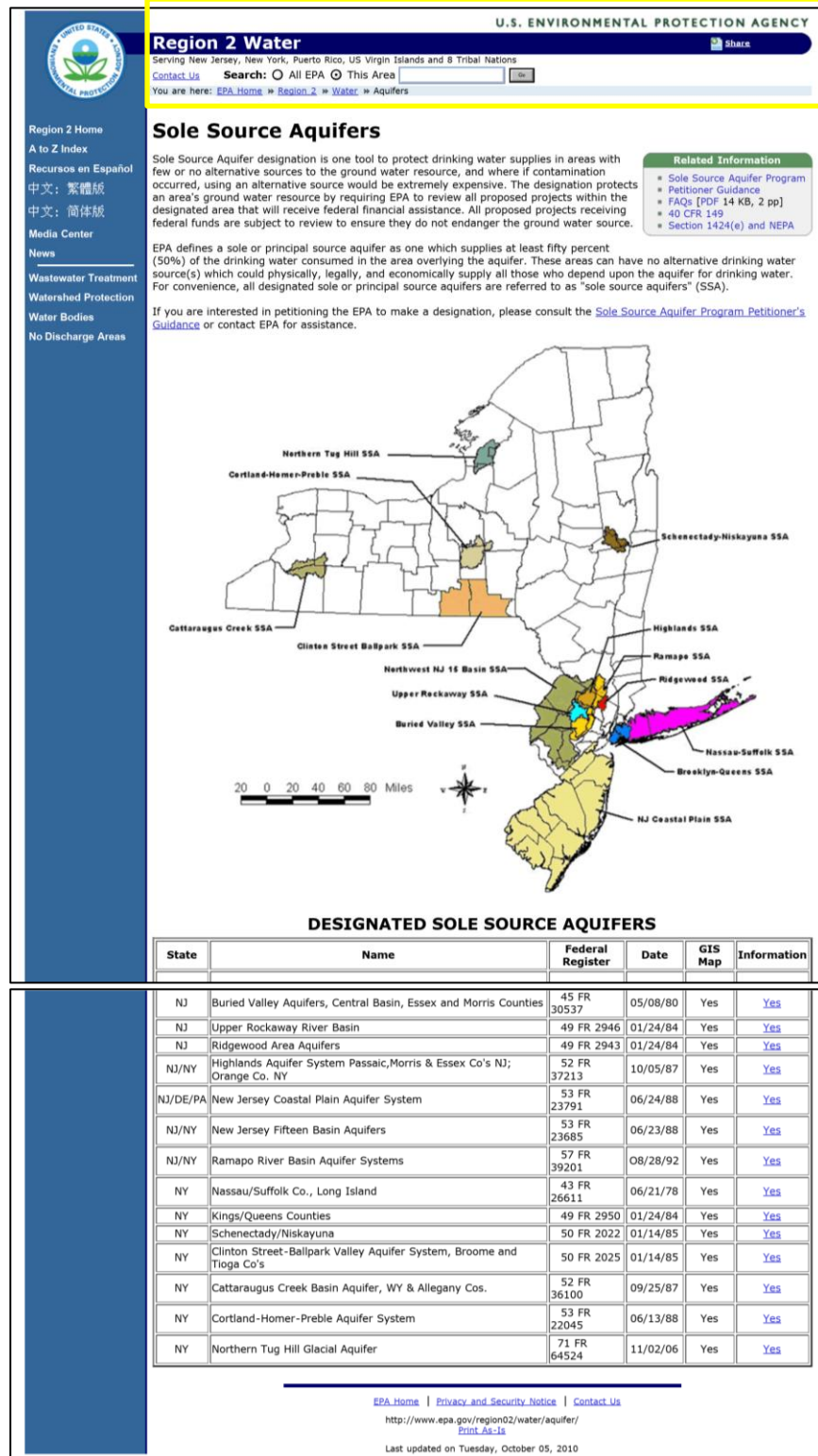
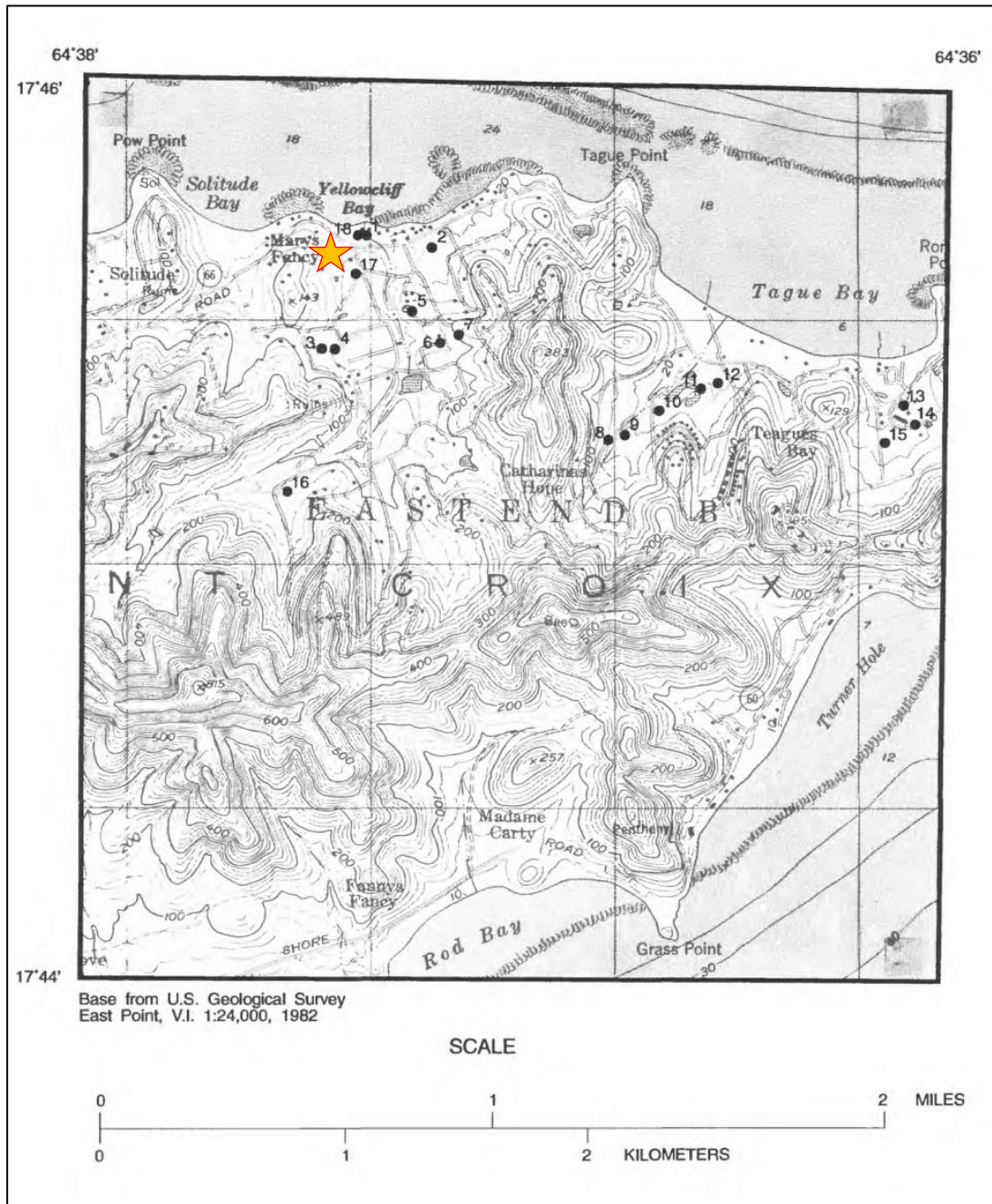


Figure 21. Water Wells on St. Croix, U.S. Virgin Islands
[Source: U.S. Geological Survey, 1994]

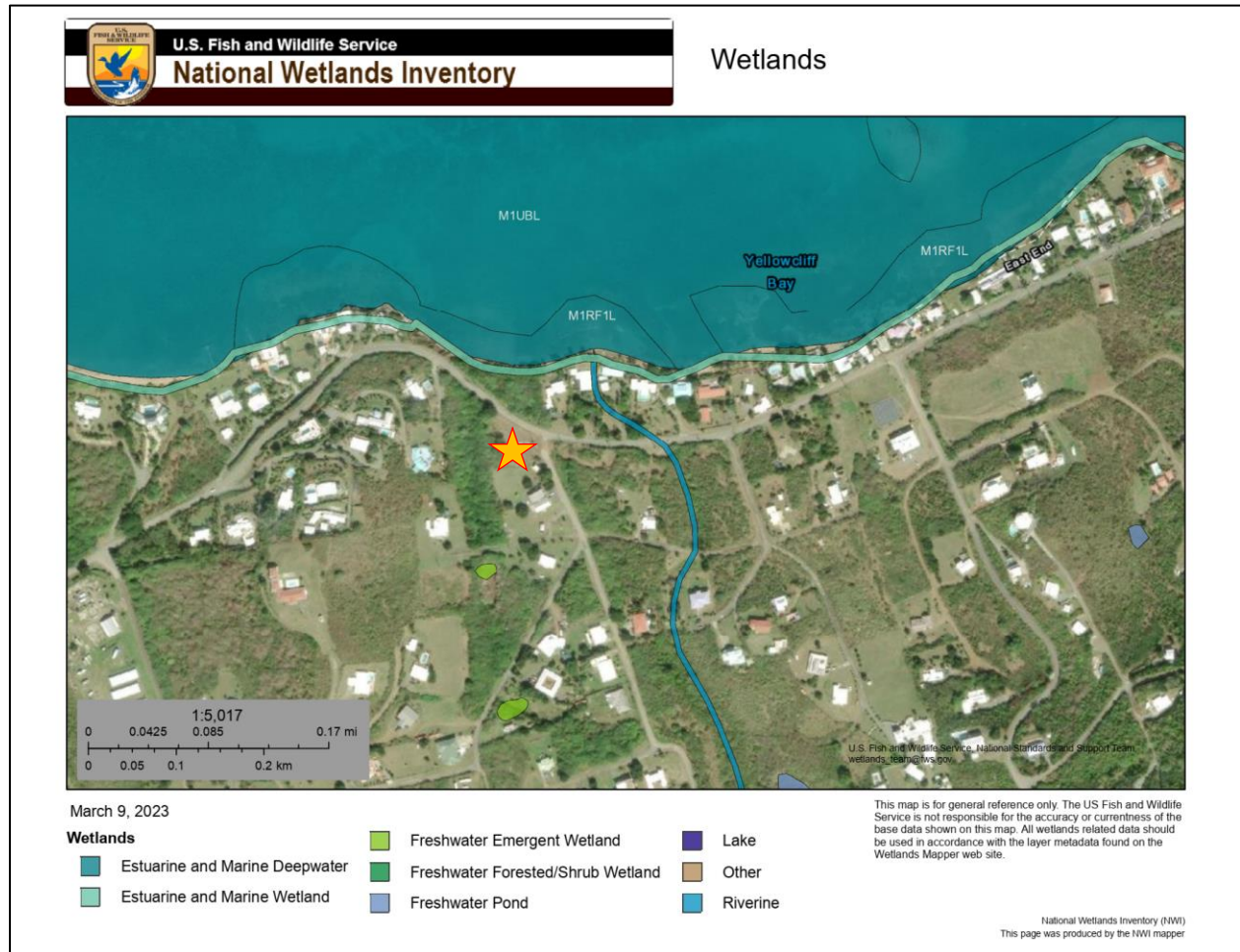


Note: The orange star indicates the location of the proposed project site.

[A, agriculture or stock well; C, commercial well; D, domestic well; PS, public supply well; NU, well not in use; ---, indicates data not available]

Well number on figure 15	Well name	Use of water	Year constructed	Reported depth of well (feet)	Measured depth of well (feet)	Casing diameter (inches)	Type of well finish and finish interval (feet)	Land surface altitude at well site (feet)	Depth to water below land surface datum (feet)	Date water level measured (month-day-year)	Yield (gallons per minute)
14-1	Al Lang	NU	1968	--	--	--	--	5	--	--	--
14-2	Mary Simpson	D	1990	55	--	6	--	20	--	--	--
14-3	Eugene Capuano	D	--	60	--	6	--	72	--	--	--
14-4	Skinner 1	D,A	1972	45	--	8	--	68	--	--	--
14-5	Bertha Kolber	D	1980	100	--	6	--	62	--	--	--
14-6	Frank Bishop	D	--	115	--	6	--	70	--	--	--
14-7	Barbrad Donaldson	A	1981	95	--	6	--	110	--	--	--
14-8	Reef 6	C	1989	110	--	4	--	60	--	--	--
14-9	Reef 5	C	1970	70-80	--	6	--	40	--	--	--
14-10	Reef 4	C	1970	70-80	--	8	--	22	--	--	--
14-11	Reef 3	C	1970	70-80	--	8	--	18	--	--	--
14-12	Reef 2	C	1970	70-80	--	4	--	13	--	--	--
14-13	West Indies Lab 2	NU	--	12	--	120	--	19	--	--	--
14-14	West Indies Lab 1	NU	--	40	--	6	--	30	--	--	--
14-15	West Indies Lab 3	NU	--	40	--	6	--	25	--	--	--
14-16	Diane Chandler	A	--	125	--	--	--	125	--	--	--
14-17	Cotton Valley Fire Station	PS	--	60	--	6	--	25	--	--	--
14-18	Al Lang (neighbor)	--	--	--	--	--	--	5	--	--	--

Figure 22. U.S. Fish and Wildlife Service, National Wetlands Inventory

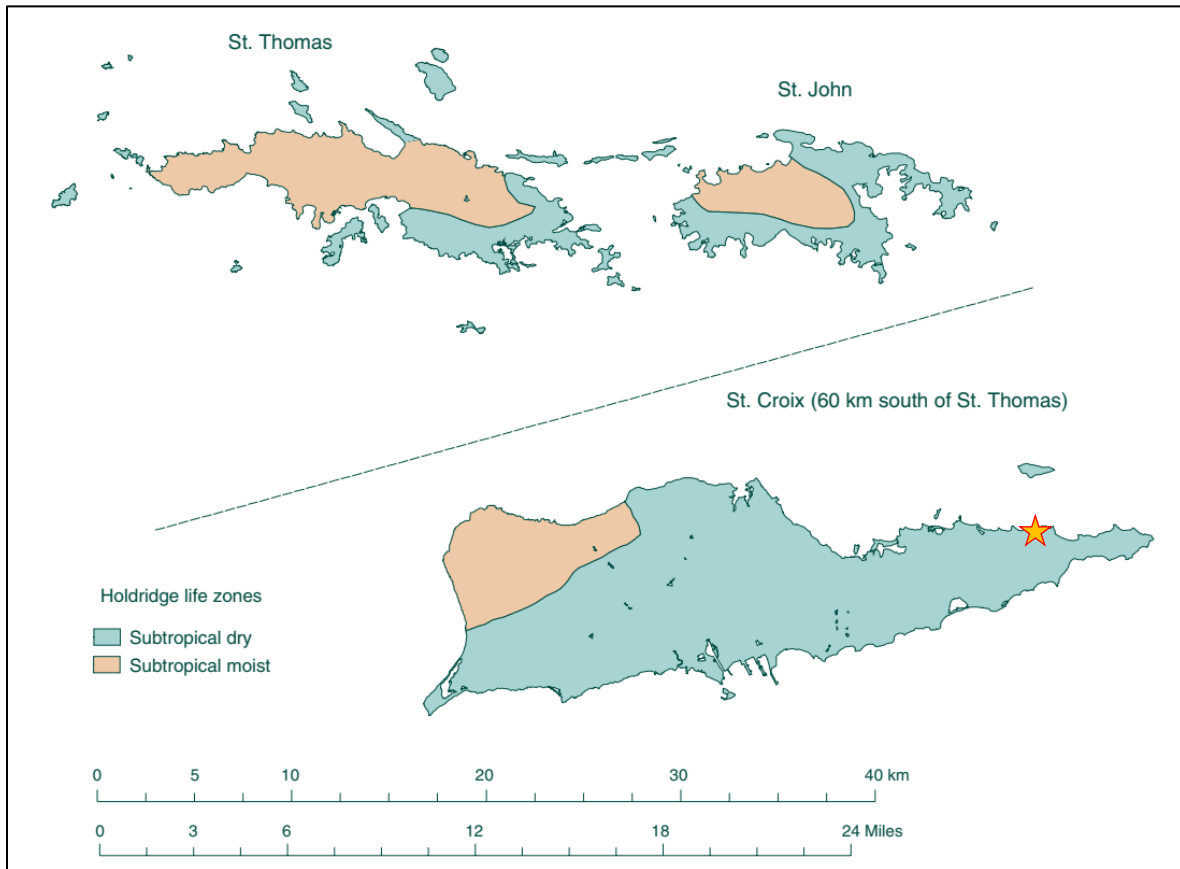


Note: The orange star indicates the location of the proposed project site.

[Source: <https://www.rivers.gov/documents/nwsrs-map.pdf>]



Figure 24. The Forested Life Zones in the U.S. Virgin Islands
[Source: USDA-Forest Service, *The Status of U.S. Virgin Islands' Forests*, 2004]



Note: The orange star indicates the location of the proposed project site.

Appendix B. Site Visit, Proposed Concordia Convenience Center Site, St. Croix,
January 31, 2023



The proposed project site is currently used as a solid waste disposal site for residents and businesses on the west end of St. Croix. This is the only solid waste disposal site in the area. The proposed Concordia Convenience Center would cleanup, upgrade, and vastly improve the existing site.



The existing Concordia solid waste disposal site is heavily contaminated, particularly around the existing dumpsters and tire pile. Signs of illegal dumping and improper disposal of waste were also observed. The proposed convenience center will be gated with surveillance cameras, manned, and have specific hours of operation which would reduce illegal dumping.



The single-family residence on Parcel 268 Concordia behind – i.e., to the east, and downgradient of the existing solid waste disposal site. A berm has been constructed to delineate the existing site from the residents, however the berm was created from compacted waste, include items that could have created a recognized environmental condition, and, according to one homeowner, flood her property during periods of heavy rains.



Additional photos of the proposed project site and existing conditions. The proposed Concordia Convenience Center would be a vast improvement to what currently exists.

Appendix B. Site Visit, Proposed Concordia Convenience Center Site, St. Croix,
January 31, 2023



The proposed project site is currently used as a solid waste disposal site for residents and businesses on the west end of St. Croix. This is the only solid waste disposal site in the area. The proposed Concordia Convenience Center would cleanup, upgrade, and vastly improve the existing site.



The existing Concordia solid waste disposal site is heavily contaminated, particularly around the existing dumpsters and tire pile. Signs of illegal dumping and improper disposal of waste were also observed. The proposed convenience center will be gated with surveillance cameras, manned, and have specific hours of operation which would reduce illegal dumping.



The single-family residence on Parcel 268 Concordia behind – i.e., to the east, and downgradient of the existing solid waste disposal site. A berm has been constructed to delineate the existing site from the residents, however the berm was created from compacted waste, include items that could have created a recognized environmental condition, and, according to one homeowner, flood her property during periods of heavy rains.



Additional photos of the proposed project site and existing conditions. The proposed Concordia Convenience Center would be a vast improvement to what currently exists.

Appendix B. Site Visit, Proposed Mon Bijou Convenience Center Site, St. Croix,
January 31, 2023



The proposed project site is currently used as a solid waste disposal site for residents and businesses in central St. Croix. This is the only solid waste disposal site in the area. The proposed Mon Bijou Convenience Center would cleanup, upgrade, and vastly improve the existing site.



The existing Mon Bijou solid waste disposal site is heavily contaminated, particularly around the boundaries of the existing waste site and tire pile. Signs of illegal dumping and improper disposal of waste were also observed. The proposed Mon Bijou Convenience Center will be gated with surveillance cameras, manned, and have specific hours of operation which would reduce illegal dumping.



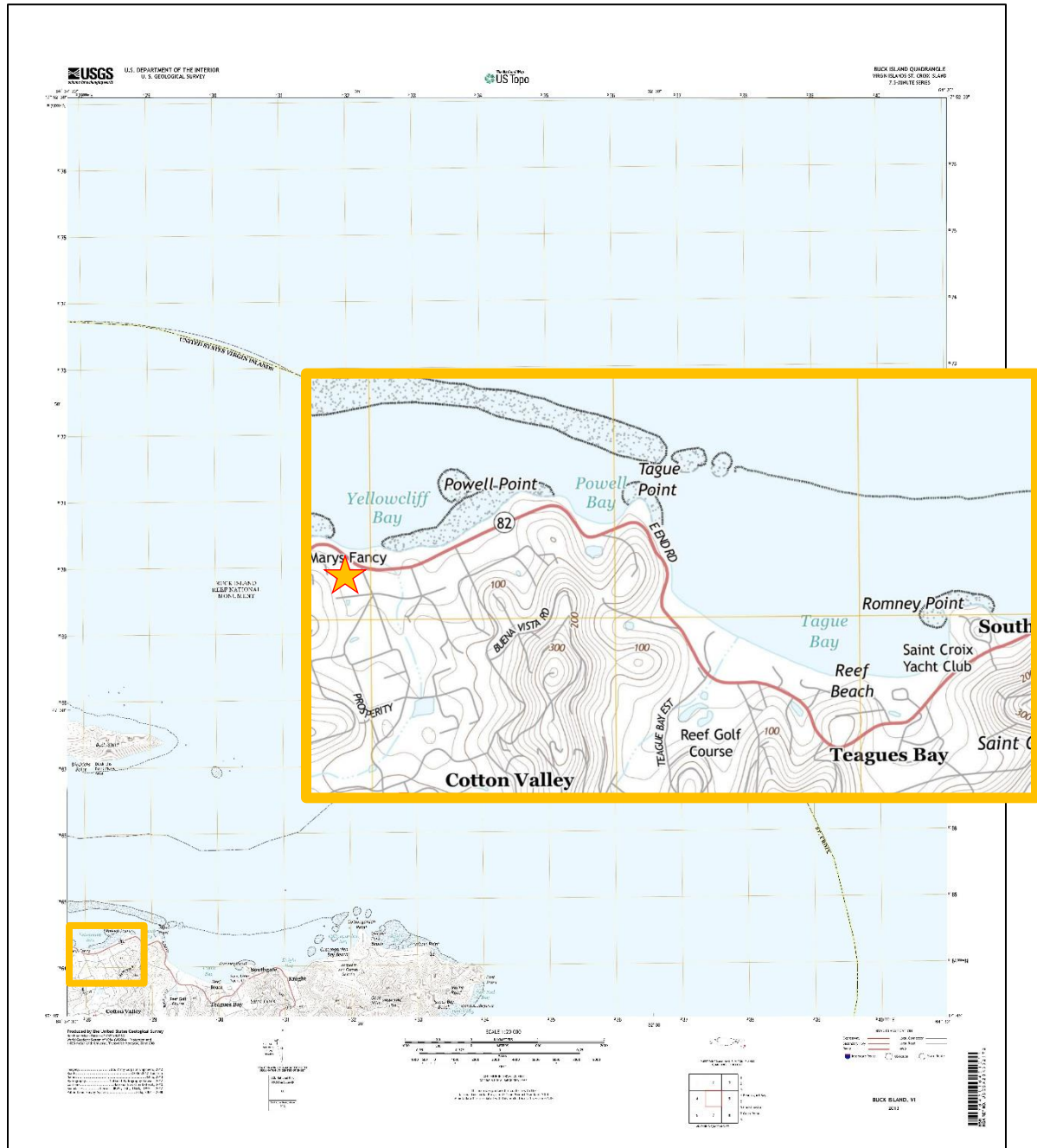
Unhoused individuals sort through the trash at the existing site during the day and have set up shaded areas near the existing dumpsters. It would also appear that at least two unhoused individuals currently live in the vegetation around the existing dumpsters.



Additional photos of the proposed project site and existing conditions. The proposed Mon Bijou Convenience Center would be a vast improvement to what currently exists.

APPENDIX A

Figure 1. Proposed Project Location, Cotton Valley, St. Croix
[Source: U.S. Geological Survey]

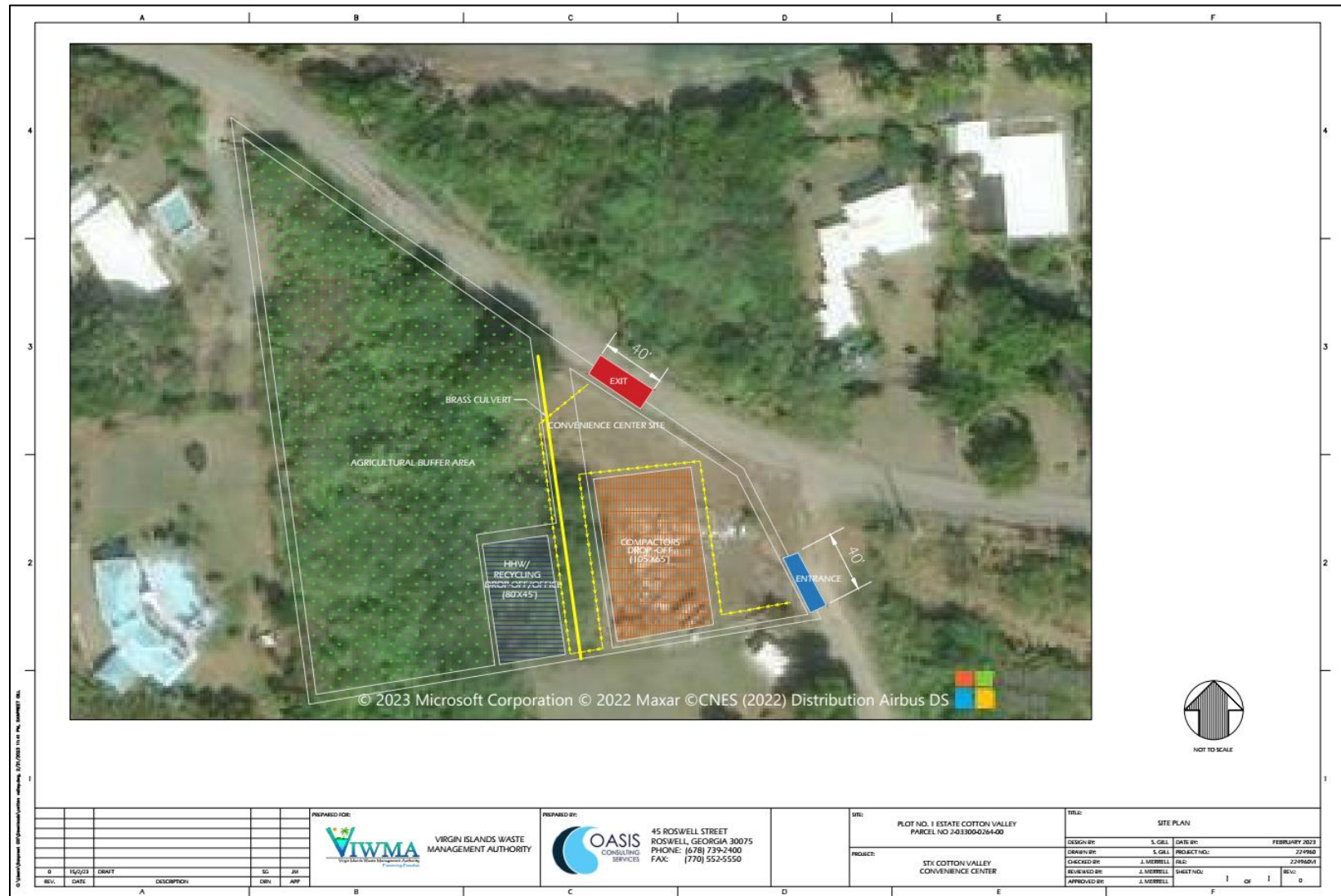


Note: The orange star indicates the location of the proposed project site.

Figure 2. Proposed Project Location, Cotton Valley, St. Croix
 [Source: Government of the U.S. Virgin Islands, Geospatial Information Systems Division]



Figure 3. Proposed Project Site Layout, Cotton Valley, St. Croix



[Source: NOAA, Office of Coast Survey]

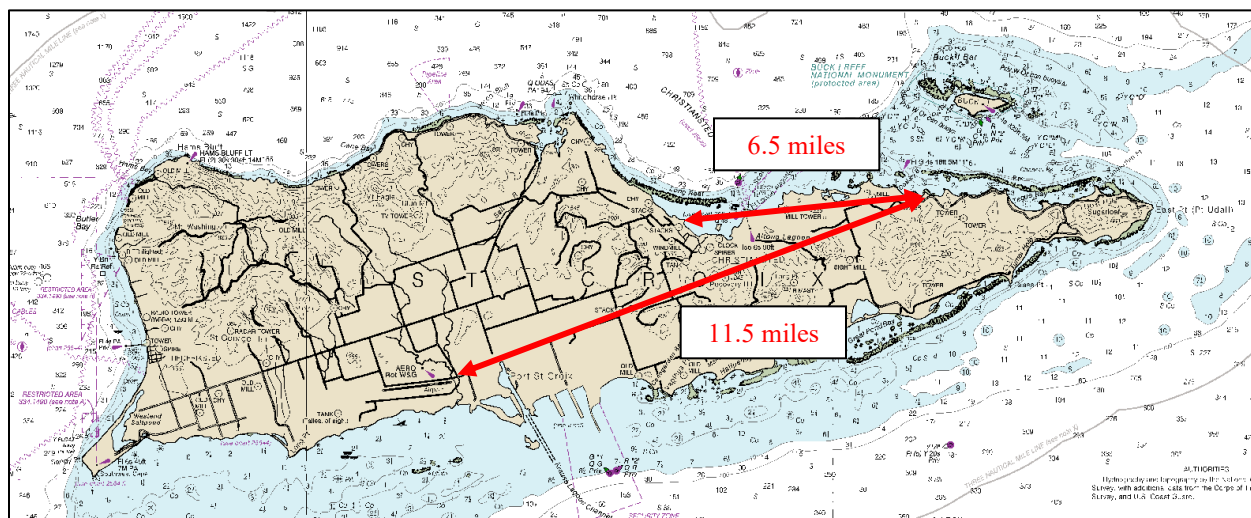
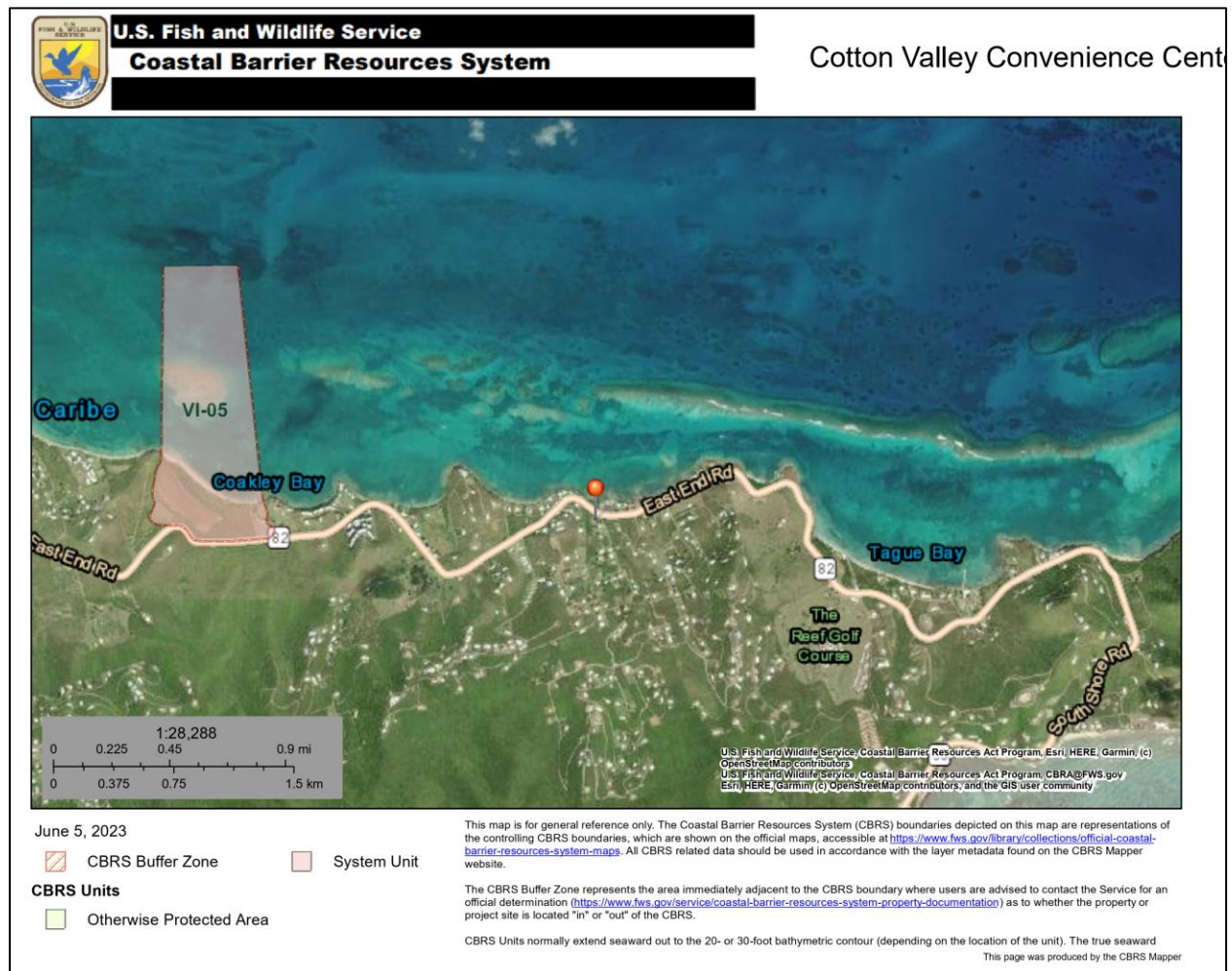


Figure 5. Historical Aerial of the Proposed Cotton Valley Convenience Center
[U.S. Geological Survey, November 1977]



Note: The area of the proposed project site is outlined in orange.

Figure 6. Coastal Barrier Map, Coastal Barriers in Relation to the Cotton Valley Convenience Site, St. Croix



Note: The pen indicates the location of the proposed project site.

Figure 7. National Flood Insurance Program Flood Insurance Rate Map, Panel 74 of 94,
April 16, 2007



Note: The orange star indicates the location of the proposed project site.

Figure 8. DPNR Advisory Flood Hazard Resource Map

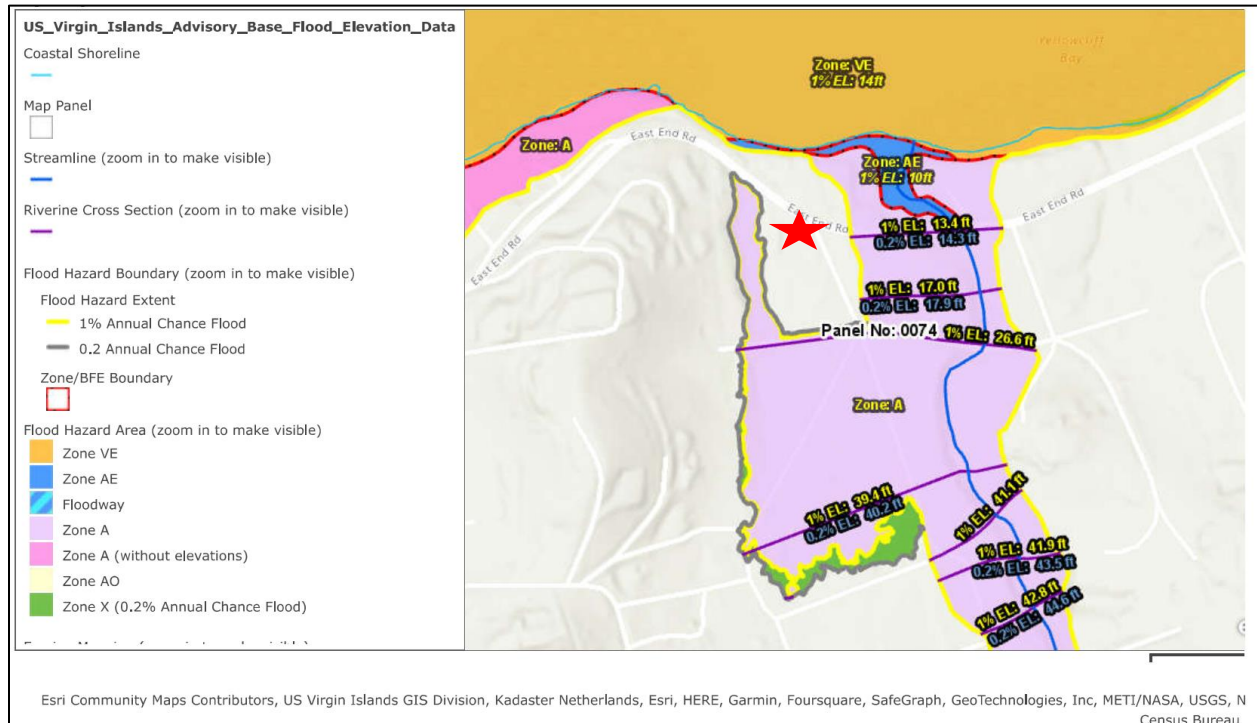


Figure 9. EPA Map of Nonattainment Areas for Criteria Pollutants (Green Book)

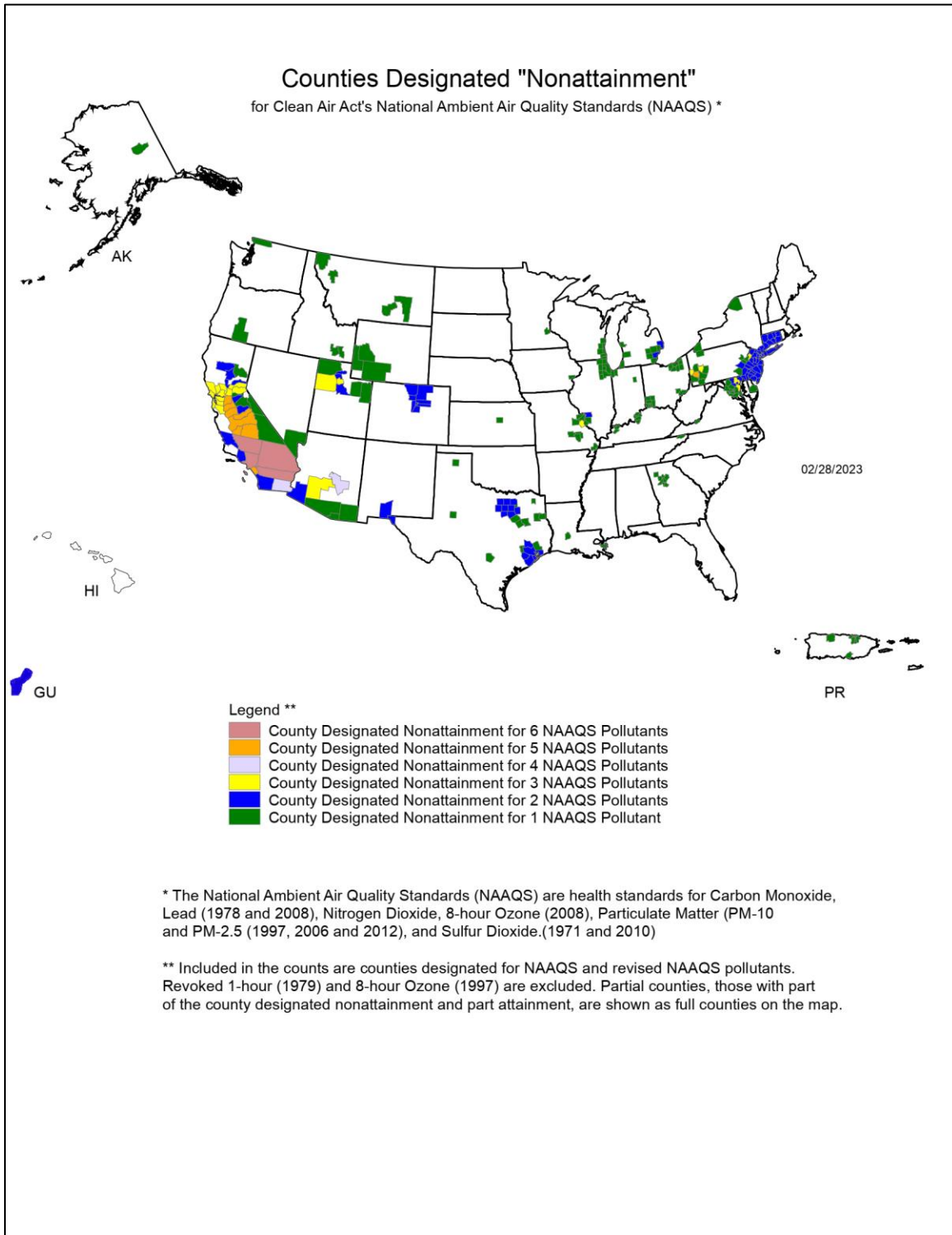



Figure 10. EPA Status of Air Quality State Implementation Plan (SIP)
 [Source: https://www3.epa.gov/airquality/urbanair/sipstatus/reports/vi_areabypoll.html]


United States Environmental Protection Agency

SIP Status Reports

[Air Quality Implementation Plans](#)
[SIP Status Reports](#)
[State Designated Area Reports](#)
[National Designated Area Reports](#)
[NAAQS Designated Area Reports](#)
[State Infrastructure Reports](#)
[National Infrastructure Reports](#)

[Contact Us](#)
You are here: [EPA Home](#) > [Air Quality Implementation Plans](#) > [SIP Status Reports](#) > Status of U.S. Virgin Islands Designated Areas

Status of U.S. Virgin Islands Designated Areas

U.S. Virgin Islands Areas by NAAQS
NOTE: As of 03/12/2021, these reports are no longer being updated. For the latest information, see the [SIP Status Tools](#).

Jump to U.S. Virgin Islands section for: [CO \(1971\)](#) [Lead \(1978\)](#) [Lead \(2008\)](#) [NO2 \(1971\)](#) [Ozone-1Hr \(1979\)](#) [Ozone-8Hr \(1997\)](#) [Ozone-8Hr \(2008\)](#) [Ozone-8Hr \(2015\)](#) [PM-10 \(1987\)](#) [PM-2.5 \(1997\)](#) [PM-2.5 \(2006\)](#) [PM-2.5 \(2012\)](#) [SO2 \(1971\)](#) [SO2 \(2010\)](#)

U.S. Virgin Islands CO (1971) Areas	Return to map
No designated areas for this pollutant.	
U.S. Virgin Islands Lead (1978) Areas	Return to map Top of page
No designated areas for this pollutant.	
U.S. Virgin Islands Lead (2008) Areas	Return to map Top of page
No designated areas for this pollutant.	
U.S. Virgin Islands NO2 (1971) Areas	Return to map Top of page
No designated areas for this pollutant.	
U.S. Virgin Islands Ozone-1Hr (1979) Areas	Return to map Top of page
No designated areas for this pollutant.	
U.S. Virgin Islands Ozone-8Hr (1997) Areas	Return to map Top of page
No designated areas for this pollutant.	
U.S. Virgin Islands Ozone-8Hr (2008) Areas	Return to map Top of page
No designated areas for this pollutant.	
U.S. Virgin Islands Ozone-8Hr (2015) Areas	Return to map Top of page
No designated areas for this pollutant.	
U.S. Virgin Islands PM-10 (1987) Areas	Return to map Top of page
No designated areas for this pollutant.	
U.S. Virgin Islands PM-2.5 (1997) Areas	Return to map Top of page
No designated areas for this pollutant.	
U.S. Virgin Islands PM-2.5 (2006) Areas	Return to map Top of page
No designated areas for this pollutant.	
U.S. Virgin Islands PM-2.5 (2012) Areas	Return to map Top of page
No designated areas for this pollutant.	
U.S. Virgin Islands SO2 (1971) Areas	Return to map Top of page
No designated areas for this pollutant.	
U.S. Virgin Islands SO2 (2010) Areas	Return to map Top of page
No designated areas for this pollutant.	

We have made our best effort to ensure that the data contained in these reports is accurate. We note that there may be brief delays in updating the reports as we receive new state submissions and we take rulemaking action on plans. In order to assist us in providing accurate information, we request that you contact us by clicking on the "Contact Us" link near the top of this page with any comments regarding or corrections to the posted information, including concerns about whether the entries reflect the most recent status.

Current and historical design value data can be found on the [EPA Air Quality Design Values website](#) and the [EPA Green Book](#) contains comprehensive nonattainment area, designation status, and historical information.

The level of the 1-hour NAAQS for sulfur dioxide is 75 parts per billion (ppb) calculated as the 3-year average of the 99th percentile of the annual distribution of daily maximum 1-hour average concentrations.

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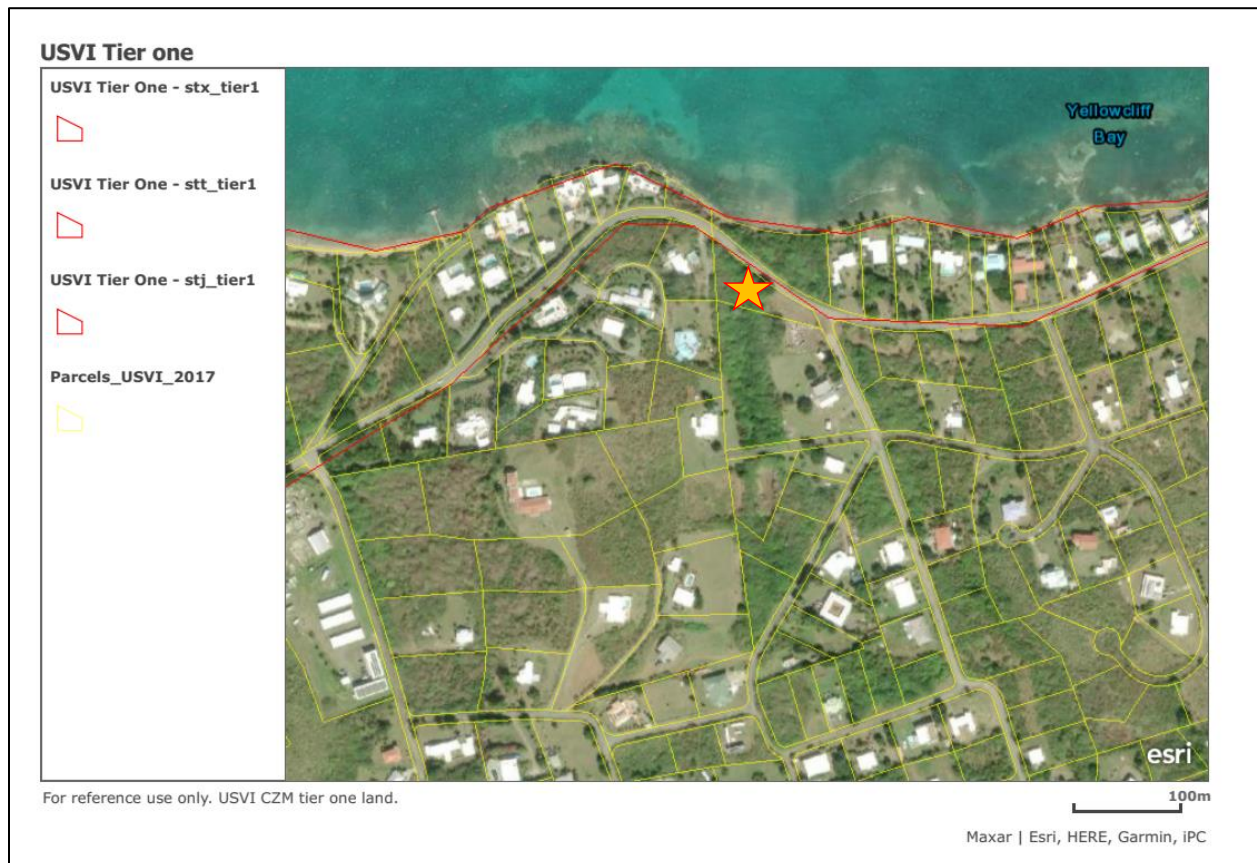



Figure 11. U.S. Virgin Islands Department of Planning and Natural Resources (DPNR) Coastal Zone Management Agency (CZM) Tier 1 Map

[Source: <https://dpnr.vi.gov/coastal-zone-management/what-we-do/coastal-zone-permitting/>]



Note: The orange star indicates the location of the proposed project site.

Figure 12. Phase II Soil Sample Results



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8 East Tower Circle
Ormond Beach, FL 32174
(386)672-5668

ANALYTICAL RESULTS

Project: Cotton Valley
Pace Project No.: 35806837

Sample: Cotton Valley-01 N17.75827 Lab ID: 35806837001 Collected: 06/13/23 13:13 Received: 06/15/23 10:20 Matrix: Solid
W64

Results reported on a "dry weight" basis and are adjusted for percent moisture, sample size and any dilutions.

Parameters	Results	Units	PQL	MDL	DF	Prepared	Analyzed	CAS No.	Qual
FL-PRO Soil Microwave Analytical Method: FL-PRO Preparation Method: EPA 3546 Pace Analytical Services - Ormond Beach									
Petroleum Range Organics	523	mg/kg	6.1	5.3	1	06/15/23 23:58	06/16/23 12:38		
Surrogates									
o-Terphenyl (S)	79	%	66-136		1	06/15/23 23:58	06/16/23 12:38	84-15-1	
N-Pentatriacontane (S)	66	%	42-159		1	06/15/23 23:58	06/16/23 12:38	630-07-09	
6010 MET ICP Analytical Method: EPA 6010 Preparation Method: EPA 3050 Pace Analytical Services - Ormond Beach									
Lead	2.8	mg/kg	0.46	0.23	1	06/21/23 05:55	06/21/23 21:19	7439-92-1	
Percent Moisture Analytical Method: ASTM D2974-87 Pace Analytical Services - Ormond Beach									
Percent Moisture	2.9	%	0.10	0.10	1		06/20/23 09:21		

Sample: Cotton Valley-02 N17.75837 Lab ID: 35806837002 Collected: 06/13/23 13:21 Received: 06/15/23 10:20 Matrix: Solid
W64

Results reported on a "dry weight" basis and are adjusted for percent moisture, sample size and any dilutions.

Parameters	Results	Units	PQL	MDL	DF	Prepared	Analyzed	CAS No.	Qual
FL-PRO Soil Microwave Analytical Method: FL-PRO Preparation Method: EPA 3546 Pace Analytical Services - Ormond Beach									
Petroleum Range Organics	577	mg/kg	6.4	5.5	1	06/15/23 23:58	06/19/23 11:13		
Surrogates									
o-Terphenyl (S)	79	%	66-136		1	06/15/23 23:58	06/19/23 11:13	84-15-1	
N-Pentatriacontane (S)	72	%	42-159		1	06/15/23 23:58	06/19/23 11:13	630-07-09	
6010 MET ICP Analytical Method: EPA 6010 Preparation Method: EPA 3050 Pace Analytical Services - Ormond Beach									
Lead	340	mg/kg	2.8	1.4	5	06/21/23 05:55	06/23/23 02:21	7439-92-1	
Percent Moisture Analytical Method: ASTM D2974-87 Pace Analytical Services - Ormond Beach									
Percent Moisture	7.4	%	0.10	0.10	1		06/20/23 09:21		

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ANALYTICAL RESULTS

Project: Cotton Valley
Pace Project No.: 35806837

Sample: Cotton Valley-03 N175849 Lab ID: 35806837003 Collected: 06/13/23 13:30 Received: 06/15/23 10:20 Matrix: Solid
W64.6

Results reported on a "dry weight" basis and are adjusted for percent moisture, sample size and any dilutions.

Parameters	Results	Units	PQL	MDL	DF	Prepared	Analyzed	CAS No.	Qual
FL-PRO Soil Microwave Analytical Method: FL-PRO Preparation Method: EPA 3546 Pace Analytical Services - Ormond Beach									
Petroleum Range Organics	54900	mg/kg	1260	1080	200	06/15/23 23:58	06/19/23 12:50		
Surrogates									
o-Terphenyl (S)	229	%	66-136		200	06/15/23 23:58	06/19/23 12:50	84-15-1	S5
N-Pentatriacontane (S)	144	%	42-159		200	06/15/23 23:58	06/19/23 12:50	630-07-09	
6010 MET ICP Analytical Method: EPA 6010 Preparation Method: EPA 3050 Pace Analytical Services - Ormond Beach									
Lead	38.7	mg/kg	1.2	0.60	2	06/21/23 05:55	06/21/23 21:42	7439-92-1	
Percent Moisture Analytical Method: ASTM D2974-87 Pace Analytical Services - Ormond Beach									
Percent Moisture	5.1	%	0.10	0.10	1		06/20/23 09:21		

Sample: Cotton Valley-04 N17.75846 Lab ID: 35806837004 Collected: 06/13/23 13:41 Received: 06/15/23 10:20 Matrix: Solid
W64

Results reported on a "dry weight" basis and are adjusted for percent moisture, sample size and any dilutions.

Parameters	Results	Units	PQL	MDL	DF	Prepared	Analyzed	CAS No.	Qual
FL-PRO Soil Microwave Analytical Method: FL-PRO Preparation Method: EPA 3546 Pace Analytical Services - Ormond Beach									
Petroleum Range Organics	1310	mg/kg	62.4	53.7	10	06/15/23 23:58	06/19/23 13:03		
Surrogates									
o-Terphenyl (S)	99	%	66-136		10	06/15/23 23:58	06/19/23 13:03	84-15-1	
N-Pentatriacontane (S)	90	%	42-159		10	06/15/23 23:58	06/19/23 13:03	630-07-09	
6010 MET ICP Analytical Method: EPA 6010 Preparation Method: EPA 3050 Pace Analytical Services - Ormond Beach									
Lead	21.3	mg/kg	0.56	0.28	1	06/21/23 05:55	06/21/23 21:45	7439-92-1	
Percent Moisture Analytical Method: ASTM D2974-87 Pace Analytical Services - Ormond Beach									
Percent Moisture	4.8	%	0.10	0.10	1		06/20/23 09:21		


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Figure 13. U.S. Fish and Wildlife Service, IPaC Tool, Endangered Species

IPaC Information for Planning and Consultation	U.S. Fish & Wildlife Service
<h2>IPaC resource list</h2> <p>This report is an automatically generated list of species and other resources such as critical habitat (collectively referred to as <i>trust resources</i>) under the U.S. Fish and Wildlife Service's (USFWS) jurisdiction that are known or expected to be on or near the project area referenced below. The list may also include trust resources that occur outside of the project area, but that could potentially be directly or indirectly affected by activities in the project area. However, determining the likelihood and extent of effects a project may have on trust resources typically requires gathering additional site-specific (e.g., vegetation/species surveys) and project-specific (e.g., magnitude and timing of proposed activities) information.</p> <p>Below is a summary of the project information you provided and contact information for the USFWS office(s) with jurisdiction in the defined project area. Please read the introduction to each section that follows (Endangered Species, Migratory Birds, USFWS Facilities, and NWI Wetlands) for additional information applicable to the trust resources addressed in that section.</p> <h3>Location</h3> <p>St. Croix County, Virgin Islands</p>  <h3>Local office</h3> <p>Caribbean Ecological Services Field Office</p> <p>☎ (787) 834-1600 📠 (787) 851-7440 ✉ CARIBBEAN_ES@FWS.GOV</p> <p>MAILING ADDRESS Post Office Box 491 Boqueron, PR 00622-0491</p> <p>PHYSICAL ADDRESS Office Park I State Road #2 Km 156.5, Suite 303 Mayaguez, PR 00680</p>	

Endangered species

This resource list is for informational purposes only and does not constitute an analysis of project level impacts.

The primary information used to generate this list is the known or expected range of each species. Additional areas of influence (AOI) for species are also considered. An AOI includes areas outside of the species range if the species could be indirectly affected by activities in that area (e.g., placing a dam upstream of a fish population even if that fish does not occur at the dam site, may indirectly impact the species by reducing or eliminating water flow downstream). Because species can move, and site conditions can change, the species on this list are not guaranteed to be found on or near the project area. To fully determine any potential effects to species, additional site-specific and project-specific information is often required.

Section 7 of the Endangered Species Act requires Federal agencies to "request of the Secretary information whether any species which is listed or proposed to be listed may be present in the area of such proposed action" for any project that is conducted, permitted, funded, or licensed by any Federal agency. A letter from the local office and a species list which fulfills this requirement can only be obtained by requesting an official species list from either the Regulatory Review section in IPaC (see directions below) or from the local field office directly.

For project evaluations that require USFWS concurrence/review, please return to the IPaC website and request an official species list by doing the following:

1. Draw the project location and click CONTINUE.
2. Click DEFINE PROJECT.
3. Log in (if directed to do so).
4. Provide a name and description for your project.
5. Click REQUEST SPECIES LIST.

Listed species¹ and their critical habitats are managed by the [Ecological Services Program](#) of the U.S. Fish and Wildlife Service (USFWS) and the fisheries division of the National Oceanic and Atmospheric Administration (NOAA Fisheries²).

Species and critical habitats under the sole responsibility of NOAA Fisheries are **not** shown on this list. Please contact [NOAA Fisheries](#) for [species under their jurisdiction](#).

1. Species listed under the [Endangered Species Act](#) are threatened or endangered; IPaC also shows species that are candidates, or proposed, for listing. See the [listing status page](#) for more information. IPaC only shows species that are regulated by USFWS (see FAQ).
2. [NOAA Fisheries](#), also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

The following species are potentially affected by activities in this location:

Mammals

NAME	STATUS
West Indian Manatee <i>Trichechus manatus</i> Wherever found There is final critical habitat for this species. Your location does not overlap the critical habitat. https://ecos.fws.gov/ecp/species/4469	Threatened Marine mammal

Reptiles

NAME	STATUS
Green Sea Turtle <i>Chelonia mydas</i> There is final critical habitat for this species. Your location does not overlap the critical habitat. https://ecos.fws.gov/ecp/species/6199	Threatened
Hawksbill Sea Turtle <i>Eretmochelys imbricata</i> Wherever found There is final critical habitat for this species. Your location does not overlap the critical habitat. https://ecos.fws.gov/ecp/species/3656	Endangered
Leatherback Sea Turtle <i>Dermochelys coriacea</i> Wherever found There is final critical habitat for this species. Your location does not overlap the critical habitat. https://ecos.fws.gov/ecp/species/1493	Endangered
Loggerhead Sea Turtle <i>Caretta caretta</i> There is final critical habitat for this species. Your location does not overlap the critical habitat. https://ecos.fws.gov/ecp/species/1110	Threatened
Olive Ridley Sea Turtle <i>Lepidochelys olivacea</i> No critical habitat has been designated for this species. https://ecos.fws.gov/ecp/species/1513	Threatened

Critical habitats

Potential effects to critical habitat(s) in this location must be analyzed along with the endangered species themselves.

There are no critical habitats at this location.

You are still required to determine if your project(s) may have effects on all above listed species.

Bald & Golden Eagles

There are no documented cases of eagles being present at this location. However, if you believe eagles may be using your site, please reach out to the local Fish and Wildlife Service office.

Additional information can be found using the following links:

- Eagle Management <https://www.fws.gov/program/eagle-management>
- Measures for avoiding and minimizing impacts to birds <https://www.fws.gov/library/collections/avoiding-and-minimizing-incident-take-migratory-birds>

- Nationwide conservation measures for birds <https://www.fws.gov/sites/default/files/documents/nationwide-standard-conservation-measures.pdf>

What does iPaC use to generate the potential presence of bald and golden eagles in my specified location?

The potential for eagle presence is derived from data provided by the [Avian Knowledge Network \(AKN\)](#). The AKN data is based on a growing collection of [survey, banding, and citizen science datasets](#), and is queried and filtered to return a list of those birds reported as occurring in the 10km grid cell(s) which your project intersects, and that have been identified as warranting special attention because they are a BCC species in that area, an eagle ([Eagle Act](#) requirements may apply). To see a list of all birds potentially present in your project area, please visit the [Rapid Avian Information Locator \(RAIL\) Tool](#).

What does iPaC use to generate the probability of presence graphs of bald and golden eagles in my specified location?

The Migratory Bird Resource List is comprised of USFWS [Birds of Conservation Concern \(BCC\)](#) and other species that may warrant special attention in your project location.

The migratory bird list generated for your project is derived from data provided by the [Avian Knowledge Network \(AKN\)](#). The AKN data is based on a growing collection of [survey, banding, and citizen science datasets](#) and is queried and filtered to return a list of those birds reported as occurring in the 10km grid cell(s) which your project intersects, and that have been identified as warranting special attention because they are a BCC species in that area, an eagle ([Eagle Act](#) requirements may apply), or a species that has a particular vulnerability to offshore activities or development.

Again, the Migratory Bird Resource list includes only a subset of birds that may occur in your project area. It is not representative of all birds that may occur in your project area. To get a list of all birds potentially present in your project area, please visit the [Rapid Avian Information Locator \(RAIL\) Tool](#).

What if I have eagles on my list?

If your project has the potential to disturb or kill eagles, you may need to obtain a permit to avoid violating the [Eagle Act](#) should such impacts occur. Please contact your local Fish and Wildlife Service Field Office if you have questions.

Migratory birds

Certain birds are protected under the Migratory Bird Treaty Act¹ and the Bald and Golden Eagle Protection Act².

Any person or organization who plans or conducts activities that may result in impacts to migratory birds, eagles, and their habitats should follow appropriate regulations and consider implementing appropriate conservation measures, as described below.

1. The [Migratory Birds Treaty Act](#) of 1918.
2. The [Bald and Golden Eagle Protection Act](#) of 1940.

Additional information can be found using the following links:

- Birds of Conservation Concern <https://www.fws.gov/program/migratory-birds/species>
- Measures for avoiding and minimizing impacts to birds <https://www.fws.gov/library/collections/avoiding-and-minimizing-incident-take-migratory-birds>
- Nationwide conservation measures for birds <https://www.fws.gov/sites/default/files/documents/nationwide-standard-conservation-measures.pdf>

The [data](#) in this location indicates there are no migratory [birds of conservation concern](#) expected to occur in this area.

There may be migratory birds in your project area, but we don't have any survey data available to provide further direction. For additional information, please refer to the links above for recommendations to minimize impacts to migratory birds or contact your local FWS office.

Tell me more about conservation measures I can implement to avoid or minimize impacts to migratory birds.

[Nationwide Conservation Measures](#) describes measures that can help avoid and minimize impacts to all birds at any location year round. Implementation of these measures is particularly important when birds are most likely to occur in the project area. When birds may be breeding in the area, identifying the locations of any active nests and avoiding their destruction is a very helpful impact minimization measure. To see when birds are most likely to occur and be breeding in your project area, view the Probability of Presence Summary. [Additional measures](#) or [permits](#) may be advisable depending on the type of activity you are conducting and the type of infrastructure or bird species present on your project site.

What does iPaC use to generate the list of migratory birds that potentially occur in my specified location?

The Migratory Bird Resource List is comprised of USFWS [Birds of Conservation Concern \(BCC\)](#) and other species that may warrant special attention in your project location.

The migratory bird list generated for your project is derived from data provided by the [Avian Knowledge Network \(AKN\)](#). The AKN data is based on a growing collection of [survey, banding, and citizen science datasets](#) and is queried and filtered to return a list of those birds reported as occurring in the 10km grid cell(s) which your project intersects, and that have been identified as warranting special attention because they are a BCC species in that area, an eagle ([Eagle Act](#) requirements may apply), or a species that has a particular vulnerability to offshore activities or development.

Again, the Migratory Bird Resource list includes only a subset of birds that may occur in your project area. It is not representative of all birds that may occur in your project area. To get a list of all birds potentially present in your project area, please visit the [Rapid Avian Information Locator \(RAIL\) Tool](#).

What does iPaC use to generate the probability of presence graphs for the migratory birds potentially occurring in my specified location?

The probability of presence graphs associated with your migratory bird list are based on data provided by the [Avian Knowledge Network \(AKN\)](#). This data is derived from a growing collection of [survey, banding, and citizen science datasets](#).

Probability of presence data is continuously being updated as new and better information becomes available. To learn more about how the probability of presence graphs are produced and how to interpret them, go the Probability of Presence Summary and then click on the "Tell me about these graphs" link.

How do I know if a bird is breeding, wintering or migrating in my area?

To see what part of a particular bird's range your project area falls within (i.e. breeding, wintering, migrating or year-round), you may query your location using the [RAIL Tool](#) and look at the range maps provided for birds in your area at the bottom of the profiles provided for each bird in your results. If a bird on your migratory bird species list has a breeding season associated with it, if that bird does occur in your project area, there may be nests present at some point within the timeframe specified. If "Breeds elsewhere" is indicated, then the bird likely does not breed in your project area.

What are the levels of concern for migratory birds?

Migratory birds delivered through iPaC fall into the following distinct categories of concern:

1. "BCC Rangewide" birds are [Birds of Conservation Concern \(BCC\)](#) that are of concern throughout their range anywhere within the USA (including Hawaii, the Pacific Islands, Puerto Rico, and the Virgin Islands);
2. "BCC - BCR" birds are BCCs that are of concern only in particular Bird Conservation Regions (BCRs) in the continental USA; and
3. "Non-BCC - Vulnerable" birds are not BCC species in your project area, but appear on your list either because of the [Eagle Act](#) requirements (for eagles) or (for non-eagles) potential susceptibilities in offshore areas from certain types of development or activities (e.g. offshore energy development or longline fishing).

Although it is important to try to avoid and minimize impacts to all birds, efforts should be made, in particular, to avoid and minimize impacts to the birds on this list, especially eagles and BCC species of rangewide concern. For more information on conservation measures you can implement to help avoid and minimize migratory bird impacts and requirements for eagles, please see the FAQs for these topics.

Details about birds that are potentially affected by offshore projects

For additional details about the relative occurrence and abundance of both individual bird species and groups of bird species within your project area off the Atlantic Coast, please visit the [Northeast Ocean Data Portal](#). The Portal also offers data and information about other taxa besides birds that may be helpful to you in your project review. Alternately, you may download the bird model results files underlying the portal maps through the [NOAA NCCOS Integrative Statistical Modeling and Predictive Mapping of Marine Bird Distributions and Abundance on the Atlantic Outer Continental Shelf](#) project webpage.

Bird tracking data can also provide additional details about occurrence and habitat use throughout the year, including migration. Models relying on survey data may not include this information. For additional information on marine bird tracking data, see the [Diving Bird Study](#) and the [nanotag studies](#) or contact [Caleb Spiegel](#) or [Pam Loring](#).

What if I have eagles on my list?

If your project has the potential to disturb or kill eagles, you may need to [obtain a permit](#) to avoid violating the Eagle Act should such impacts occur.

Proper Interpretation and Use of Your Migratory Bird Report

The migratory bird list generated is not a list of all birds in your project area, only a subset of birds of priority concern. To learn more about how your list is generated, and see options for identifying what other birds may be in your project area, please see the FAQ "What does iPaC use to generate the migratory birds potentially occurring in my specified location". Please be aware this report provides the "probability of presence" of birds within the 10 km grid cell(s) that overlap your project; not your exact project footprint. On the graphs provided, please also look carefully at the survey effort (indicated by the black vertical bar) and for the existence of the "no data" indicator (a red horizontal bar). A high survey effort is the key component. If the survey effort is high, then the probability of presence score can be viewed as more dependable. In contrast, a low survey effort bar or no data bar means a lack of data and, therefore, a lack of certainty about presence of the species. This list is not perfect; it is simply a starting point for identifying what birds of concern have the potential to be in your project area, when they might be there, and if they might be breeding (which means nests might be present). The list helps you know what to look for to confirm presence, and helps guide you in knowing when to implement conservation measures to avoid or minimize potential impacts from your project activities, should presence be confirmed. To learn more about conservation measures, visit the FAQ "Tell me about conservation measures I can implement to avoid or minimize impacts to migratory birds" at the bottom of your migratory bird trust resources page.

NOT FOR CONSULTATION

Marine mammals

Marine mammals are protected under the [Marine Mammal Protection Act](#). Some are also protected under the Endangered Species Act¹ and the Convention on International Trade in Endangered Species of Wild Fauna and Flora².

The responsibilities for the protection, conservation, and management of marine mammals are shared by the U.S. Fish and Wildlife Service (responsible for otters, walrus, polar bears, manatees, and dugongs) and NOAA Fisheries³ (responsible for seals, sea lions, whales, dolphins, and porpoises). Marine mammals under the responsibility of NOAA Fisheries are **not** shown on this list; for additional information on those species please visit the [Marine Mammals](#) page of the NOAA Fisheries website.

The Marine Mammal Protection Act prohibits the take (to harass, hunt, capture, kill, or attempt to harass, hunt, capture or kill) of marine mammals and further coordination may be necessary for project evaluation. Please contact the U.S. Fish and Wildlife Service Field Office shown.

1. The [Endangered Species Act](#) (ESA) of 1973.
2. The [Convention on International Trade in Endangered Species of Wild Fauna and Flora](#) (CITES) is a treaty to ensure that international trade in plants and animals does not threaten their survival in the wild.
3. [NOAA Fisheries](#), also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

The following marine mammals under the responsibility of the U.S. Fish and Wildlife Service are potentially affected by activities in this location:

NAME

West Indian Manatee *Trichechus manatus*
<https://ecos.fws.gov/ecp/species/4469>

Facilities

National Wildlife Refuge lands

Any activity proposed on lands managed by the [National Wildlife Refuge](#) system must undergo a 'Compatibility Determination' conducted by the Refuge. Please contact the individual Refuges to discuss any questions or concerns.

There are no refuge lands at this location.

Fish hatcheries

There are no fish hatcheries at this location.

Wetlands in the National Wetlands Inventory (NWI)

Impacts to [NWI wetlands](#) and other aquatic habitats may be subject to regulation under Section 404 of the Clean Water Act, or other State/Federal statutes.

For more information please contact the Regulatory Program of the local [U.S. Army Corps of Engineers District](#).

Please note that the NWI data being shown may be out of date. We are currently working to update our NWI data set. We recommend you verify these results with a site visit to determine the actual extent of wetlands on site.

This location overlaps the following wetlands:

ESTUARINE AND MARINE DEEPWATER

[M1UBL](#)
[M1RF1L](#)

ESTUARINE AND MARINE WETLAND

[M2B51N](#)

FRESHWATER EMERGENT WETLAND

[PEM1Ch](#)

RIVERINE

[R4SBC](#)

A full description for each wetland code can be found at the [National Wetlands Inventory website](#)

NOTE: This initial screening does **not** replace an on-site delineation to determine whether wetlands occur. Additional information on the NWI data is provided below.

Data limitations

The Service's objective of mapping wetlands and deepwater habitats is to produce reconnaissance level information on the location, type and size of these resources. The maps are prepared from the analysis of high altitude imagery. Wetlands are identified based on vegetation, visible hydrology and geography. A margin of error is inherent in the use of imagery; thus, detailed on-the-ground inspection of any particular site may result in revision of the wetland boundaries or classification established through image analysis.

The accuracy of image interpretation depends on the quality of the imagery, the experience of the image analysts, the amount and quality of the collateral data and the amount of ground truth verification work conducted. Metadata should be consulted to determine the date of the source imagery used and any mapping problems.

Wetlands or other mapped features may have changed since the date of the imagery or field work. There may be occasional differences in polygon boundaries or classifications between the information depicted on the map and the actual conditions on site.

Data exclusions



Certain wetland habitats are excluded from the National mapping program because of the limitations of aerial imagery as the primary data source used to detect wetlands. These habitats include seagrasses or submerged aquatic vegetation that are found in the intertidal and subtidal zones of estuaries and nearshore coastal waters. Some deepwater reef communities (coral or tubercid worm reefs) have also been excluded from the inventory. These habitats, because of their depth, go undetected by aerial imagery.

Data precautions

Federal, state, and local regulatory agencies with jurisdiction over wetlands may define and describe wetlands in a different manner than that used in this inventory. There is no attempt, in either the design or products of this inventory, to define the limits of proprietary jurisdiction of any Federal, state, or local government or to establish the geographical scope of the regulatory programs of government agencies. Persons intending to engage in activities involving modifications within or adjacent to wetland areas should seek the advice of appropriate Federal, state, or local agencies concerning specified agency regulatory programs and proprietary jurisdictions that may affect such activities.

NOT FOR CONSULTATION

Figure 14. U.S. Fish and Wildlife Service Concurrence Letter

	<p>United States Department of the Interior</p> <p>FISH AND WILDLIFE SERVICE Caribbean Ecological Services Field Office Bayamón Mayagüez Maricao Río Grande St Croix P.O. Box 491 Boquerón, Puerto Rico 00622</p>	
<p>In Reply Refer to: FWS/R4/CESFO/78MM-190</p>		
<p>Submitted Via Electronic Mail: (kveira@vihfa.gov)</p>		
<p>Kyora Veira Senior Environmental Manager Community Development Block Grant - Disaster Recovery Program Virgin Islands Housing Finance Authority 3202 Demarara Plaza, Ste. 200 St. Thomas, USVI 00802-6447</p>		
<p>Re: U.S. Virgin Island Waste Management Authority Convenience Centers</p>		
<p>Dear Mrs. Veira:</p>		
<p>Thank you for your letter of June 16, 2023, requesting concurrence on the above referenced project. As per your request, our comments are provided under the Endangered Species Act (Act) (87 Stat. 884, as amended; 16 United States Code 1531 et seq.), and the Fish and Wildlife Coordination Act (48 Stat. 401, as amended; 16 U.S.C. 661 et seq.).</p>		
<p>The Virgin Islands Housing Finance Authority (VIHFA) with funds from the U.S. Department of Housing and Urban Development's Community Development Block Grant – Recovery Funds (CDBG-DR) is proposing to develop five public Convenience Centers for the disposal of solid waste and recycling on the following locations of St. Croix and St. Thomas:</p>		
<p>St. Croix:</p> <ol style="list-style-type: none">1. Cotton Valley Convenience Center (17°45'30.3"N 64°37'22.9"W)2. Mon Bijou Convenience Center (17°44'21.8"N 64°47'02.7"W)3. Concordia Convenience Center (17°42'02.4"N 64°52'15.2"W)		
<p>St. Thomas:</p> <ol style="list-style-type: none">1. Red Hook Convenience Center (18°19'22.8"N 64°51'22.7"W)2. Smith Bay Convenience Center (18°20'37.4"N 64°52'08.3"W)		
<p>Based on the information provided in your letter, the proposed project sites are located within the range of the following federally listed species:</p>		

Location	Species
Mon Bijou Convenience Center	No listed species
Concordia Convenience Center	Vahl's boxwood (<i>Buxus vahliei</i>)
Cotton Valley Convenience Center	Vahl's boxwood (<i>Buxus vahliei</i>)
	West Indian manatee (<i>Trichechus manatus</i>)
	Hawksbill sea turtle (<i>Eretmochelys imbricata</i>)
	Green sea turtle (<i>Chelonia mydas</i>)
	Leatherback sea turtle (<i>Dermochelys coriacea</i>)
	Loggerhead sea turtle (<i>Caretta caretta</i>)
Red Hook Convenience Center	Virgin Islands tree boa (<i>Chilabothrus granti</i>)
Smith Bay Convenience Center	Virgin Islands tree boa (<i>Chilabothrus granti</i>)

Based on the nature of the project, scope of work, information available VIHFA has determined that the proposed project will result in no effect (NE) for the West Indian manatee, Vahl's boxwood and the sea turtles. As for the Virgin Islands tree boa, VIHFA determined that the proposed project *may affect but is not likely to adversely affect* (NLAA) the specie and will implement conservation measures previously provided by the U.S. Fish and Wildlife Service (Service).

We acknowledge receipt of your no effect (NE) determinations for the West Indian manatee, Vahl's boxwood and the sea turtles. Currently we do not have any information to refute your determination. Because you made a NE determination, you are not required to conduct formal or informal section 7 consultation with the Service and the Service is not required to concur with your NE determination.

As for the Virgin Islands tree boa, we have reviewed the information provided in your letter and our files and concur with the above *may affect but is not likely to adversely affect* (NLAA) determination.

In view of this, we believe that requirements of section 7 of the Act have been satisfied. However, obligations under section 7 of the Act must be reconsidered if: (1) new information reveals impacts of this identified action that may affect listed species or critical habitat in a manner that was not previously considered; (2) this action is subsequently modified in a manner not previously considered in this assessment; or (3) a new species is listed, or critical habitat determined that may be affected by the identified action.

Thank you for the opportunity to comment on this project. If you have any questions or require additional information, please contact us at caribbean_es@fws.gov.

Sincerely yours,

EDWIN MUNIZ

Digitally signed by EDWIN
MUNIZ
Date: 2023.06.30 13:38:08
-04'00'

Edwin E. Muñoz
Field Supervisor

drr

Figure 15. Nearest Above Ground Storage Tanks to the Cotton Valley Convenience Center

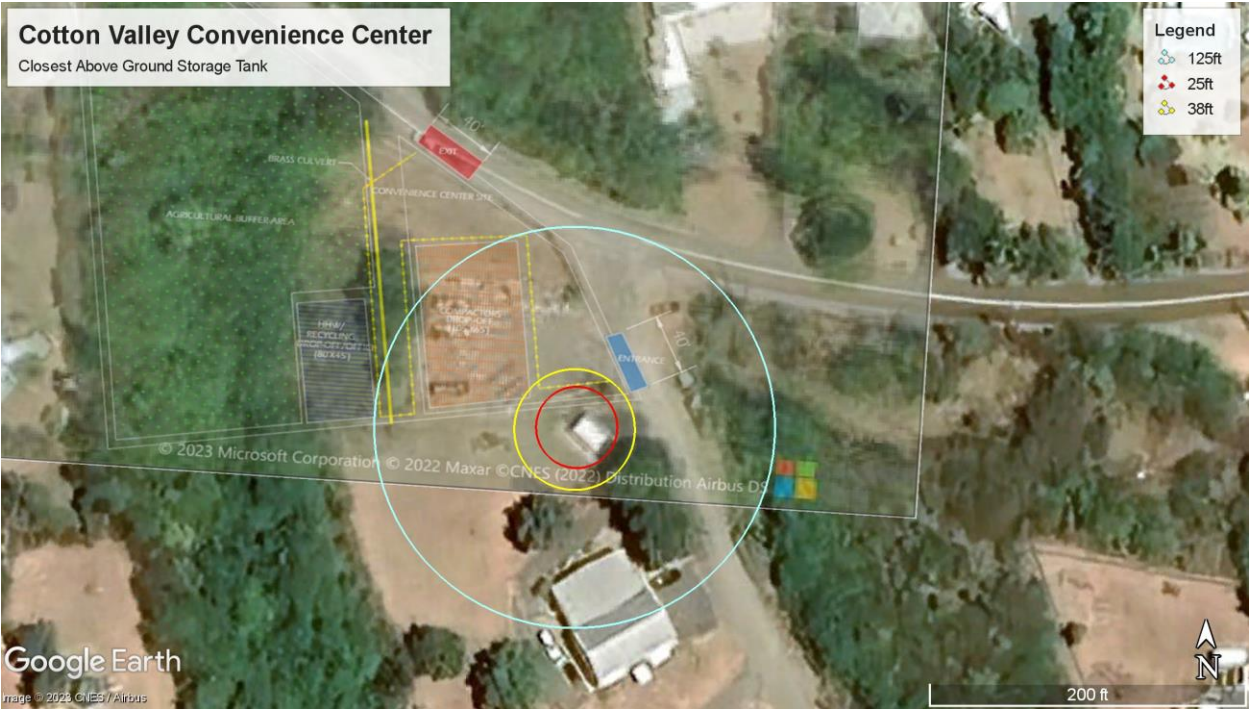


Figure 16. Acceptable Separation Distance (ASD) Electronic Assessment Tool

Acceptable Separation Distance Assessment Tool

Is the container above ground?	Yes: <input checked="" type="checkbox"/> No: <input type="checkbox"/>
Is the container under pressure?	Yes: <input type="checkbox"/> No: <input checked="" type="checkbox"/>
Does the container hold a cryogenic liquified gas?	Yes: <input type="checkbox"/> No: <input type="checkbox"/>
Is the container diked?	Yes: <input type="checkbox"/> No: <input checked="" type="checkbox"/>
What is the volume (gal) of the container?	<input type="text" value="90"/>
What is the Diked Area Length (ft)?	<input type="text"/>
What is the Diked Area Width (ft)?	<input type="text"/>
<input type="button" value="Calculate Acceptable Separation Distance"/>	
Diked Area (sqft)	<input type="text"/>
ASD for Blast Over Pressure (ASDBOP)	<input type="text"/>
ASD for Thermal Radiation for People (ASDPPU)	<input type="text" value="101.42"/>
ASD for Thermal Radiation for Buildings (ASDBPU)	<input type="text" value="16.52"/>
ASD for Thermal Radiation for People (ASDPNPD)	<input type="text"/>
ASD for Thermal Radiation for Buildings (ASDBNPD)	<input type="text"/>

For mitigation options, please click on the following link: [Mitigation Options](#)

Figure 17. USDA-NRCS Farmland Classification Map

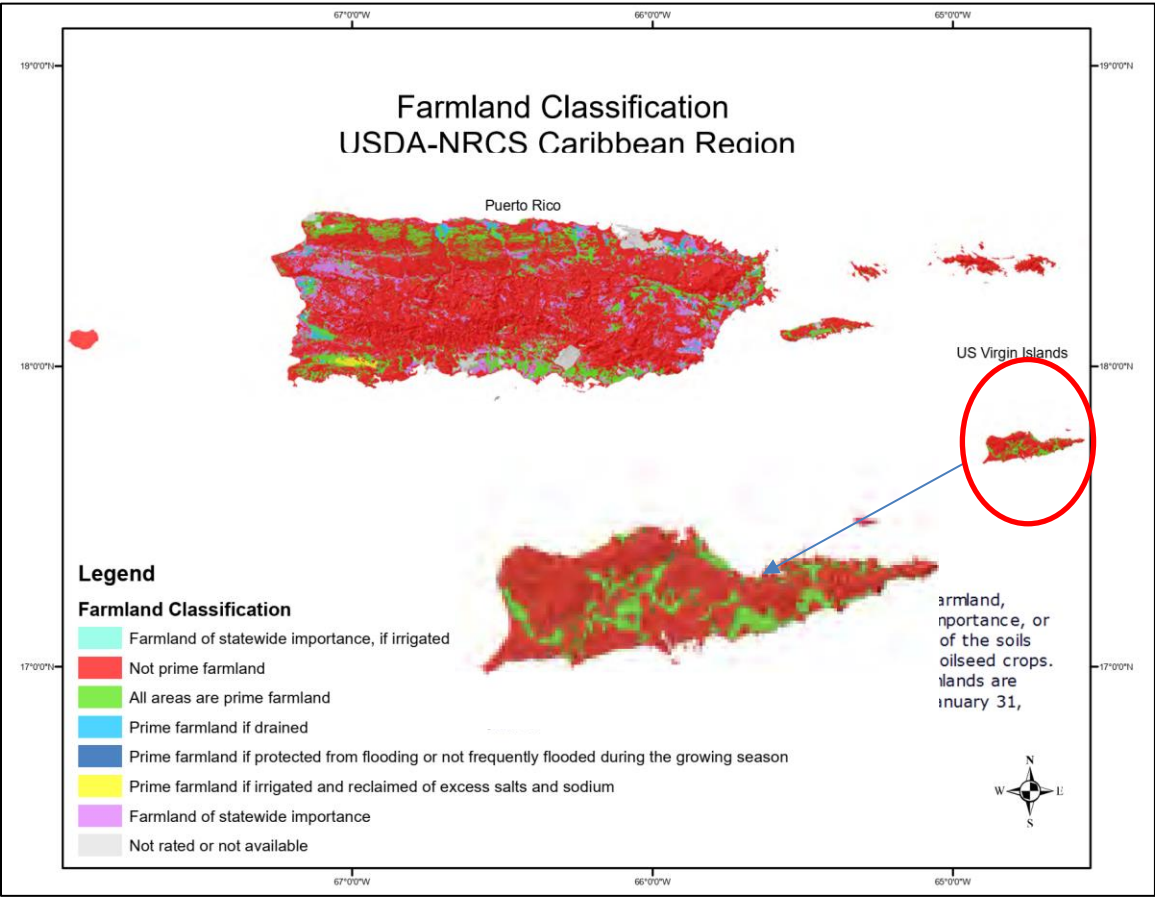


Figure 18. VIRGIN ISLANDS DEPARTMENT OF PLANNING AND NATURAL
RESOURCES -
ZONING AND LAND USE ASSESSMENT



Name of Project: Cotton Valley Convenience Center

Location: Parcel No. 1 Estate Cotton Valley, East End Quarter "B", St. Croix

Activity: Waste Management Solid Waste Facility- Convenience Center Developm

**VIRGIN ISLANDS DEPARTMENT OF PLANNING AND NATURAL RESOURCES -
ZONING AND LAND USE ASSESSMENT**

The activities and location of the proposed project have been analyzed and assessed and, to the best of my knowledge, the following situations apply:

- (1) What is the zoning designation for the proposed site location?
P-Public as per Act No. 8607
- (2) Is the property appropriately zoned for the proposed use?
Yes ☒ No ☐
- (3) If not, is the required zoning change feasible?
Yes ☐ No ☒
- (4) Is the use of the property in compliance with present or projected land use or development plans?
Yes ☒ No ☐
- (5) Does "important farmland", including prime farmland, unique farmland, or farmland of local importance regulated under the Farmland Protection Policy Act, occur on the proposed project site?
Yes ☐ No ☒
- (6) Will the proposed project cause a conversion of land use?
Yes ☐ No ☒
- (7) Other comments:
Use would be permitted under category "Refuse Disposals (Solid Waste)."

Name (Print): Leia LaPlace


Signature: 

Title: Territorial Planner

Date: 12/5/2022

Organization: Dept. of Planning & Natural Resources

Figure 19. Historic Preservation and Cultural Resources Assessment

 **Name of Project:** Cotton Valley Convenience Center
Location: Parcel No. 1 Estate Cotton Valley, East End Quarter "B", St. Croix
Activity: Waste Management Solid Waste Facility- Convenience Center Developm

**VIRGIN ISLANDS DEPARTMENT OF PLANNING AND NATURAL RESOURCES -
HISTORIC PRESERVATION AND CULTURAL RESOURCES ASSESSMENT**

The activities and location of the proposed project have been analyzed and assessed and, to the best of my knowledge, the following situations apply:

(1) Does the proposed project area contain any property listed on the National Register of Historic Places?
Yes ☐ No ☒

(2) Are there any other properties within the vicinity of the project that appears to be historic or fit to be listed or are already listed in the National Register?
Yes ☒ No ☐

(3) Is yes, will the proposed project have any adverse impact on these resources?
Yes ☒ No ☐

(4) Describe the design features necessary to minimize any potential impact on historic or cultural resources.
Previous known archaeological site. Further review of Convenience Center design to determine potential adverse effects.

(5) Is the Section 106 Compliance Process required?
Yes ☒ No ☐

(6) Initial Survey required:
A. Phase A ☐ B. Phase 1 ☒
C. Phase 2 ☐ D. Monitoring ☒
E. Other ☐ Please describe: _____

(7) Other comments: Further review needed

Name (Print): Sean L. Krigger Signature: Sean L. Krigger
Title: Director Date: 12/8/2022
Organization: DPNR- VI State Historic Preservation Office

ENVIRONMENTAL ASSESSMENT | Version 2.0



GOVERNMENT OF THE UNITED STATES VIRGIN ISLANDS

-----0-----

DEPARTMENT OF PLANNING AND NATURAL RESOURCES
Virgin Islands State Historic Preservation Office

Fort Christian National Historic Landmark Site
5064 Forts Straede 1
Charlotte Amalie, St. Thomas 00802

Telephone: (340) 776-8605

Ms. Kyora Veira
Environmental Senior Manager
Virgin Islands Housing Finance Authority
3202 Demerara Plaza, Suite 200
St. Thomas, VI 00802-6447

August 16, 2023

Ref: Section 106 Consultation on the CDBG Funded VIWMA
Cotton Valley Convenience Center St. Croix, Virgin Islands

Dear Ms. Moreno:

The Department of Planning and Natural Resources' Virgin Islands State Historic Preservation Office (VISHPO) is in receipt of the Virgin Islands Housing Finance Authority's correspondence requesting Section 106 consultation on the proposed federally funded project to upgrade the existing Cotton Valley bin site in St. Croix, Virgin Islands into a waste management convenience center.

The VISHPO has reviewed the submitted scope of work and supporting documentation for the Cotton Valley Convenience Center. Based on the site analysis and scope of work for the installation, the **VISHPO concurs with the determination of Adverse Effects to Archaeological Resources with the Condition that all excavation activities, including foundation and utility trenching activity will have archaeological monitoring during the Project's activity.**

Please see the attached Section 106 Review Certificate for contact information for the Senior Archaeologist and Archaeological Monitor for the trenching work.

Thank you for the opportunity to consult this matter.

Sincerely,

Sean L. Krigger
Director & Deputy SHPO

Figure 20. Section 106 Consultation on the CDBG Funded VIWMA
Cotton Valley Convenience Center St. Croix, Virgin Islands - Section 106 Review Certificate of
Approval For Project Compliance



**Section 106 Review
Certificate of Approval
For
Project Compliance**

Department of Planning and Natural Resources
Virgin Islands State Historic Preservation Office
Fort Christian National Historic Landmark Site
5064 Forts Straede 1, Charlotte Amalie, VI 00802
Tel. (340) 776-8605

This is to certify that the Federal Undertaking listed below has successfully completed the Section 106 Review with the Virgin Islands State Historic Preservation Office and presents no adverse effects to historic and/or cultural resources listed on or determined to be eligible for listing on the National Register of Historic Places. Projects with findings of Adverse Effect have been resolved with an approved Mitigation Plan for the protection of identified historic and cultural resources.

Project Title: Estate Cotton Valley Bins Site Conversion to a Waste Convenience Center

VISHPO Project No.: VISHPO STX- **Alternate Project No.:**

Federal / State Agency: United States Department of Housing and Urban Development

Applicant: Virgin Islands Waste Management Authority

Project Coordinator: Virgin Islands Housing Finance Authority

Project Coordinator Telephone: 340-772-4432 **Fax or Email:** othomas@vihfa.gov

Location of Project: Parcel 1, Estate Cotton Valley

Island: St. Croix **Quarter:** East End B



Concurrence No Adverse Effects



Concurrence Adverse Effects with * Mitigation Conditions

Figure 21. EPA Sole Source Aquifers

[Source: <https://www.epa.gov/dwssa/map-sole-source-aquifer-locations>]

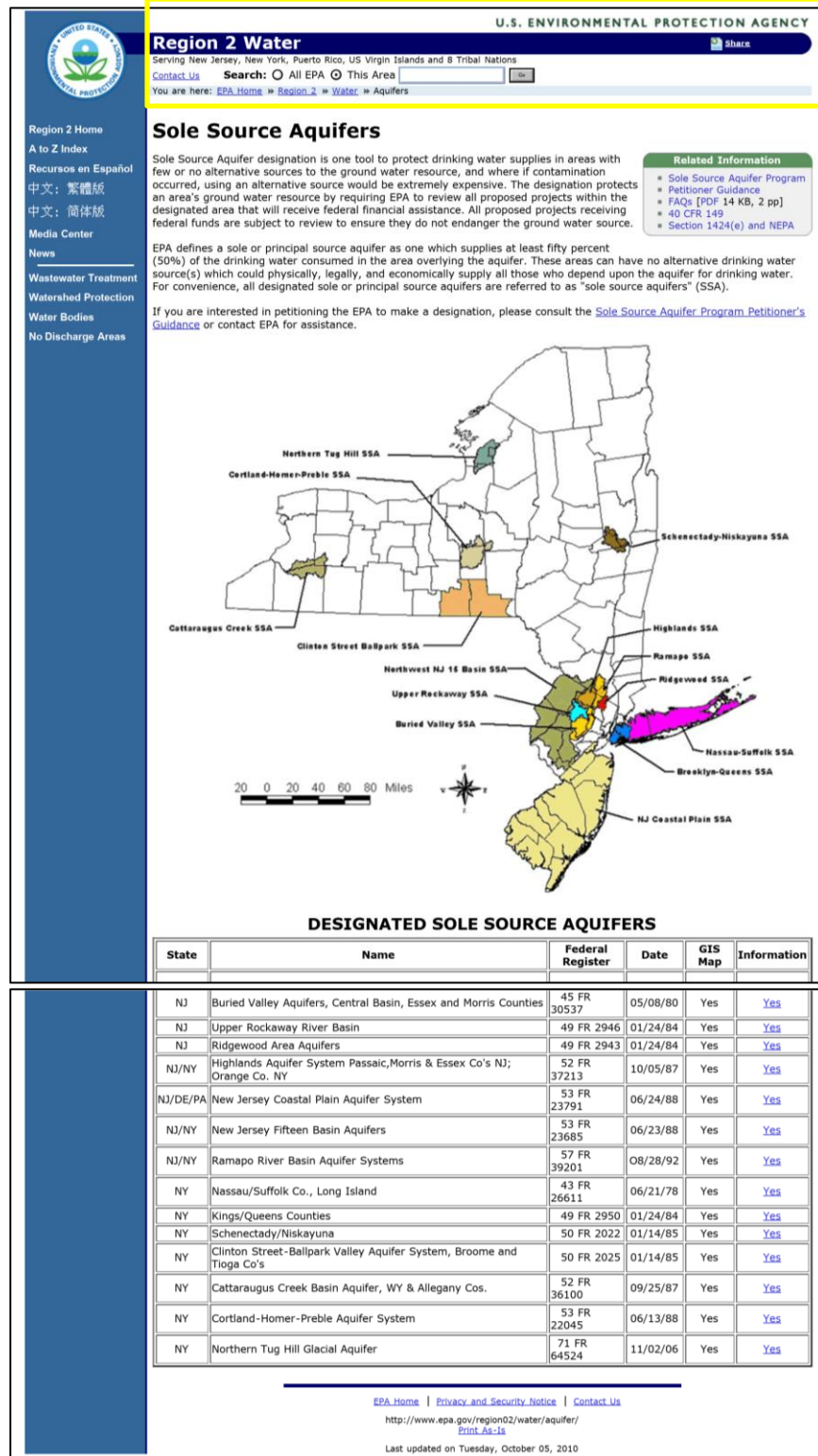
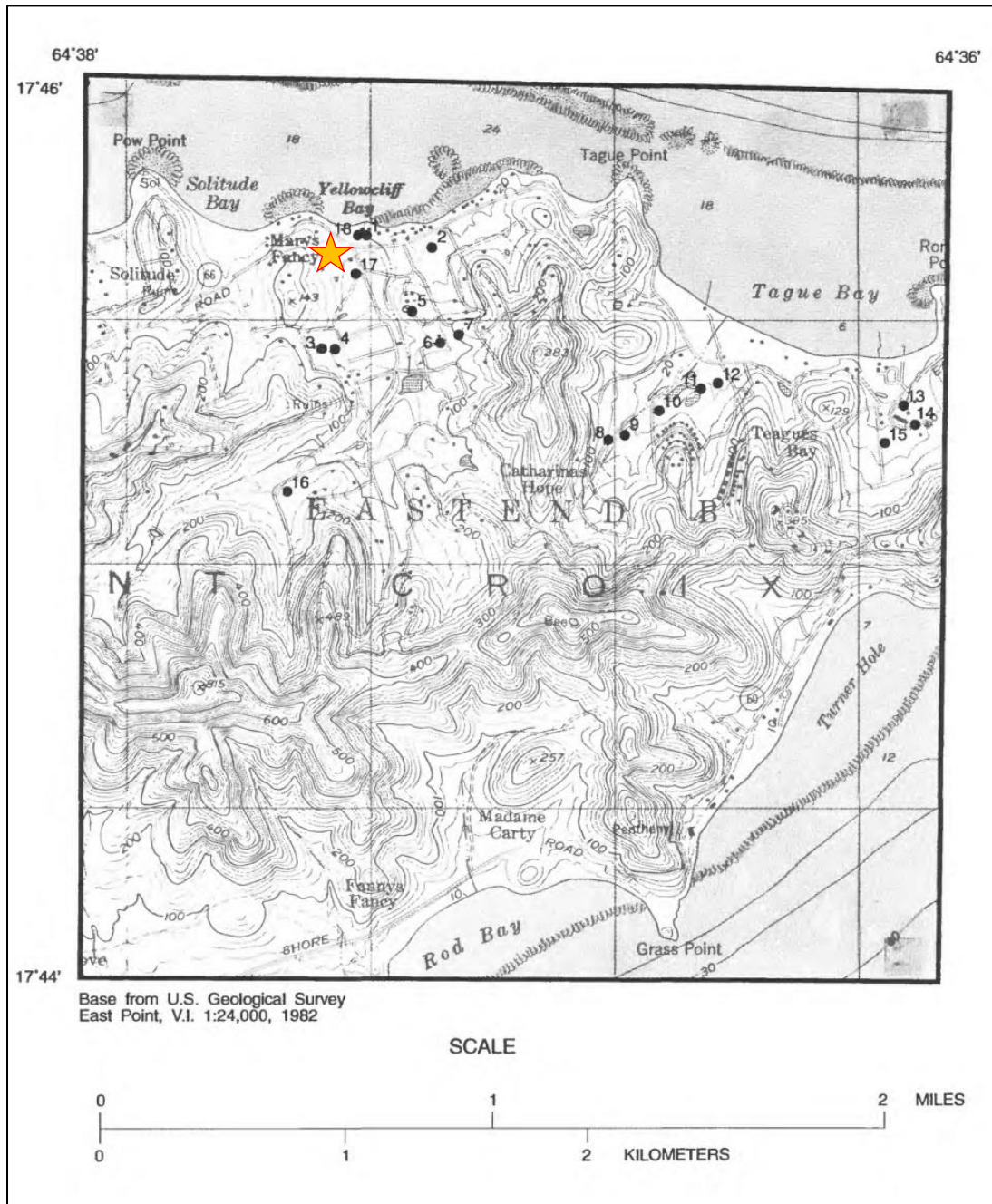


Figure 22. Water Wells on St. Croix, U.S. Virgin Islands
[Source: U.S. Geological Survey, 1994]

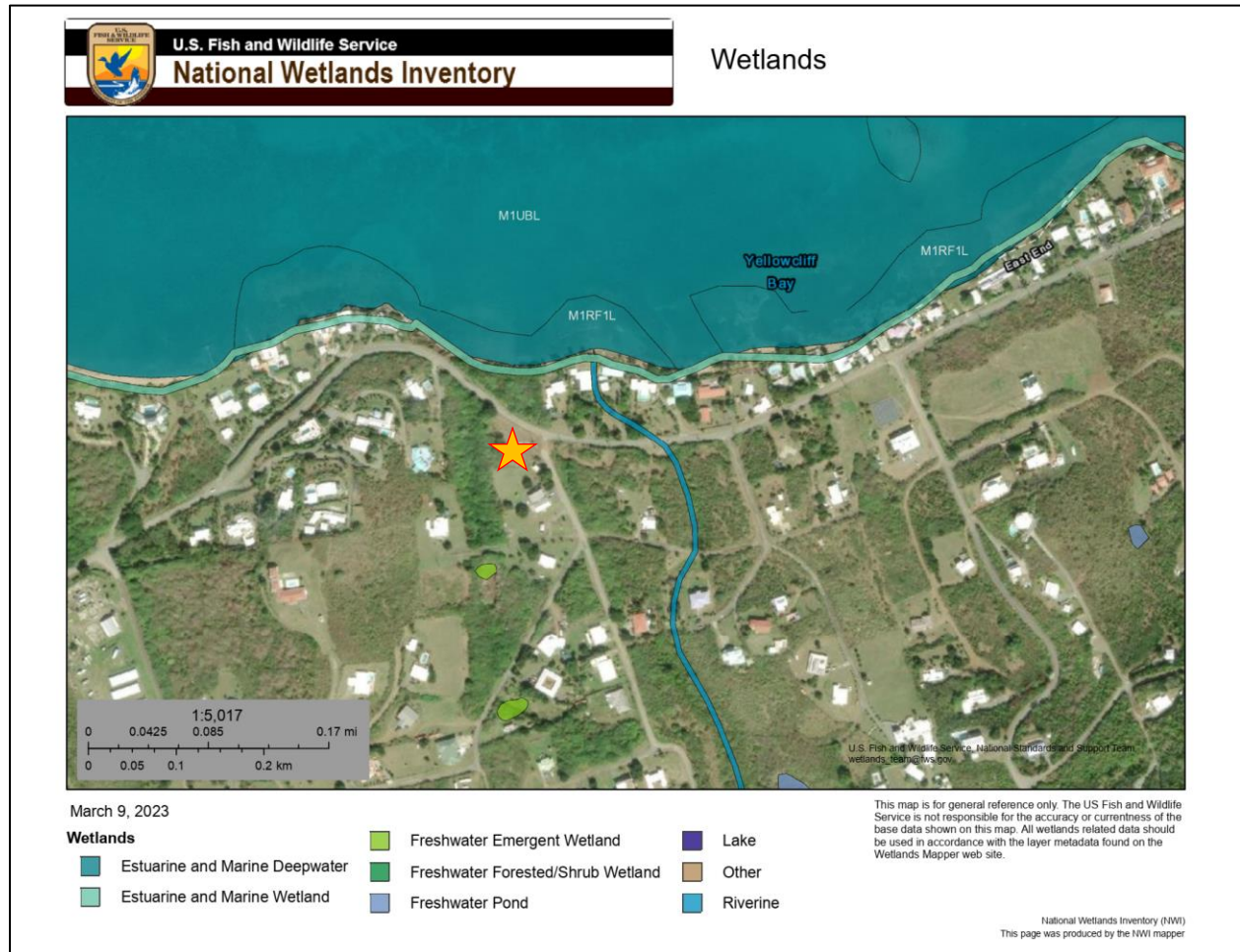


Note: The orange star indicates the location of the proposed project site.

[A, agriculture or stock well; C, commercial well; D, domestic well; PS, public supply well; NU, well not in use; ---, indicates data not available]

Well number on figure 15	Well name	Use of water	Year constructed	Reported depth of well (feet)	Measured depth of well (feet)	Casing diameter (inches)	Type of well finish and finish interval (feet)	Land surface altitude at well site (feet)	Depth to water below land surface datum (feet)	Date water level measured (month-day-year)	Yield (gallons per minute)
14-1	Al Lang	NU	1968	--	--	--	--	5	--	--	--
14-2	Mary Simpson	D	1990	55	--	6	--	20	--	--	--
14-3	Eugene Capuano	D	--	60	--	6	--	72	--	--	--
14-4	Skinner 1	D,A	1972	45	--	8	--	68	--	--	--
14-5	Bertha Kolber	D	1980	100	--	6	--	62	--	--	--
14-6	Frank Bishop	D	--	115	--	6	--	70	--	--	--
14-7	Barbrad Donaldson	A	1981	95	--	6	--	110	--	--	--
14-8	Reef 6	C	1989	110	--	4	--	60	--	--	--
14-9	Reef 5	C	1970	70-80	--	6	--	40	--	--	--
14-10	Reef 4	C	1970	70-80	--	8	--	22	--	--	--
14-11	Reef 3	C	1970	70-80	--	8	--	18	--	--	--
14-12	Reef 2	C	1970	70-80	--	4	--	13	--	--	--
14-13	West Indies Lab 2	NU	--	12	--	120	--	19	--	--	--
14-14	West Indies Lab 1	NU	--	40	--	6	--	30	--	--	--
14-15	West Indies Lab 3	NU	--	40	--	6	--	25	--	--	--
14-16	Diane Chandler	A	--	125	--	--	--	125	--	--	--
14-17	Cotton Valley Fire Station	PS	--	60	--	6	--	25	--	--	--
14-18	Al Lang (neighbor)	--	--	--	--	--	--	5	--	--	--

Figure 23. U.S. Fish and Wildlife Service, National Wetlands Inventory

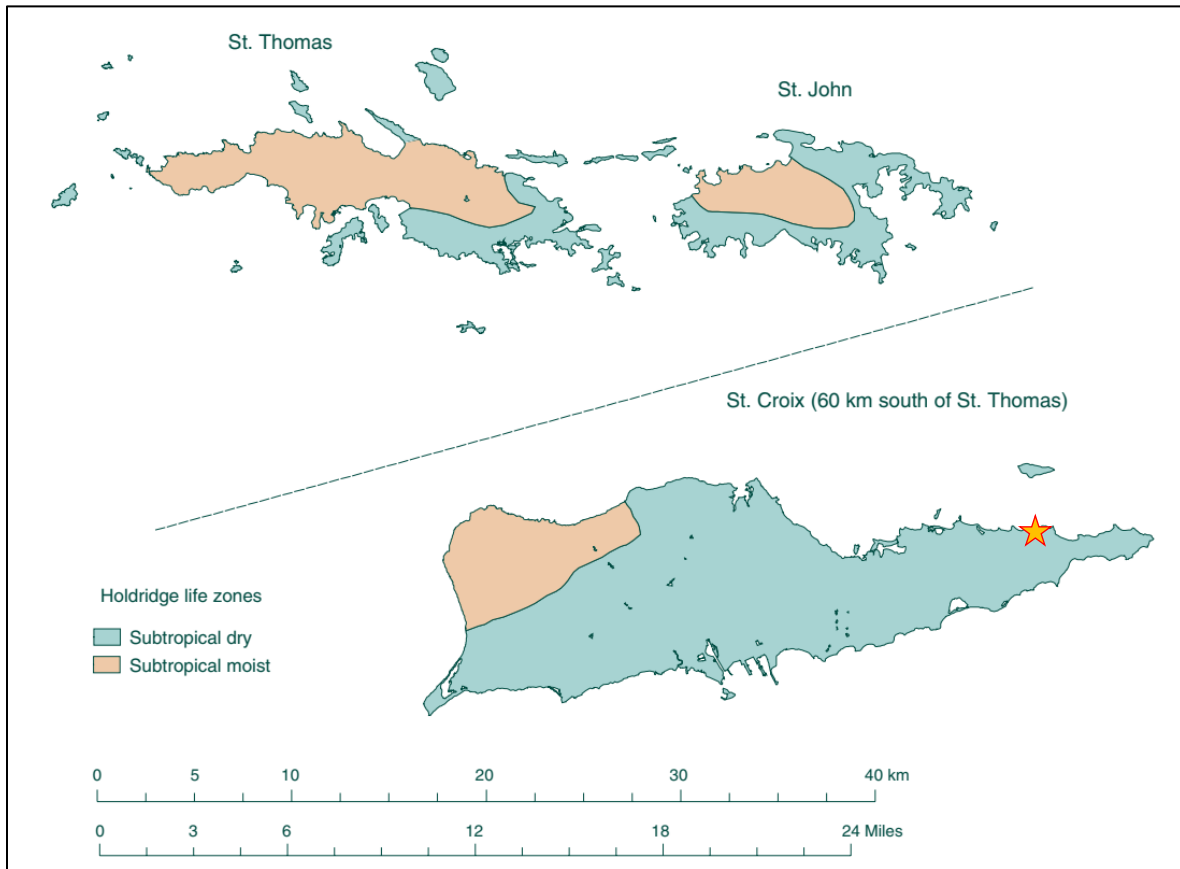


Note: The orange star indicates the location of the proposed project site.

[Source: <https://www.rivers.gov/documents/nwsrs-map.pdf>]



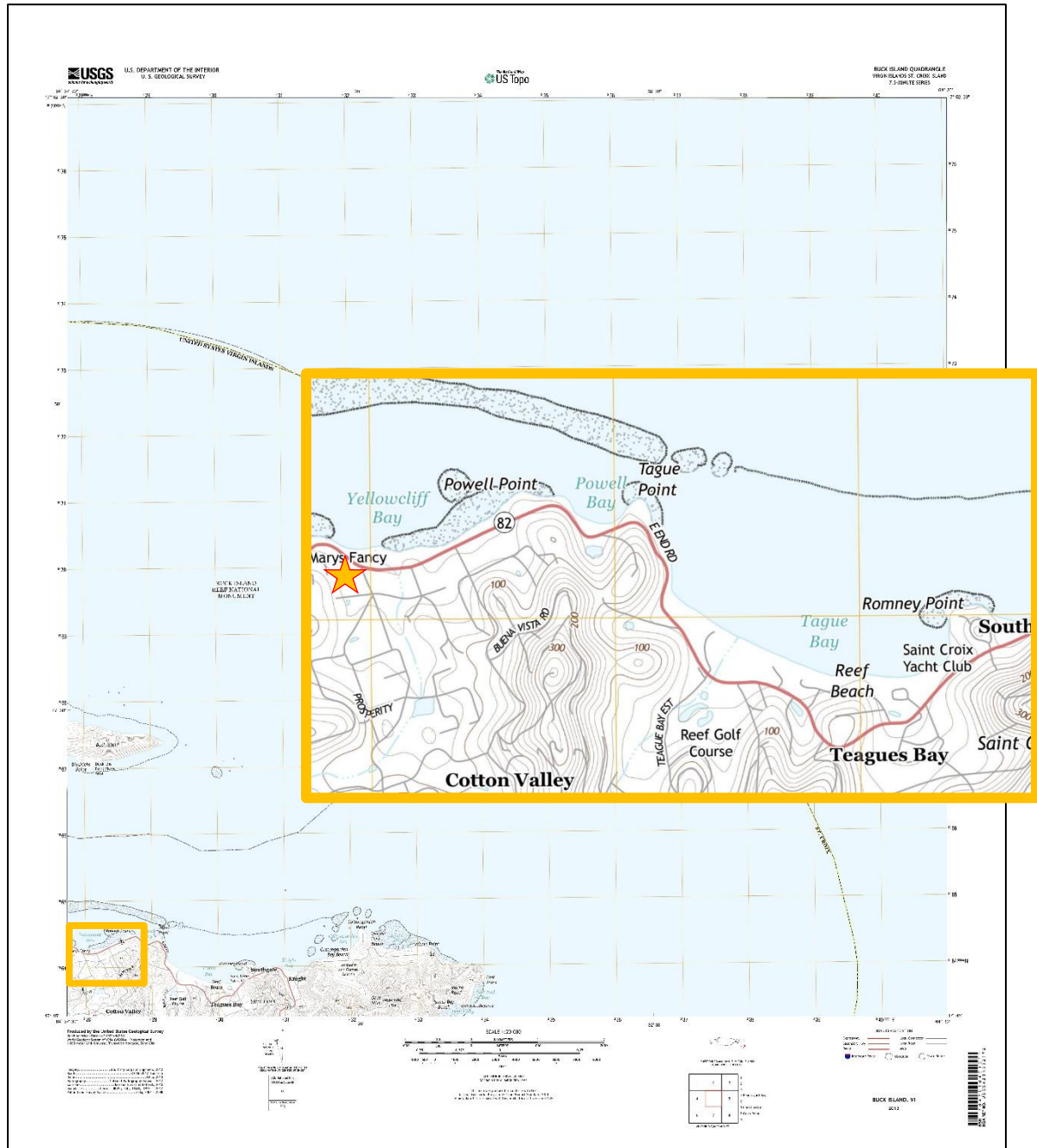
Figure 25. The Forested Life Zones in the U.S. Virgin Islands
[Source: USDA-Forest Service, *The Status of U.S. Virgin Islands' Forests*, 2004]



Note: The orange star indicates the location of the proposed project site.

APPENDIX A

Figure 1. Proposed Project Location, Cotton Valley, St. Croix
[Source: U.S. Geological Survey]

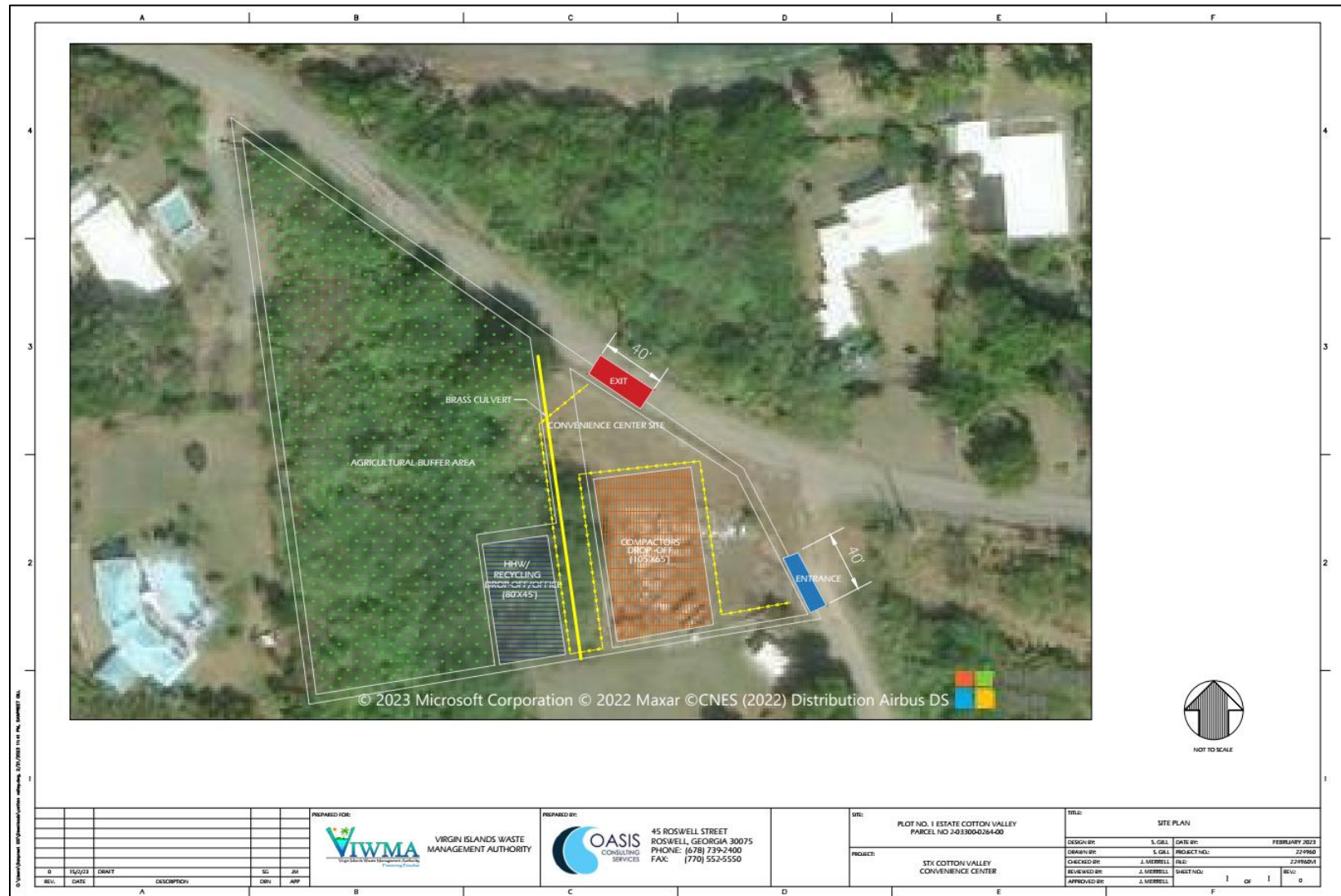


Note: The orange star indicates the location of the proposed project site.

Figure 2. Proposed Project Location, Cotton Valley, St. Croix
 [Source: Government of the U.S. Virgin Islands, Geospatial Information Systems Division]



Figure 3. Proposed Project Site Layout, Cotton Valley, St. Croix



[Source: NOAA, Office of Coast Survey]

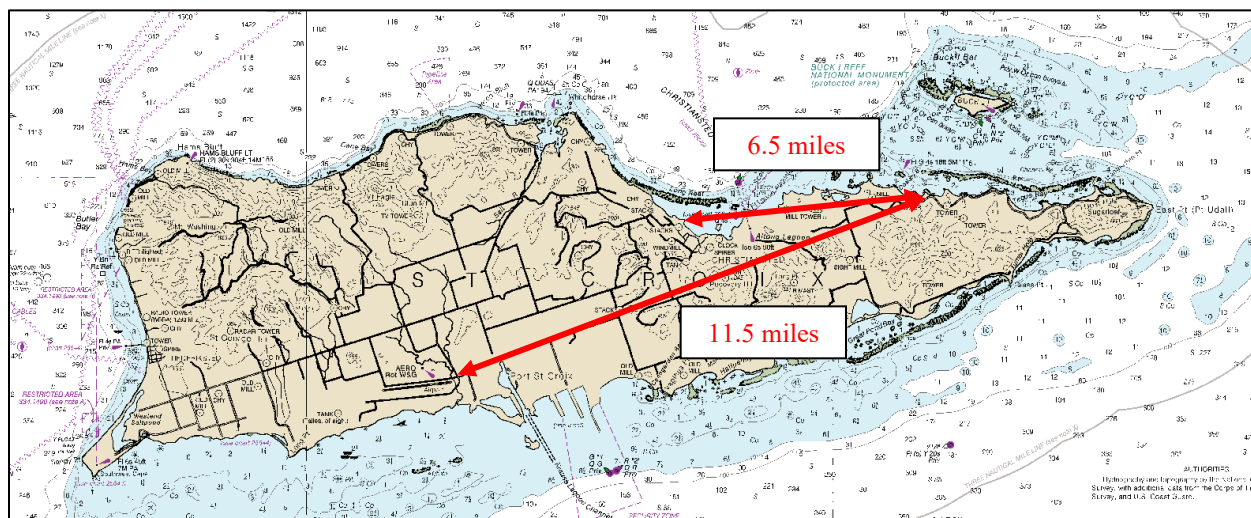
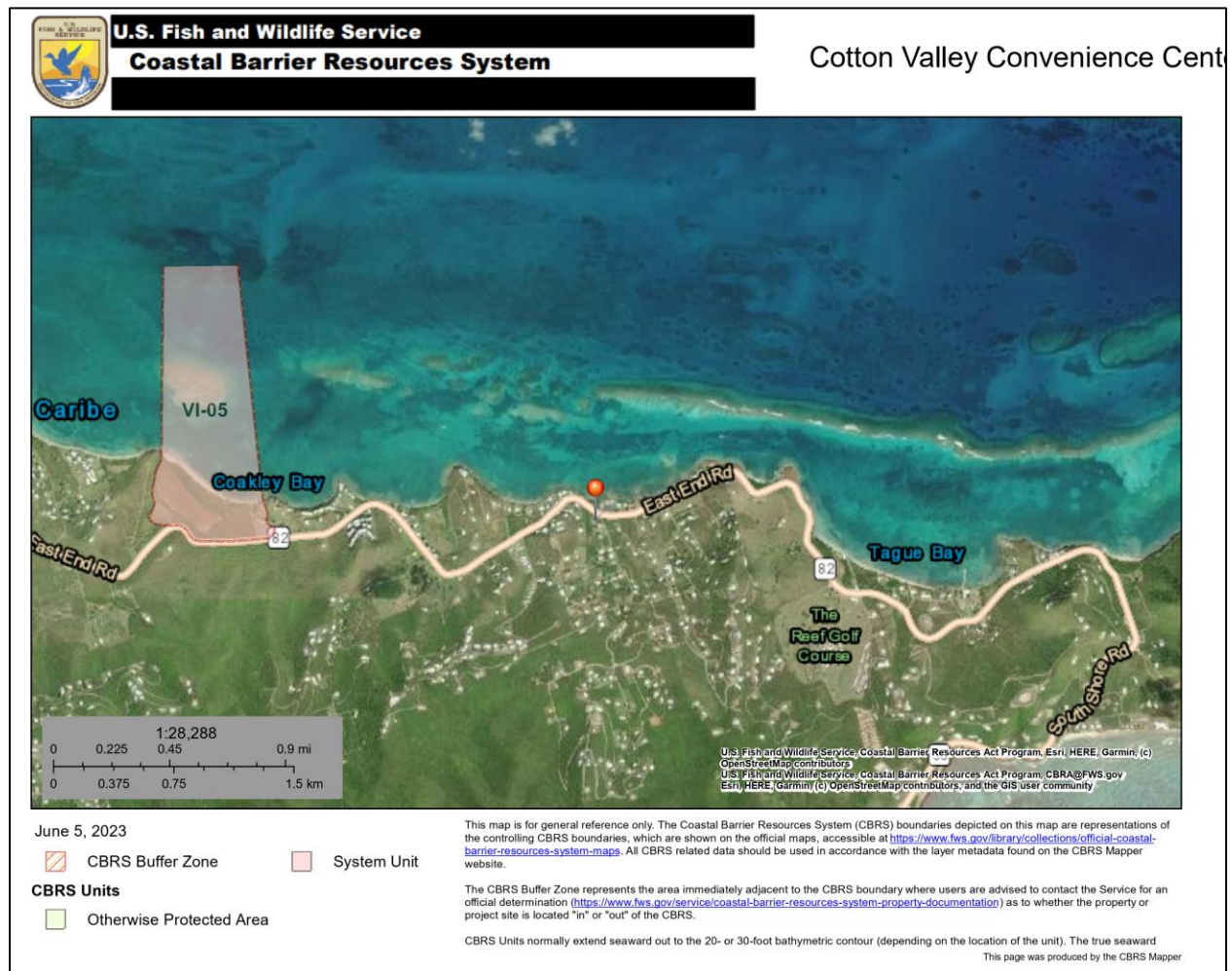


Figure 5. Historical Aerial of the Proposed Cotton Valley Convenience Center
[U.S. Geological Survey, November 1977]



Note: The area of the proposed project site is outlined in orange.

Figure 6. Coastal Barrier Map, Coastal Barriers in Relation to the Cotton Valley Convenience Site, St. Croix



Note: The pen indicates the location of the proposed project site.

MAP SCALE 1" = 500'

250 0 500 1000 FEET

0 0 150 300 MET

NFIP

PANEL 0074G

FIRM

FLOOD INSURANCE RATE MAP

U.S. VIRGIN ISLANDS

PANEL 74 OF 94

(SEE MAP INDEX FOR FIRM PANEL LAYOUT)

CONTAINS:

COMMUNITY	NUMBER	PANEL	SUFFIX
U.S. VIRGIN ISLANDS	780000	0074	G

NOTE:
THIS MAP INCLUDES COASTAL BARRIER RESOURCES SYSTEM BOUNDARIES ESTABLISHED UNDER THE COASTAL BARRIER RESOURCES ACT OF 1982 AND/OR SUBSEQUENT LEGISLATION.

Notice to User: The Map Number shown below should be used when placing map orders. The Community Number shown above should be used on insurance applications for the subject community.

MAP NUMBER
7800000074G

MAP REVISED
APRIL 16, 2007

Federal Emergency Management Agency

NATIONAL FLOOD INSURANCE PROGRAM

This is an official FIRMette showing a portion of the above-referenced flood map created from the MSC FIRMette Web tool. This map does not reflect changes or amendments which may have been made subsequent to the date on the title block. For additional information about how to make sure the map is current, please see the Flood Hazard Mapping Updates Overview Fact Sheet available on the FEMA Flood Map Service Center home page at <https://msc.fema.gov>.

Note: The orange star indicates the location of the proposed project site.

Figure 8. DPNR Advisory Flood Hazard Resource Map

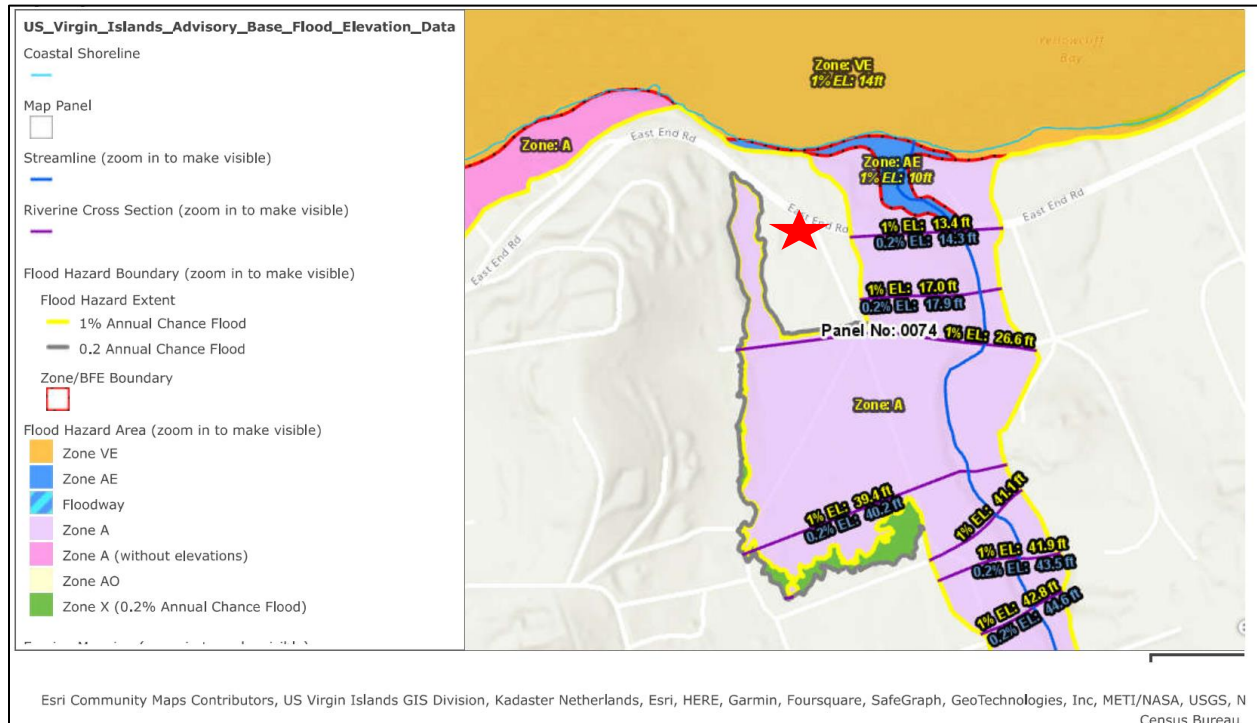


Figure 9. EPA Map of Nonattainment Areas for Criteria Pollutants (Green Book)

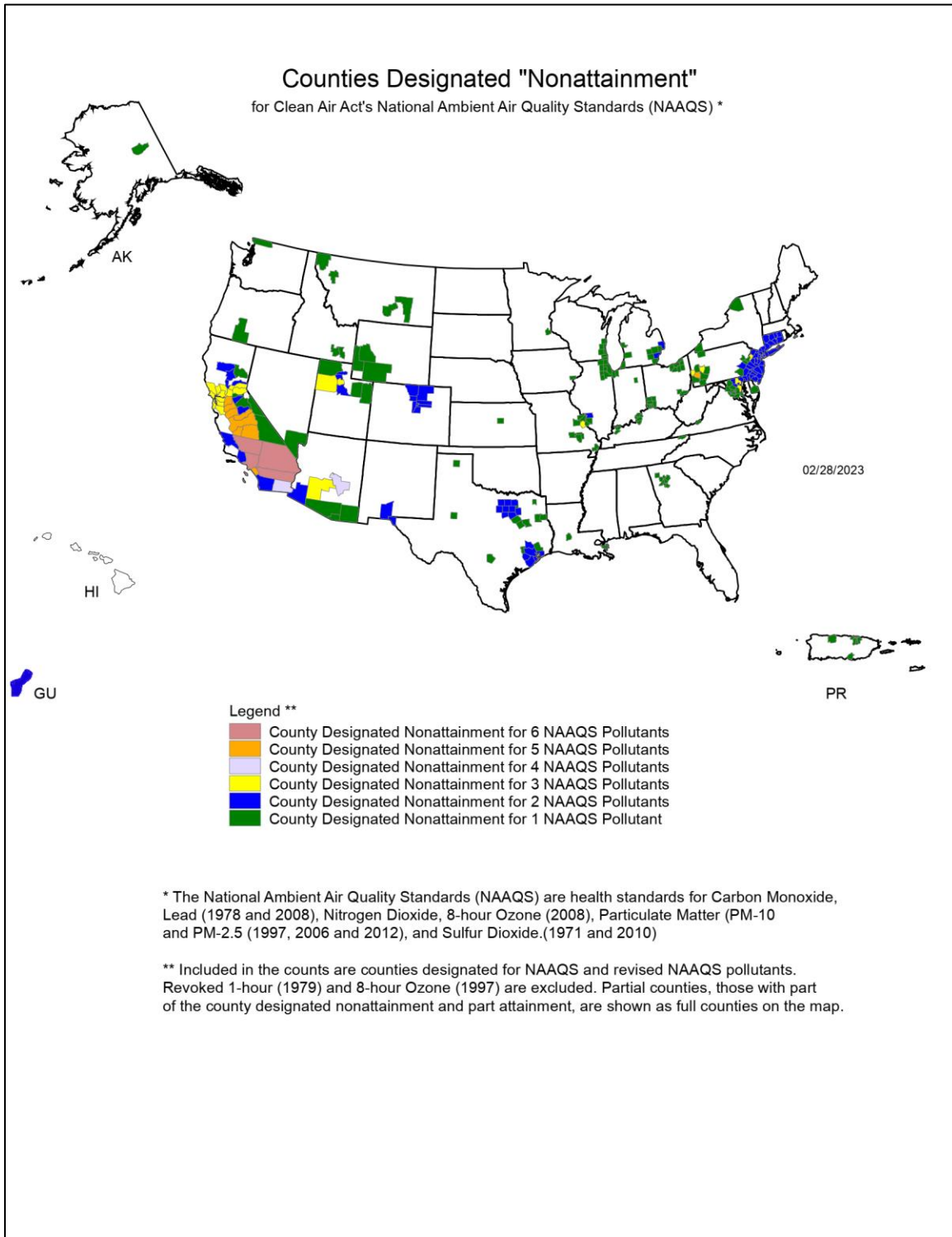



Figure 10. EPA Status of Air Quality State Implementation Plan (SIP)
 [Source: https://www3.epa.gov/airquality/urbanair/sipstatus/reports/vi_areabypoll.html]


 United States Environmental Protection Agency

SIP Status Reports

[Contact Us](#)

Air Quality Implementation Plans
 SIP Status Reports
 State Designated Area Reports
 National Designated Area Reports
 NAAQS Designated Area Reports
 State Infrastructure Reports
 National Infrastructure Reports

You are here: [EPA Home](#) > [Air Quality Implementation Plans](#) > [SIP Status Reports](#) > Status of U.S. Virgin Islands Designated Areas

Status of U.S. Virgin Islands Designated Areas

U.S. Virgin Islands Areas by NAAQS

NOTE: As of 03/12/2021, these reports are no longer being updated. For the latest information, see the [SIP Status Tools](#).

Jump to U.S. Virgin Islands section for: [CO \(1971\)](#) [Lead \(1978\)](#) [Lead \(2008\)](#) [NO2 \(1971\)](#) [Ozone-1Hr \(1979\)](#) [Ozone-8Hr \(1997\)](#) [Ozone-8Hr \(2008\)](#) [Ozone-8Hr \(2015\)](#) [PM-10 \(1987\)](#) [PM-2.5 \(1997\)](#) [PM-2.5 \(2006\)](#) [PM-2.5 \(2012\)](#) [SO2 \(1971\)](#) [SO2 \(2010\)](#)

U.S. Virgin Islands CO (1971) Areas	Return to map
No designated areas for this pollutant.	
U.S. Virgin Islands Lead (1978) Areas	Return to map Top of page
No designated areas for this pollutant.	
U.S. Virgin Islands Lead (2008) Areas	Return to map Top of page
No designated areas for this pollutant.	
U.S. Virgin Islands NO2 (1971) Areas	Return to map Top of page
No designated areas for this pollutant.	
U.S. Virgin Islands Ozone-1Hr (1979) Areas	Return to map Top of page
No designated areas for this pollutant.	
U.S. Virgin Islands Ozone-8Hr (1997) Areas	Return to map Top of page
No designated areas for this pollutant.	
U.S. Virgin Islands Ozone-8Hr (2008) Areas	Return to map Top of page
No designated areas for this pollutant.	
U.S. Virgin Islands Ozone-8Hr (2015) Areas	Return to map Top of page
No designated areas for this pollutant.	
U.S. Virgin Islands PM-10 (1987) Areas	Return to map Top of page
No designated areas for this pollutant.	
U.S. Virgin Islands PM-2.5 (1997) Areas	Return to map Top of page
No designated areas for this pollutant.	
U.S. Virgin Islands PM-2.5 (2006) Areas	Return to map Top of page
No designated areas for this pollutant.	
U.S. Virgin Islands PM-2.5 (2012) Areas	Return to map Top of page
No designated areas for this pollutant.	
U.S. Virgin Islands SO2 (1971) Areas	Return to map Top of page
No designated areas for this pollutant.	
U.S. Virgin Islands SO2 (2010) Areas	Return to map Top of page
No designated areas for this pollutant.	

We have made our best effort to ensure that the data contained in these reports is accurate. We note that there may be brief delays in updating the reports as we receive new state submissions and we take rulemaking action on plans. In order to assist us in providing accurate information, we request that you contact us by clicking on the "Contact Us" link near the top of this page with any comments regarding or corrections to the posted information, including concerns about whether the entries reflect the most recent status.

Current and historical design value data can be found on the [EPA Air Quality Design Values website](#) and the [EPA Green Book](#) contains comprehensive nonattainment area, designation status, and historical information.

The level of the 1-hour NAAQS for sulfur dioxide is 75 parts per billion (ppb) calculated as the 3-year average of the 99th percentile of the annual distribution of daily maximum 1-hour average concentrations.

Discover.
 Accessibility
 EPA Administrator
 Budget & Performance
 Contracting
 Grants
 No FEAR Act Data
 Privacy and Security

Connect.
 Data.gov
 Inspector General
 Jobs
 Newsroom
 Open Government
 Regulations.gov
 Subscribe
 USA.gov
 White House

Act.
 Contact Us
 Hotlines
 FOIA Requests
 Frequent Questions
 Follow:
 Facebook
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 2021-03-12


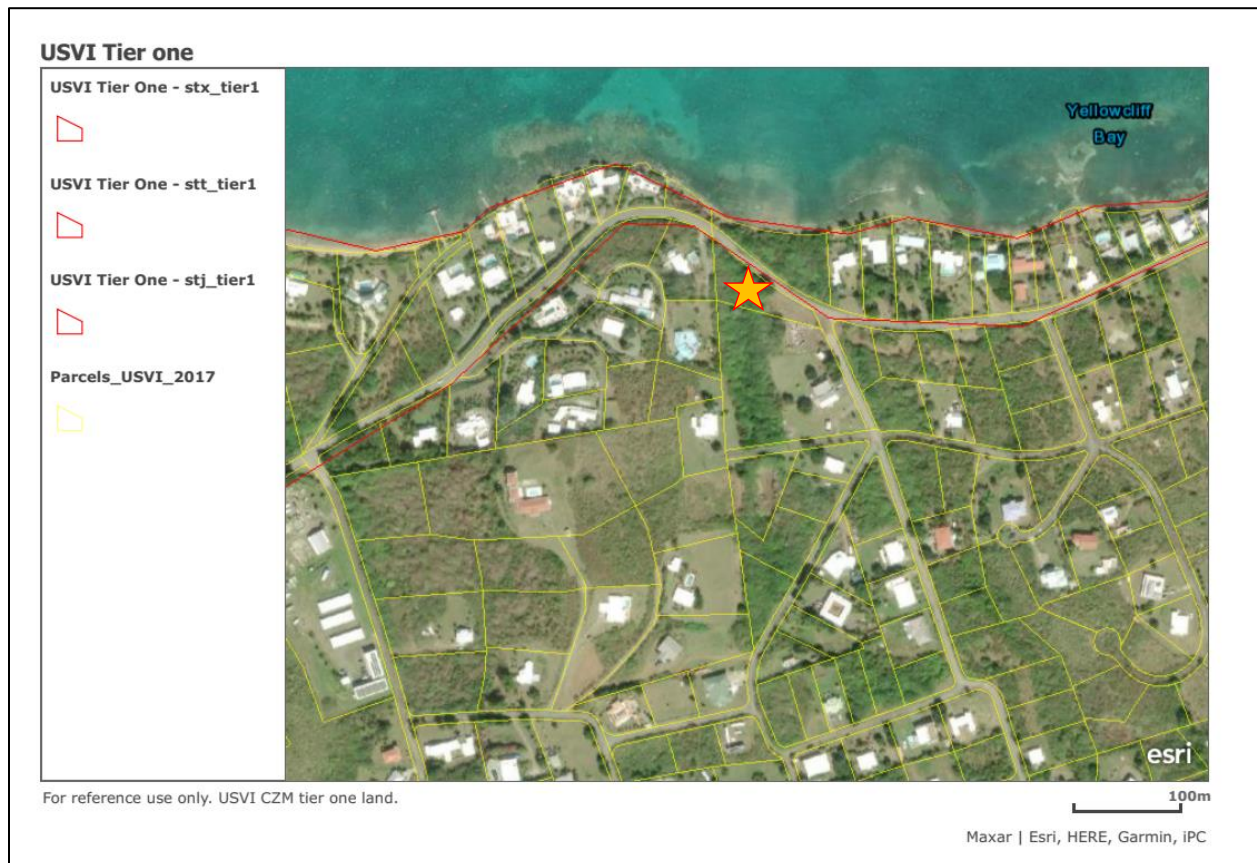



Figure 11. U.S. Virgin Islands Department of Planning and Natural Resources (DPNR) Coastal Zone Management Agency (CZM) Tier 1 Map

[Source: <https://dpnr.vi.gov/coastal-zone-management/what-we-do/coastal-zone-permitting/>]



Note: The orange star indicates the location of the proposed project site.

Figure 12. Phase II Soil Sample Results



Pace Analytical
www.pacelabs.com

Pace Analytical Services, LLC
8 East Tower Circle
Ormond Beach, FL 32174
(386)672-5668

ANALYTICAL RESULTS

Project: Cotton Valley
Pace Project No.: 35806837

Sample: Cotton Valley-01 N17.75827 Lab ID: 35806837001 Collected: 06/13/23 13:13 Received: 06/15/23 10:20 Matrix: Solid
W64

Results reported on a "dry weight" basis and are adjusted for percent moisture, sample size and any dilutions.

Parameters	Results	Units	PQL	MDL	DF	Prepared	Analyzed	CAS No.	Qual
FL-PRO Soil Microwave Analytical Method: FL-PRO Preparation Method: EPA 3546 Pace Analytical Services - Ormond Beach									
Petroleum Range Organics	523	mg/kg	6.1	5.3	1	06/15/23 23:58	06/16/23 12:38		
Surrogates									
o-Terphenyl (S)	79	%	66-136		1	06/15/23 23:58	06/16/23 12:38	84-15-1	
N-Pentatriacontane (S)	66	%	42-159		1	06/15/23 23:58	06/16/23 12:38	630-07-09	
6010 MET ICP Analytical Method: EPA 6010 Preparation Method: EPA 3050 Pace Analytical Services - Ormond Beach									
Lead	2.8	mg/kg	0.46	0.23	1	06/21/23 05:55	06/21/23 21:19	7439-92-1	
Percent Moisture Analytical Method: ASTM D2974-87 Pace Analytical Services - Ormond Beach									
Percent Moisture	2.9	%	0.10	0.10	1		06/20/23 09:21		

Sample: Cotton Valley-02 N17.75837 Lab ID: 35806837002 Collected: 06/13/23 13:21 Received: 06/15/23 10:20 Matrix: Solid
W64

Results reported on a "dry weight" basis and are adjusted for percent moisture, sample size and any dilutions.

Parameters	Results	Units	PQL	MDL	DF	Prepared	Analyzed	CAS No.	Qual
FL-PRO Soil Microwave Analytical Method: FL-PRO Preparation Method: EPA 3546 Pace Analytical Services - Ormond Beach									
Petroleum Range Organics	577	mg/kg	6.4	5.5	1	06/15/23 23:58	06/19/23 11:13		
Surrogates									
o-Terphenyl (S)	79	%	66-136		1	06/15/23 23:58	06/19/23 11:13	84-15-1	
N-Pentatriacontane (S)	72	%	42-159		1	06/15/23 23:58	06/19/23 11:13	630-07-09	
6010 MET ICP Analytical Method: EPA 6010 Preparation Method: EPA 3050 Pace Analytical Services - Ormond Beach									
Lead	340	mg/kg	2.8	1.4	5	06/21/23 05:55	06/23/23 02:21	7439-92-1	
Percent Moisture Analytical Method: ASTM D2974-87 Pace Analytical Services - Ormond Beach									
Percent Moisture	7.4	%	0.10	0.10	1		06/20/23 09:21		

REPORT OF LABORATORY ANALYSIS

This report shall not be reproduced, except in full,
without the written consent of Pace Analytical Services, LLC.

Date: 06/23/2023 12:07 PM

Page 5 of 13



Pace Analytical Services, LLC
8 East Tower Circle
Ormond Beach, FL 32174
(386)672-5668

ANALYTICAL RESULTS

Project: Cotton Valley
Pace Project No.: 35806837

Sample: Cotton Valley-03 N175849 Lab ID: 35806837003 Collected: 06/13/23 13:30 Received: 06/15/23 10:20 Matrix: Solid
W64.6

Results reported on a "dry weight" basis and are adjusted for percent moisture, sample size and any dilutions.

Parameters	Results	Units	PQL	MDL	DF	Prepared	Analyzed	CAS No.	Qual
FL-PRO Soil Microwave Analytical Method: FL-PRO Preparation Method: EPA 3546 Pace Analytical Services - Ormond Beach									
Petroleum Range Organics	54900	mg/kg	1260	1080	200	06/15/23 23:58	06/19/23 12:50		
Surrogates									
o-Terphenyl (S)	229	%	66-136		200	06/15/23 23:58	06/19/23 12:50	84-15-1	S5
N-Pentatriacontane (S)	144	%	42-159		200	06/15/23 23:58	06/19/23 12:50	630-07-09	
6010 MET ICP Analytical Method: EPA 6010 Preparation Method: EPA 3050 Pace Analytical Services - Ormond Beach									
Lead	38.7	mg/kg	1.2	0.60	2	06/21/23 05:55	06/21/23 21:42	7439-92-1	
Percent Moisture Analytical Method: ASTM D2974-87 Pace Analytical Services - Ormond Beach									
Percent Moisture	5.1	%	0.10	0.10	1		06/20/23 09:21		

Sample: Cotton Valley-04 N17.75846 Lab ID: 35806837004 Collected: 06/13/23 13:41 Received: 06/15/23 10:20 Matrix: Solid
W64

Results reported on a "dry weight" basis and are adjusted for percent moisture, sample size and any dilutions.

Parameters	Results	Units	PQL	MDL	DF	Prepared	Analyzed	CAS No.	Qual
FL-PRO Soil Microwave Analytical Method: FL-PRO Preparation Method: EPA 3546 Pace Analytical Services - Ormond Beach									
Petroleum Range Organics	1310	mg/kg	62.4	53.7	10	06/15/23 23:58	06/19/23 13:03		
Surrogates									
o-Terphenyl (S)	99	%	66-136		10	06/15/23 23:58	06/19/23 13:03	84-15-1	
N-Pentatriacontane (S)	90	%	42-159		10	06/15/23 23:58	06/19/23 13:03	630-07-09	
6010 MET ICP Analytical Method: EPA 6010 Preparation Method: EPA 3050 Pace Analytical Services - Ormond Beach									
Lead	21.3	mg/kg	0.56	0.28	1	06/21/23 05:55	06/21/23 21:45	7439-92-1	
Percent Moisture Analytical Method: ASTM D2974-87 Pace Analytical Services - Ormond Beach									
Percent Moisture	4.8	%	0.10	0.10	1		06/20/23 09:21		


REPORT OF LABORATORY ANALYSIS

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without the written consent of Pace Analytical Services, LLC.

Date: 06/23/2023 12:07 PM

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Figure 13. U.S. Fish and Wildlife Service, IPaC Tool, Endangered Species

IPaC Information for Planning and Consultation	U.S. Fish & Wildlife Service
<h2>IPaC resource list</h2> <p>This report is an automatically generated list of species and other resources such as critical habitat (collectively referred to as <i>trust resources</i>) under the U.S. Fish and Wildlife Service's (USFWS) jurisdiction that are known or expected to be on or near the project area referenced below. The list may also include trust resources that occur outside of the project area, but that could potentially be directly or indirectly affected by activities in the project area. However, determining the likelihood and extent of effects a project may have on trust resources typically requires gathering additional site-specific (e.g., vegetation/species surveys) and project-specific (e.g., magnitude and timing of proposed activities) information.</p> <p>Below is a summary of the project information you provided and contact information for the USFWS office(s) with jurisdiction in the defined project area. Please read the introduction to each section that follows (Endangered Species, Migratory Birds, USFWS Facilities, and NWI Wetlands) for additional information applicable to the trust resources addressed in that section.</p> <h3>Location</h3> <p>St. Croix County, Virgin Islands</p>  <h3>Local office</h3> <p>Caribbean Ecological Services Field Office</p> <p>☎ (787) 834-1600 📠 (787) 851-7440 ✉ CARIBBEAN_ES@FWS.GOV</p> <p>MAILING ADDRESS Post Office Box 491 Boqueron, PR 00622-0491</p> <p>PHYSICAL ADDRESS Office Park I State Road #2 Km 156.5, Suite 303) Mayaguez, PR 00680</p>	

Endangered species

This resource list is for informational purposes only and does not constitute an analysis of project level impacts.

The primary information used to generate this list is the known or expected range of each species. Additional areas of influence (AOI) for species are also considered. An AOI includes areas outside of the species range if the species could be indirectly affected by activities in that area (e.g., placing a dam upstream of a fish population even if that fish does not occur at the dam site, may indirectly impact the species by reducing or eliminating water flow downstream). Because species can move, and site conditions can change, the species on this list are not guaranteed to be found on or near the project area. To fully determine any potential effects to species, additional site-specific and project-specific information is often required.

Section 7 of the Endangered Species Act requires Federal agencies to "request of the Secretary information whether any species which is listed or proposed to be listed may be present in the area of such proposed action" for any project that is conducted, permitted, funded, or licensed by any Federal agency. A letter from the local office and a species list which fulfills this requirement can only be obtained by requesting an official species list from either the Regulatory Review section in IPaC (see directions below) or from the local field office directly.

For project evaluations that require USFWS concurrence/review, please return to the IPaC website and request an official species list by doing the following:

1. Draw the project location and click CONTINUE.
2. Click DEFINE PROJECT.
3. Log in (if directed to do so).
4. Provide a name and description for your project.
5. Click REQUEST SPECIES LIST.

Listed species¹ and their critical habitats are managed by the [Ecological Services Program](#) of the U.S. Fish and Wildlife Service (USFWS) and the fisheries division of the National Oceanic and Atmospheric Administration (NOAA Fisheries²).

Species and critical habitats under the sole responsibility of NOAA Fisheries are **not** shown on this list. Please contact [NOAA Fisheries](#) for [species under their jurisdiction](#).

1. Species listed under the [Endangered Species Act](#) are threatened or endangered; IPaC also shows species that are candidates, or proposed, for listing. See the [listing status page](#) for more information. IPaC only shows species that are regulated by USFWS (see FAQ).
2. [NOAA Fisheries](#), also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

The following species are potentially affected by activities in this location:

Mammals

NAME	STATUS
West Indian Manatee <i>Trichechus manatus</i> Wherever found There is final critical habitat for this species. Your location does not overlap the critical habitat. https://ecos.fws.gov/ecp/species/4469	Threatened Marine mammal

Reptiles

NAME	STATUS
Green Sea Turtle <i>Chelonia mydas</i> There is final critical habitat for this species. Your location does not overlap the critical habitat. https://ecos.fws.gov/ecp/species/6199	Threatened
Hawksbill Sea Turtle <i>Eretmochelys imbricata</i> Wherever found There is final critical habitat for this species. Your location does not overlap the critical habitat. https://ecos.fws.gov/ecp/species/3656	Endangered
Leatherback Sea Turtle <i>Dermochelys coriacea</i> Wherever found There is final critical habitat for this species. Your location does not overlap the critical habitat. https://ecos.fws.gov/ecp/species/1493	Endangered
Loggerhead Sea Turtle <i>Caretta caretta</i> There is final critical habitat for this species. Your location does not overlap the critical habitat. https://ecos.fws.gov/ecp/species/1110	Threatened
Olive Ridley Sea Turtle <i>Lepidochelys olivacea</i> No critical habitat has been designated for this species. https://ecos.fws.gov/ecp/species/1513	Threatened

Critical habitats

Potential effects to critical habitat(s) in this location must be analyzed along with the endangered species themselves.

There are no critical habitats at this location.

You are still required to determine if your project(s) may have effects on all above listed species.

Bald & Golden Eagles

There are no documented cases of eagles being present at this location. However, if you believe eagles may be using your site, please reach out to the local Fish and Wildlife Service office.

Additional information can be found using the following links:

- Eagle Management <https://www.fws.gov/program/eagle-management>
- Measures for avoiding and minimizing impacts to birds <https://www.fws.gov/library/collections/avoiding-and-minimizing-incident-take-migratory-birds>

- Nationwide conservation measures for birds <https://www.fws.gov/sites/default/files/documents/nationwide-standard-conservation-measures.pdf>

What does iPaC use to generate the potential presence of bald and golden eagles in my specified location?

The potential for eagle presence is derived from data provided by the [Avian Knowledge Network \(AKN\)](#). The AKN data is based on a growing collection of [survey, banding, and citizen science datasets](#), and is queried and filtered to return a list of those birds reported as occurring in the 10km grid cell(s) which your project intersects, and that have been identified as warranting special attention because they are a BCC species in that area, an eagle ([Eagle Act](#) requirements may apply). To see a list of all birds potentially present in your project area, please visit the [Rapid Avian Information Locator \(RAIL\) Tool](#).

What does iPaC use to generate the probability of presence graphs of bald and golden eagles in my specified location?

The Migratory Bird Resource List is comprised of USFWS [Birds of Conservation Concern \(BCC\)](#) and other species that may warrant special attention in your project location.

The migratory bird list generated for your project is derived from data provided by the [Avian Knowledge Network \(AKN\)](#). The AKN data is based on a growing collection of [survey, banding, and citizen science datasets](#) and is queried and filtered to return a list of those birds reported as occurring in the 10km grid cell(s) which your project intersects, and that have been identified as warranting special attention because they are a BCC species in that area, an eagle ([Eagle Act](#) requirements may apply), or a species that has a particular vulnerability to offshore activities or development.

Again, the Migratory Bird Resource list includes only a subset of birds that may occur in your project area. It is not representative of all birds that may occur in your project area. To get a list of all birds potentially present in your project area, please visit the [Rapid Avian Information Locator \(RAIL\) Tool](#).

What if I have eagles on my list?

If your project has the potential to disturb or kill eagles, you may need to obtain a permit to avoid violating the [Eagle Act](#) should such impacts occur. Please contact your local Fish and Wildlife Service Field Office if you have questions.

Migratory birds

Certain birds are protected under the Migratory Bird Treaty Act¹ and the Bald and Golden Eagle Protection Act².

Any person or organization who plans or conducts activities that may result in impacts to migratory birds, eagles, and their habitats should follow appropriate regulations and consider implementing appropriate conservation measures, as described below.

1. The [Migratory Birds Treaty Act](#) of 1918.
2. The [Bald and Golden Eagle Protection Act](#) of 1940.

Additional information can be found using the following links:

- Birds of Conservation Concern <https://www.fws.gov/program/migratory-birds/species>
- Measures for avoiding and minimizing impacts to birds <https://www.fws.gov/library/collections/avoiding-and-minimizing-incident-take-migratory-birds>
- Nationwide conservation measures for birds <https://www.fws.gov/sites/default/files/documents/nationwide-standard-conservation-measures.pdf>

The [data](#) in this location indicates there are no migratory [birds of conservation concern](#) expected to occur in this area.

There may be migratory birds in your project area, but we don't have any survey data available to provide further direction. For additional information, please refer to the links above for recommendations to minimize impacts to migratory birds or contact your local FWS office.

Tell me more about conservation measures I can implement to avoid or minimize impacts to migratory birds.

[Nationwide Conservation Measures](#) describes measures that can help avoid and minimize impacts to all birds at any location year round. Implementation of these measures is particularly important when birds are most likely to occur in the project area. When birds may be breeding in the area, identifying the locations of any active nests and avoiding their destruction is a very helpful impact minimization measure. To see when birds are most likely to occur and be breeding in your project area, view the Probability of Presence Summary. [Additional measures](#) or [permits](#) may be advisable depending on the type of activity you are conducting and the type of infrastructure or bird species present on your project site.

What does iPaC use to generate the list of migratory birds that potentially occur in my specified location?

The Migratory Bird Resource List is comprised of USFWS [Birds of Conservation Concern \(BCC\)](#) and other species that may warrant special attention in your project location.

The migratory bird list generated for your project is derived from data provided by the [Avian Knowledge Network \(AKN\)](#). The AKN data is based on a growing collection of [survey, banding, and citizen science datasets](#) and is queried and filtered to return a list of those birds reported as occurring in the 10km grid cell(s) which your project intersects, and that have been identified as warranting special attention because they are a BCC species in that area, an eagle ([Eagle Act](#) requirements may apply), or a species that has a particular vulnerability to offshore activities or development.

Again, the Migratory Bird Resource list includes only a subset of birds that may occur in your project area. It is not representative of all birds that may occur in your project area. To get a list of all birds potentially present in your project area, please visit the [Rapid Avian Information Locator \(RAIL\) Tool](#).

What does iPaC use to generate the probability of presence graphs for the migratory birds potentially occurring in my specified location?

The probability of presence graphs associated with your migratory bird list are based on data provided by the [Avian Knowledge Network \(AKN\)](#). This data is derived from a growing collection of [survey, banding, and citizen science datasets](#).

Probability of presence data is continuously being updated as new and better information becomes available. To learn more about how the probability of presence graphs are produced and how to interpret them, go the Probability of Presence Summary and then click on the "Tell me about these graphs" link.

How do I know if a bird is breeding, wintering or migrating in my area?

To see what part of a particular bird's range your project area falls within (i.e. breeding, wintering, migrating or year-round), you may query your location using the [RAIL Tool](#) and look at the range maps provided for birds in your area at the bottom of the profiles provided for each bird in your results. If a bird on your migratory bird species list has a breeding season associated with it, if that bird does occur in your project area, there may be nests present at some point within the timeframe specified. If "Breeds elsewhere" is indicated, then the bird likely does not breed in your project area.

What are the levels of concern for migratory birds?

Migratory birds delivered through iPaC fall into the following distinct categories of concern:

1. "BCC Rangewide" birds are [Birds of Conservation Concern \(BCC\)](#) that are of concern throughout their range anywhere within the USA (including Hawaii, the Pacific Islands, Puerto Rico, and the Virgin Islands);
2. "BCC - BCR" birds are BCCs that are of concern only in particular Bird Conservation Regions (BCRs) in the continental USA; and
3. "Non-BCC - Vulnerable" birds are not BCC species in your project area, but appear on your list either because of the [Eagle Act](#) requirements (for eagles) or (for non-eagles) potential susceptibilities in offshore areas from certain types of development or activities (e.g. offshore energy development or longline fishing).

Although it is important to try to avoid and minimize impacts to all birds, efforts should be made, in particular, to avoid and minimize impacts to the birds on this list, especially eagles and BCC species of rangewide concern. For more information on conservation measures you can implement to help avoid and minimize migratory bird impacts and requirements for eagles, please see the FAQs for these topics.

Details about birds that are potentially affected by offshore projects

For additional details about the relative occurrence and abundance of both individual bird species and groups of bird species within your project area off the Atlantic Coast, please visit the [Northeast Ocean Data Portal](#). The Portal also offers data and information about other taxa besides birds that may be helpful to you in your project review. Alternately, you may download the bird model results files underlying the portal maps through the [NOAA NCCOS Integrative Statistical Modeling and Predictive Mapping of Marine Bird Distributions and Abundance on the Atlantic Outer Continental Shelf](#) project webpage.

Bird tracking data can also provide additional details about occurrence and habitat use throughout the year, including migration. Models relying on survey data may not include this information. For additional information on marine bird tracking data, see the [Diving Bird Study](#) and the [nanotag studies](#) or contact [Caleb Spiegel](#) or [Pam Loring](#).

What if I have eagles on my list?

If your project has the potential to disturb or kill eagles, you may need to [obtain a permit](#) to avoid violating the Eagle Act should such impacts occur.

Proper Interpretation and Use of Your Migratory Bird Report

The migratory bird list generated is not a list of all birds in your project area, only a subset of birds of priority concern. To learn more about how your list is generated, and see options for identifying what other birds may be in your project area, please see the FAQ "What does iPaC use to generate the migratory birds potentially occurring in my specified location". Please be aware this report provides the "probability of presence" of birds within the 10 km grid cell(s) that overlap your project; not your exact project footprint. On the graphs provided, please also look carefully at the survey effort (indicated by the black vertical bar) and for the existence of the "no data" indicator (a red horizontal bar). A high survey effort is the key component. If the survey effort is high, then the probability of presence score can be viewed as more dependable. In contrast, a low survey effort bar or no data bar means a lack of data and, therefore, a lack of certainty about presence of the species. This list is not perfect; it is simply a starting point for identifying what birds of concern have the potential to be in your project area, when they might be there, and if they might be breeding (which means nests might be present). The list helps you know what to look for to confirm presence, and helps guide you in knowing when to implement conservation measures to avoid or minimize potential impacts from your project activities, should presence be confirmed. To learn more about conservation measures, visit the FAQ "Tell me about conservation measures I can implement to avoid or minimize impacts to migratory birds" at the bottom of your migratory bird trust resources page.

NOT FOR CONSULTATION

Marine mammals

Marine mammals are protected under the [Marine Mammal Protection Act](#). Some are also protected under the Endangered Species Act¹ and the Convention on International Trade in Endangered Species of Wild Fauna and Flora².

The responsibilities for the protection, conservation, and management of marine mammals are shared by the U.S. Fish and Wildlife Service (responsible for otters, walrus, polar bears, manatees, and dugongs) and NOAA Fisheries³ (responsible for seals, sea lions, whales, dolphins, and porpoises). Marine mammals under the responsibility of NOAA Fisheries are **not** shown on this list; for additional information on those species please visit the [Marine Mammals](#) page of the NOAA Fisheries website.

The Marine Mammal Protection Act prohibits the take (to harass, hunt, capture, kill, or attempt to harass, hunt, capture or kill) of marine mammals and further coordination may be necessary for project evaluation. Please contact the U.S. Fish and Wildlife Service Field Office shown.

1. The [Endangered Species Act](#) (ESA) of 1973.
2. The [Convention on International Trade in Endangered Species of Wild Fauna and Flora](#) (CITES) is a treaty to ensure that international trade in plants and animals does not threaten their survival in the wild.
3. [NOAA Fisheries](#), also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

The following marine mammals under the responsibility of the U.S. Fish and Wildlife Service are potentially affected by activities in this location:

NAME

West Indian Manatee *Trichechus manatus*
<https://ecos.fws.gov/ecp/species/4469>

Facilities

National Wildlife Refuge lands

Any activity proposed on lands managed by the [National Wildlife Refuge](#) system must undergo a 'Compatibility Determination' conducted by the Refuge. Please contact the individual Refuges to discuss any questions or concerns.

There are no refuge lands at this location.

Fish hatcheries

There are no fish hatcheries at this location.

Wetlands in the National Wetlands Inventory (NWI)

Impacts to [NWI wetlands](#) and other aquatic habitats may be subject to regulation under Section 404 of the Clean Water Act, or other State/Federal statutes.

For more information please contact the Regulatory Program of the local [U.S. Army Corps of Engineers District](#).

Please note that the NWI data being shown may be out of date. We are currently working to update our NWI data set. We recommend you verify these results with a site visit to determine the actual extent of wetlands on site.

This location overlaps the following wetlands:

ESTUARINE AND MARINE DEEPWATER

[M1UBL](#)
[M1RF1L](#)

ESTUARINE AND MARINE WETLAND

[M2B51N](#)

FRESHWATER EMERGENT WETLAND

[PEM1Ch](#)

RIVERINE

[R4SBC](#)

A full description for each wetland code can be found at the [National Wetlands Inventory website](#)

NOTE: This initial screening does **not** replace an on-site delineation to determine whether wetlands occur. Additional information on the NWI data is provided below.

Data limitations

The Service's objective of mapping wetlands and deepwater habitats is to produce reconnaissance level information on the location, type and size of these resources. The maps are prepared from the analysis of high altitude imagery. Wetlands are identified based on vegetation, visible hydrology and geography. A margin of error is inherent in the use of imagery; thus, detailed on-the-ground inspection of any particular site may result in revision of the wetland boundaries or classification established through image analysis.

The accuracy of image interpretation depends on the quality of the imagery, the experience of the image analysts, the amount and quality of the collateral data and the amount of ground truth verification work conducted. Metadata should be consulted to determine the date of the source imagery used and any mapping problems.

Wetlands or other mapped features may have changed since the date of the imagery or field work. There may be occasional differences in polygon boundaries or classifications between the information depicted on the map and the actual conditions on site.

Data exclusions



Certain wetland habitats are excluded from the National mapping program because of the limitations of aerial imagery as the primary data source used to detect wetlands. These habitats include seagrasses or submerged aquatic vegetation that are found in the intertidal and subtidal zones of estuaries and nearshore coastal waters. Some deepwater reef communities (coral or tubercid worm reefs) have also been excluded from the inventory. These habitats, because of their depth, go undetected by aerial imagery.

Data precautions

Federal, state, and local regulatory agencies with jurisdiction over wetlands may define and describe wetlands in a different manner than that used in this inventory. There is no attempt, in either the design or products of this inventory, to define the limits of proprietary jurisdiction of any Federal, state, or local government or to establish the geographical scope of the regulatory programs of government agencies. Persons intending to engage in activities involving modifications within or adjacent to wetland areas should seek the advice of appropriate Federal, state, or local agencies concerning specified agency regulatory programs and proprietary jurisdictions that may affect such activities.

NOT FOR CONSULTATION

Figure 14. U.S. Fish and Wildlife Service Concurrence Letter

	<p>United States Department of the Interior</p> <p>FISH AND WILDLIFE SERVICE Caribbean Ecological Services Field Office Bayamón Mayagüez Maricao Río Grande St Croix P.O. Box 491 Boquerón, Puerto Rico 00622</p>	
<p>In Reply Refer to: FWS/R4/CESFO/78MM-190</p>		
<p>Submitted Via Electronic Mail: (kveira@vihfa.gov)</p>		
<p>Kyora Veira Senior Environmental Manager Community Development Block Grant - Disaster Recovery Program Virgin Islands Housing Finance Authority 3202 Demarara Plaza, Ste. 200 St. Thomas, USVI 00802-6447</p>		
<p>Re: U.S. Virgin Island Waste Management Authority Convenience Centers</p>		
<p>Dear Mrs. Veira:</p>		
<p>Thank you for your letter of June 16, 2023, requesting concurrence on the above referenced project. As per your request, our comments are provided under the Endangered Species Act (Act) (87 Stat. 884, as amended; 16 United States Code 1531 et seq.), and the Fish and Wildlife Coordination Act (48 Stat. 401, as amended; 16 U.S.C. 661 et seq.).</p>		
<p>The Virgin Islands Housing Finance Authority (VIHFA) with funds from the U.S. Department of Housing and Urban Development's Community Development Block Grant – Recovery Funds (CDBG-DR) is proposing to develop five public Convenience Centers for the disposal of solid waste and recycling on the following locations of St. Croix and St. Thomas:</p>		
<p>St. Croix:</p> <ol style="list-style-type: none">1. Cotton Valley Convenience Center (17°45'30.3"N 64°37'22.9"W)2. Mon Bijou Convenience Center (17°44'21.8"N 64°47'02.7"W)3. Concordia Convenience Center (17°42'02.4"N 64°52'15.2"W)		
<p>St. Thomas:</p> <ol style="list-style-type: none">1. Red Hook Convenience Center (18°19'22.8"N 64°51'22.7"W)2. Smith Bay Convenience Center (18°20'37.4"N 64°52'08.3"W)		
<p>Based on the information provided in your letter, the proposed project sites are located within the range of the following federally listed species:</p>		

Location	Species
Mon Bijou Convenience Center	No listed species
Concordia Convenience Center	Vahl's boxwood (<i>Buxus vahliei</i>)
Cotton Valley Convenience Center	Vahl's boxwood (<i>Buxus vahliei</i>)
	West Indian manatee (<i>Trichechus manatus</i>)
	Hawksbill sea turtle (<i>Eretmochelys imbricata</i>)
	Green sea turtle (<i>Chelonia mydas</i>)
	Leatherback sea turtle (<i>Dermochelys coriacea</i>)
	Loggerhead sea turtle (<i>Caretta caretta</i>)
Red Hook Convenience Center	Virgin Islands tree boa (<i>Chilabothrus granti</i>)
Smith Bay Convenience Center	Virgin Islands tree boa (<i>Chilabothrus granti</i>)

Based on the nature of the project, scope of work, information available VIHFA has determined that the proposed project will result in no effect (NE) for the West Indian manatee, Vahl's boxwood and the sea turtles. As for the Virgin Islands tree boa, VIHFA determined that the proposed project *may affect but is not likely to adversely affect* (NLAA) the specie and will implement conservation measures previously provided by the U.S. Fish and Wildlife Service (Service).

We acknowledge receipt of your no effect (NE) determinations for the West Indian manatee, Vahl's boxwood and the sea turtles. Currently we do not have any information to refute your determination. Because you made a NE determination, you are not required to conduct formal or informal section 7 consultation with the Service and the Service is not required to concur with your NE determination.

As for the Virgin Islands tree boa, we have reviewed the information provided in your letter and our files and concur with the above *may affect but is not likely to adversely affect* (NLAA) determination.

In view of this, we believe that requirements of section 7 of the Act have been satisfied. However, obligations under section 7 of the Act must be reconsidered if: (1) new information reveals impacts of this identified action that may affect listed species or critical habitat in a manner that was not previously considered; (2) this action is subsequently modified in a manner not previously considered in this assessment; or (3) a new species is listed, or critical habitat determined that may be affected by the identified action.

Thank you for the opportunity to comment on this project. If you have any questions or require additional information, please contact us at caribbean_es@fws.gov.

Sincerely yours,

EDWIN MUNIZ

Digitally signed by EDWIN
MUNIZ
Date: 2023.06.30 13:38:08
-04'00'

Edwin E. Muñoz
Field Supervisor

dr

Figure 15. Nearest Above Ground Storage Tanks to the Cotton Valley Convenience Center

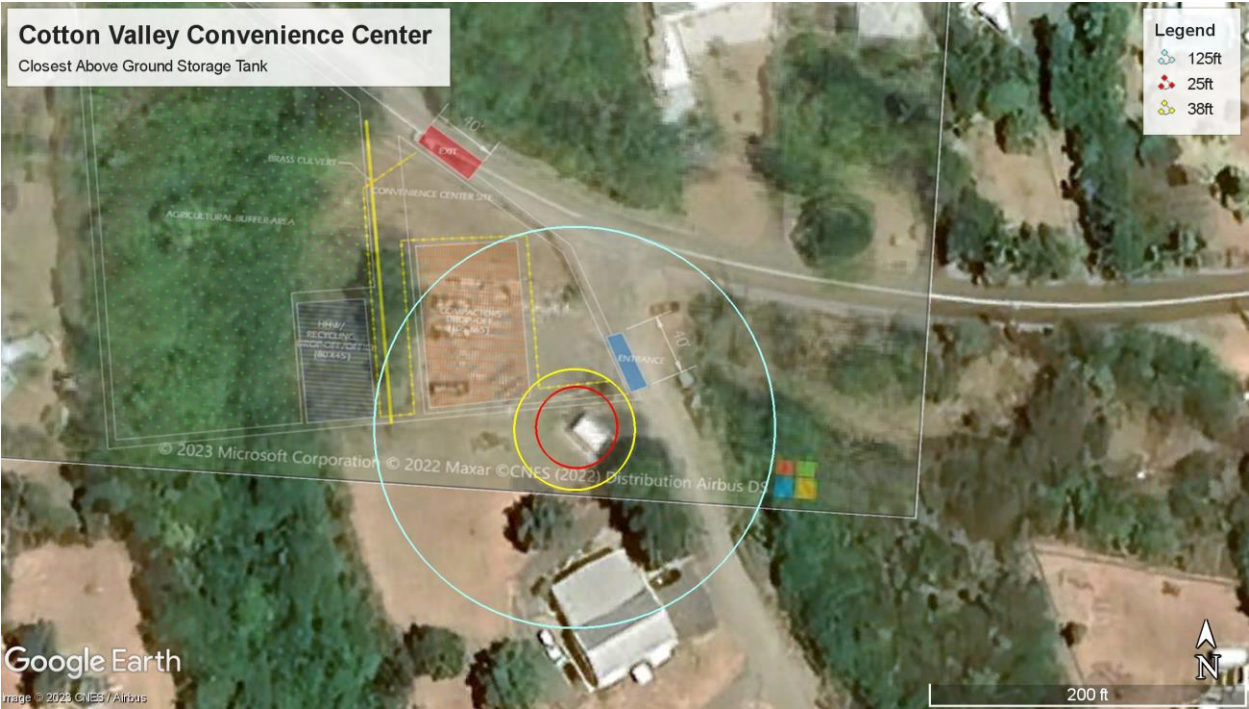


Figure 16. Acceptable Separation Distance (ASD) Electronic Assessment Tool

Acceptable Separation Distance Assessment Tool

Is the container above ground?	Yes: <input checked="" type="checkbox"/> No: <input type="checkbox"/>
Is the container under pressure?	Yes: <input type="checkbox"/> No: <input checked="" type="checkbox"/>
Does the container hold a cryogenic liquified gas?	Yes: <input type="checkbox"/> No: <input type="checkbox"/>
Is the container diked?	Yes: <input type="checkbox"/> No: <input checked="" type="checkbox"/>
What is the volume (gal) of the container?	<input type="text" value="90"/>
What is the Diked Area Length (ft)?	<input type="text"/>
What is the Diked Area Width (ft)?	<input type="text"/>
<input type="button" value="Calculate Acceptable Separation Distance"/>	
Diked Area (sqft)	<input type="text"/>
ASD for Blast Over Pressure (ASDBOP)	<input type="text"/>
ASD for Thermal Radiation for People (ASDPPU)	<input type="text" value="101.42"/>
ASD for Thermal Radiation for Buildings (ASDBPU)	<input type="text" value="16.52"/>
ASD for Thermal Radiation for People (ASDPNPD)	<input type="text"/>
ASD for Thermal Radiation for Buildings (ASDBNPD)	<input type="text"/>

For mitigation options, please click on the following link: [Mitigation Options](#)

Figure 17. USDA-NRCS Farmland Classification Map

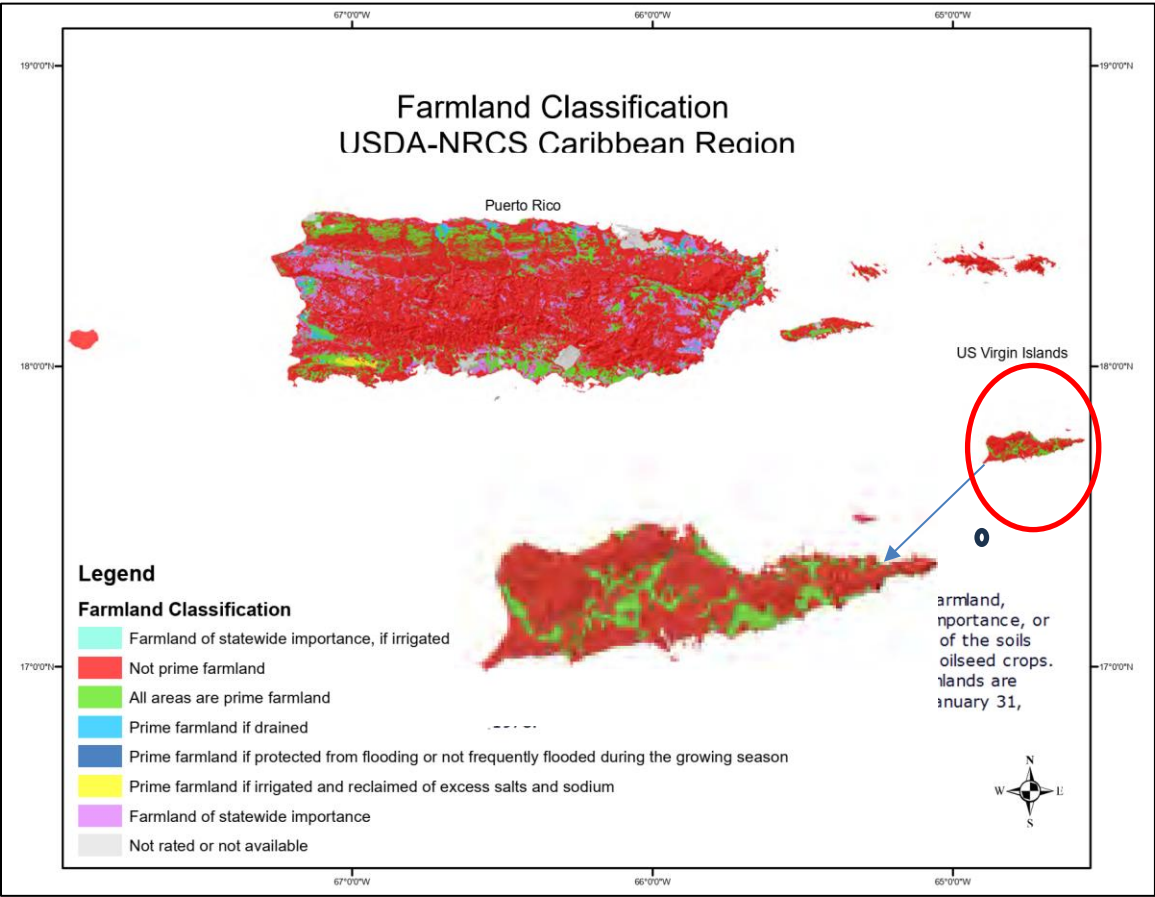


Figure 18. VIRGIN ISLANDS DEPARTMENT OF PLANNING AND NATURAL
RESOURCES -
ZONING AND LAND USE ASSESSMENT



Name of Project: Cotton Valley Convenience Center

Location: Parcel No. 1 Estate Cotton Valley, East End Quarter "B", St. Croix

Activity: Waste Management Solid Waste Facility- Convenience Center Developm

**VIRGIN ISLANDS DEPARTMENT OF PLANNING AND NATURAL RESOURCES -
ZONING AND LAND USE ASSESSMENT**

The activities and location of the proposed project have been analyzed and assessed and, to the best of my knowledge, the following situations apply:

- (1) What is the zoning designation for the proposed site location?
P-Public as per Act No. 8607
- (2) Is the property appropriately zoned for the proposed use?
Yes ☒ No ☐
- (3) If not, is the required zoning change feasible?
Yes ☐ No ☒
- (4) Is the use of the property in compliance with present or projected land use or development plans?
Yes ☒ No ☐
- (5) Does "important farmland", including prime farmland, unique farmland, or farmland of local importance regulated under the Farmland Protection Policy Act, occur on the proposed project site?
Yes ☐ No ☒
- (6) Will the proposed project cause a conversion of land use?
Yes ☐ No ☒
- (7) Other comments:
Use would be permitted under category "Refuse Disposals (Solid Waste)."

Name (Print): Leia LaPlace


Signature: 

Title: Territorial Planner

Date: 12/5/2022

Organization: Dept. of Planning & Natural Resources

Figure 19. Historic Preservation and Cultural Resources Assessment

 **Name of Project:** Cotton Valley Convenience Center
Location: Parcel No. 1 Estate Cotton Valley, East End Quarter "B", St. Croix
Activity: Waste Management Solid Waste Facility- Convenience Center Developm

**VIRGIN ISLANDS DEPARTMENT OF PLANNING AND NATURAL RESOURCES -
HISTORIC PRESERVATION AND CULTURAL RESOURCES ASSESSMENT**

The activities and location of the proposed project have been analyzed and assessed and, to the best of my knowledge, the following situations apply:

(1) Does the proposed project area contain any property listed on the National Register of Historic Places?
Yes ☐ No ☒

(2) Are there any other properties within the vicinity of the project that appears to be historic or fit to be listed or are already listed in the National Register?
Yes ☒ No ☐

(3) Is yes, will the proposed project have any adverse impact on these resources?
Yes ☒ No ☐

(4) Describe the design features necessary to minimize any potential impact on historic or cultural resources.
Previous known archaeological site. Further review of Convenience Center design to determine potential adverse effects.

(5) Is the Section 106 Compliance Process required?
Yes ☒ No ☐

(6) Initial Survey required:
A. Phase A ☐ B. Phase 1 ☒
C. Phase 2 ☐ D. Monitoring ☒
E. Other ☐ Please describe: _____

(7) Other comments: Further review needed

Name (Print): Sean L. Krigger Signature: Sean L. Krigger
Title: Director Date: 12/8/2022
Organization: DPNR- VI State Historic Preservation Office

ENVIRONMENTAL ASSESSMENT | Version 2.0



GOVERNMENT OF THE UNITED STATES VIRGIN ISLANDS

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**DEPARTMENT OF PLANNING AND NATURAL RESOURCES
Virgin Islands State Historic Preservation Office**

Fort Christian National Historic Landmark Site
5064 Forts Straede 1
Charlotte Amalie, St. Thomas 00802

Telephone: (340) 776-8605

Ms. Kyora Veira
Environmental Senior Manager
Virgin Islands Housing Finance Authority
3202 Demerara Plaza, Suite 200
St. Thomas, VI 00802-6447

August 16, 2023

**Ref: Section 106 Consultation on the CDBG Funded VIWMA
Cotton Valley Convenience Center St. Croix, Virgin Islands**

Dear Ms. Moreno:

The Department of Planning and Natural Resources' Virgin Islands State Historic Preservation Office (VISHPO) is in receipt of the Virgin Islands Housing Finance Authority's correspondence requesting Section 106 consultation on the proposed federally funded project to upgrade the existing Cotton Valley bin site in St. Croix, Virgin Islands into a waste management convenience center.

The VISHPO has reviewed the submitted scope of work and supporting documentation for the Cotton Valley Convenience Center. Based on the site analysis and scope of work for the installation, the **VISHPO concurs with the determination of Adverse Effects to Archaeological Resources with the Condition that all excavation activities, including foundation and utility trenching activity will have archaeological monitoring during the Project's activity.**

Please see the attached Section 106 Review Certificate for contact information for the Senior Archaeologist and Archaeological Monitor for the trenching work.

Thank you for the opportunity to consult this matter.

Sincerely,

Sean L. Krigger
Director & Deputy SHPO

Figure 20. EPA Sole Source Aquifers
[Source: <https://www.epa.gov/dwssa/map-sole-source-aquifer-locations>]

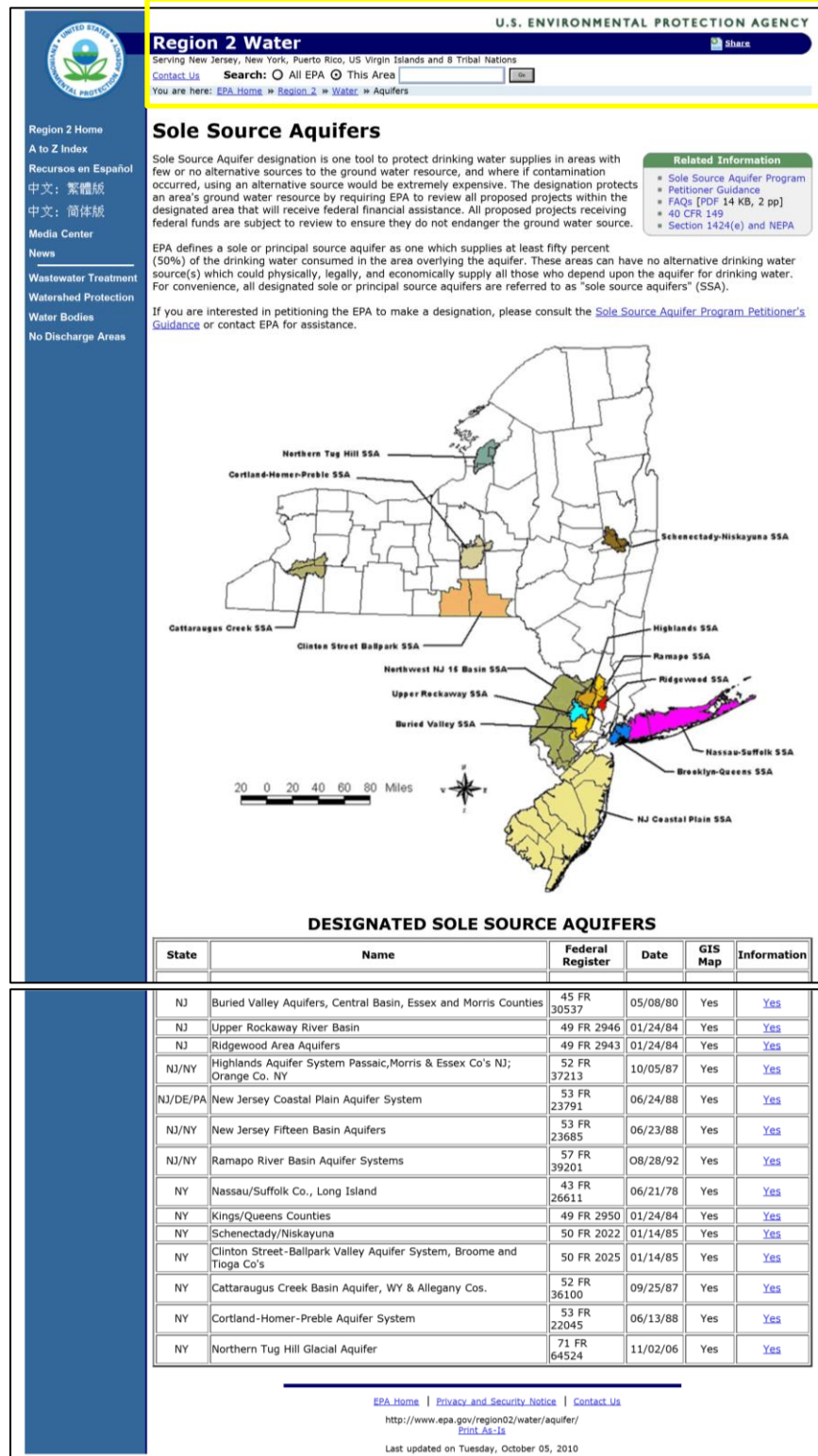
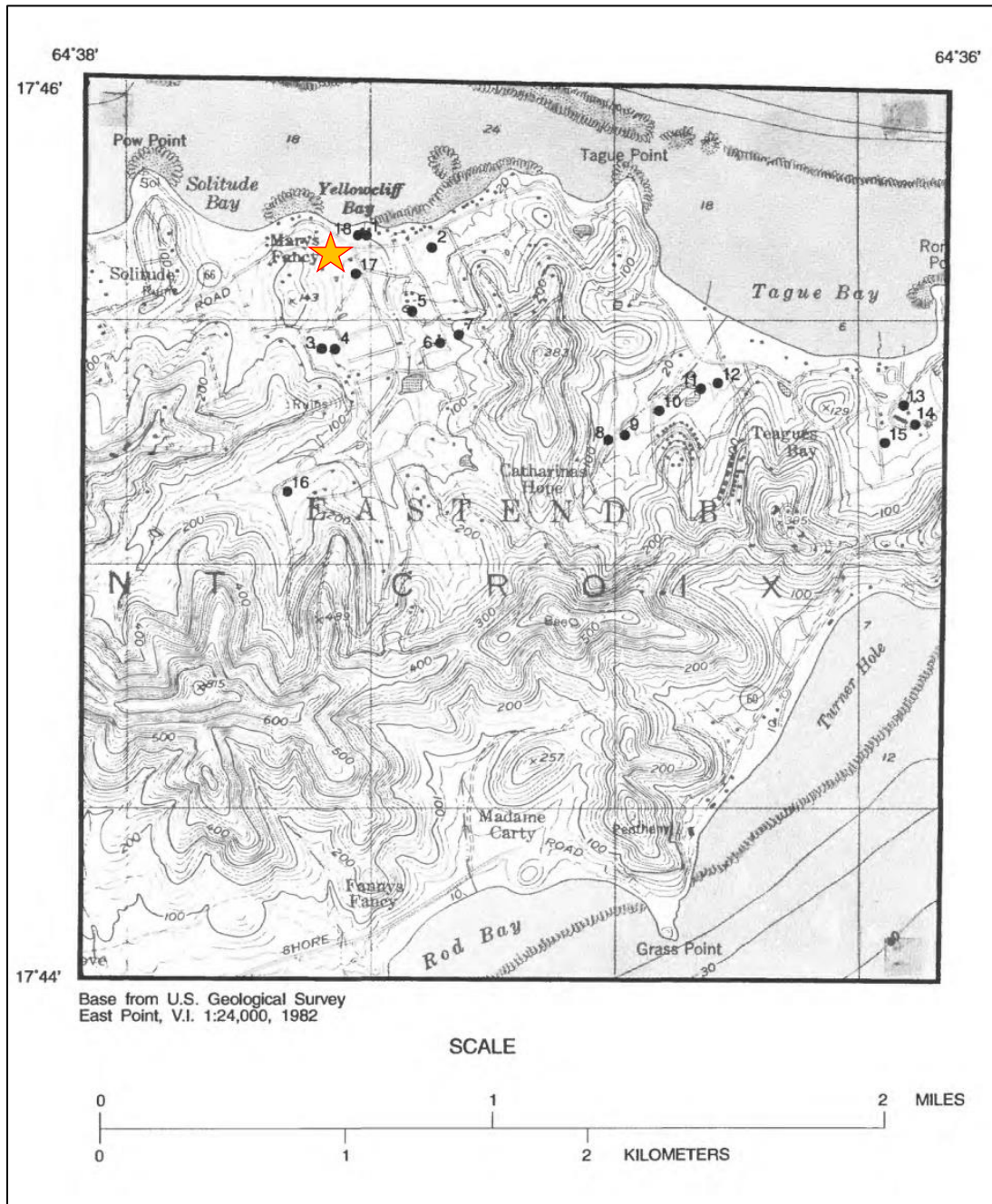


Figure 21. Water Wells on St. Croix, U.S. Virgin Islands
[Source: U.S. Geological Survey, 1994]

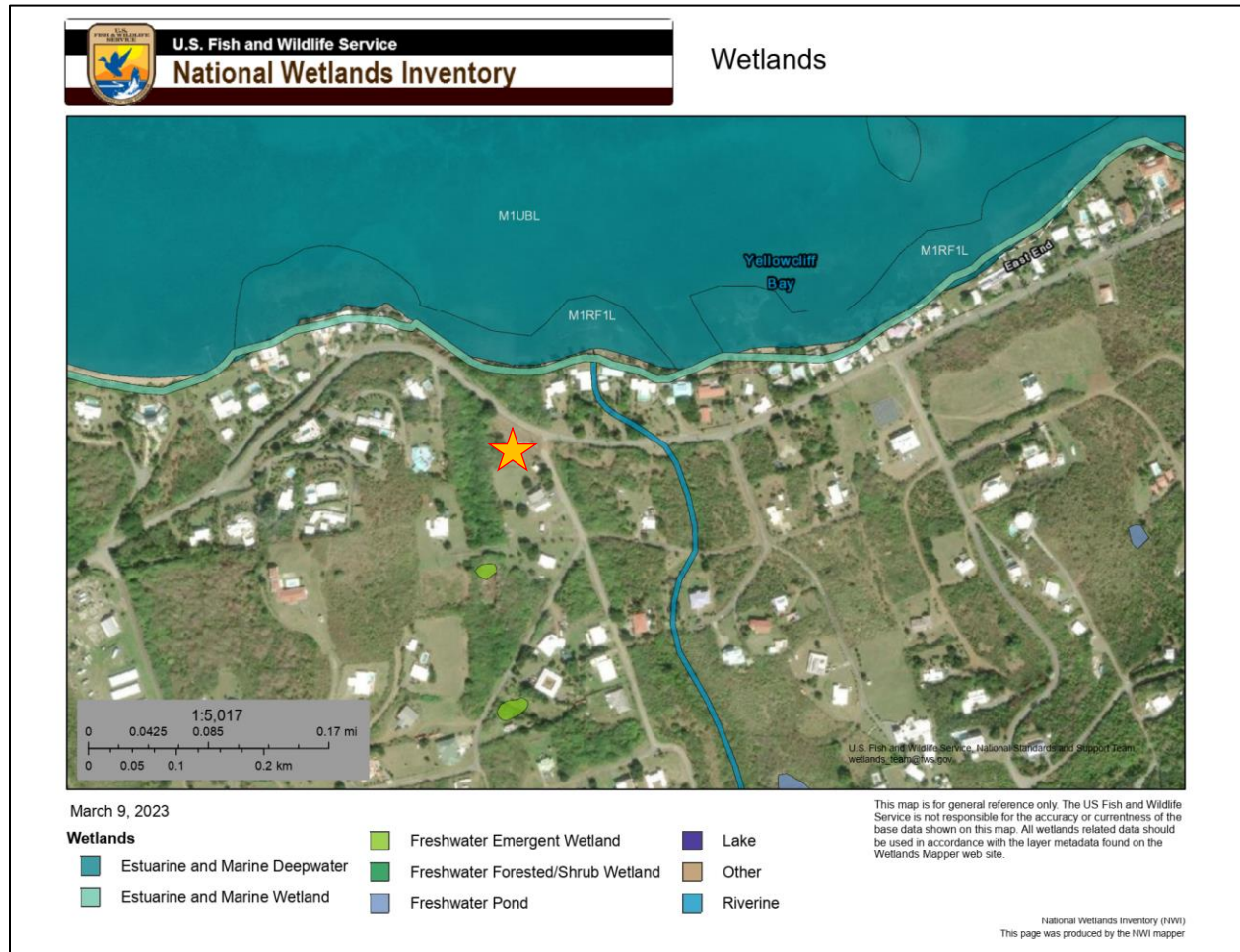


Note: The orange star indicates the location of the proposed project site.

[A, agriculture or stock well; C, commercial well; D, domestic well; PS, public supply well; NU, well not in use; ---, indicates data not available]

Well number on figure 15	Well name	Use of water	Year constructed	Reported depth of well (feet)	Measured depth of well (feet)	Casing diameter (inches)	Type of well finish and finish interval (feet)	Land surface altitude at well site (feet)	Depth to water below land surface datum (feet)	Date water level measured (month-day-year)	Yield (gallons per minute)
14-1	Al Lang	NU	1968	--	--	--	--	5	--	--	--
14-2	Mary Simpson	D	1990	55	--	6	--	20	--	--	--
14-3	Eugene Capuano	D	--	60	--	6	--	72	--	--	--
14-4	Skinner 1	D,A	1972	45	--	8	--	68	--	--	--
14-5	Bertha Kolber	D	1980	100	--	6	--	62	--	--	--
14-6	Frank Bishop	D	--	115	--	6	--	70	--	--	--
14-7	Barbrad Donaldson	A	1981	95	--	6	--	110	--	--	--
14-8	Reef 6	C	1989	110	--	4	--	60	--	--	--
14-9	Reef 5	C	1970	70-80	--	6	--	40	--	--	--
14-10	Reef 4	C	1970	70-80	--	8	--	22	--	--	--
14-11	Reef 3	C	1970	70-80	--	8	--	18	--	--	--
14-12	Reef 2	C	1970	70-80	--	4	--	13	--	--	--
14-13	West Indies Lab 2	NU	--	12	--	120	--	19	--	--	--
14-14	West Indies Lab 1	NU	--	40	--	6	--	30	--	--	--
14-15	West Indies Lab 3	NU	--	40	--	6	--	25	--	--	--
14-16	Diane Chandler	A	--	125	--	--	--	125	--	--	--
14-17	Cotton Valley Fire Station	PS	--	60	--	6	--	25	--	--	--
14-18	Al Lang (neighbor)	--	--	--	--	--	--	5	--	--	--

Figure 22. U.S. Fish and Wildlife Service, National Wetlands Inventory

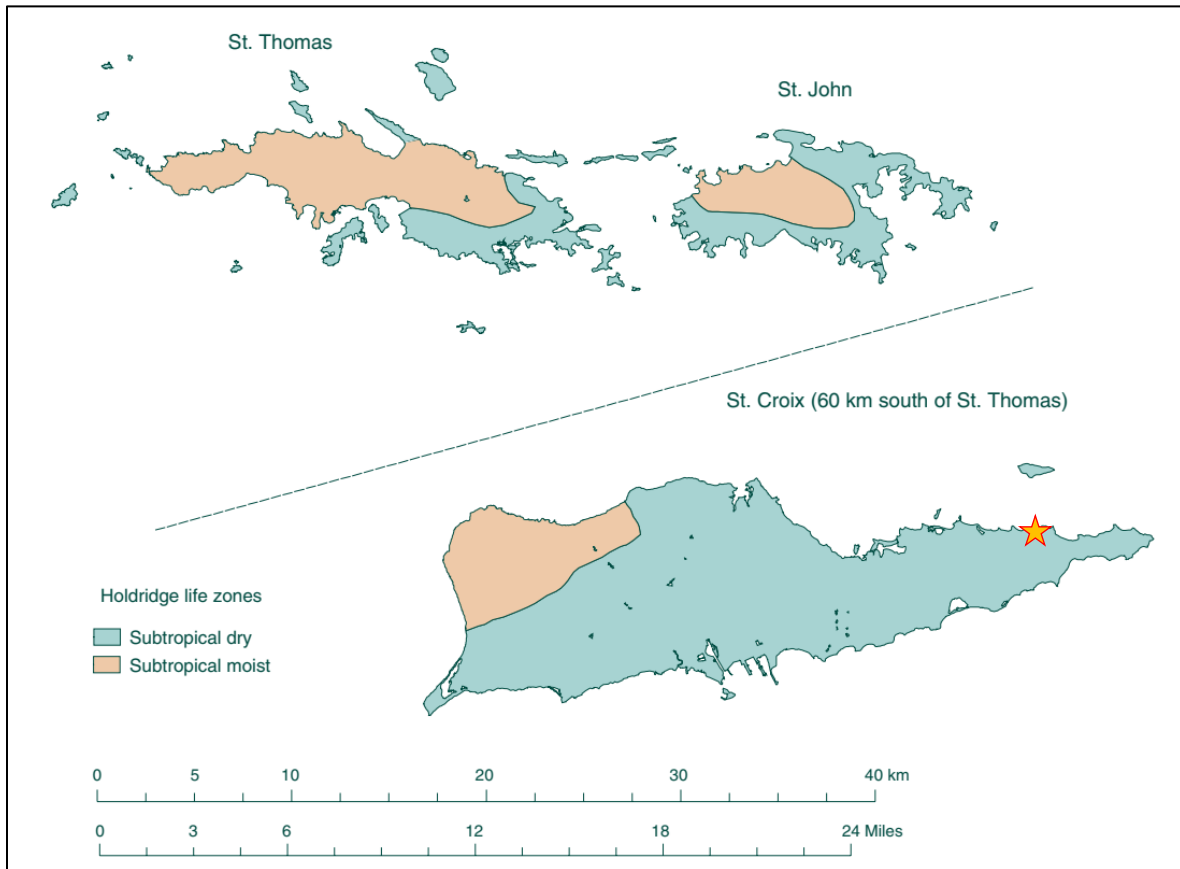


Note: The orange star indicates the location of the proposed project site.

[Source: <https://www.rivers.gov/documents/nwsrs-map.pdf>]



Figure 24. The Forested Life Zones in the U.S. Virgin Islands
[Source: USDA-Forest Service, *The Status of U.S. Virgin Islands' Forests*, 2004]

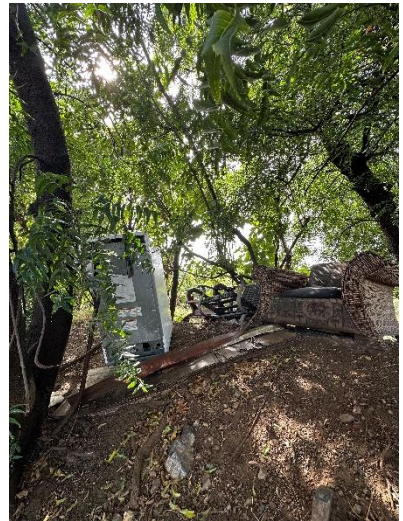


Note: The orange star indicates the location of the proposed project site.

Appendix B. Site Visit, Proposed Cotton Valley Convenience Center Site, St. Croix,
January 30, 2023



The proposed project site is currently used as a solid waste disposal site for residents and businesses on the east end of St. Croix. The proposed Cotton Valley Convenience Center would upgrade the only solid waste disposal site in the area.



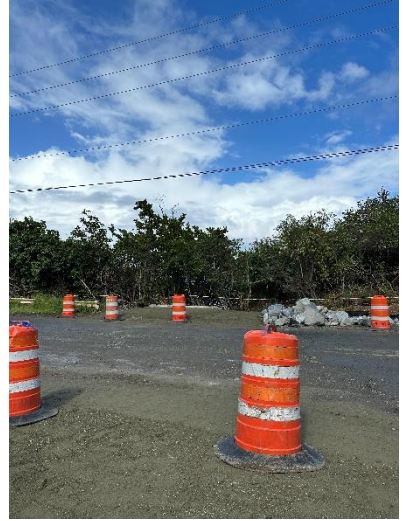
Illegal dumping at the existing Cotton Valley solid waste disposal site. The proposed convenience center will be gated with surveillance cameras, manned, and have specific hours of operation which would reduce illegal dumping.



Stained and discolored soils were noted around the existing solid waste dumpsters on the proposed project site. Ground caliche (right) was also observed which could indicate a previous hydrocarbon release. This is not a significant release, however these soils should be collected and disposed of properly when the site is developed.



The proposed project site is along East End Road, the main thoroughfare in northeastern St. Croix (left). The residence adjacent to the existing solid waste disposal facility and proposed project site (center). Windblown trash and an illegally dumped tire (right) along the northern boundary of the proposed project site. The design of proposed convenience center will reduce both windblown refuse and illegal dumping.



The drainageway behind the existing solid waste disposal site. The drainageway channels stormwater from upland (south) to the sea (north) along the western side of the property. The drainageway transects the proposed project site, continues under East End Road through a newly constructed concrete box culvert, and terminates in Yellowcliff Bay. This portion of the site is vegetated and undeveloped, and, per the proposed project site layout, will remain so.



Additional photos of the proposed project site and existing conditions. The proposed Cotton Valley Convenience Center would be a vast improvement to what currently exists.



U.S. Department of Housing and Urban Development

451 Seventh Street, SW
Washington, DC 20410
www.hud.gov

espanol.hud.gov

Environmental Review for Activity/Project that is Categorically Excluded Subject to Section 58.5

Pursuant to 24 CFR 58.35(a)

Project Information

Project Name: St. Croix Convenience Center – Cotton Valley

Responsible Entity: Virgin Islands Housing Finance Authority (VIHFA)

Grant Recipient (if different than Responsible Entity): Virgin Islands Waste Management Authority

State/Local Identifier: United States Virgin Islands

Preparer: Amy Claire Dempsey, M.A. Bioimpact, Inc.

Certifying Officer Name and Title: Ms. Dayna Clendinen, Interim Executive Director/Chief Disaster Recovery Officer

Consultant (if applicable): Oasis Consulting Services, 45 Woodstock St., Roswell Georgia 30075

Direct Comments to: Virgin Islands Housing Finance Authority, Attention: Dayna Clendinen, 3202 Demarara Plaza, Suite 200, St. Thomas, VI 00802

Project Location: Parcel 57 Cotton Valley and Parcel 1 Cotton Valley, Estate Cotton Valley, St. Croix, U.S. Virgin Islands (Figures 1 and 2).

Description of the Proposed Project [24 CFR 50.12 & 58.32; 40 CFR 1508.25]:

The proposed project site is located on northeastern side of the island of St. Croix (Latitude 17.758428° Longitude -64.623034°, Figures 1 and 2) and will be a residential convenience center for the disposal of solid waste and recycling (Figure 3). The overall parcel is approximately 3.57 acres, and the Cotton Valley Fire Station occupies the south half of the site. A viNGN generator for their fiberoptic distribution system lies between the fire station and the proposed convenience center. The northern 1.5 acres will be used for the development of the residential convenience center. The project site is currently an active waste collection location with several roll-off bins located on the eastern portion of the property which are periodically collected by Virgin Islands Waste Management (VIWMA). The development site will be 1.3 acres with a minimum 0.2-acre buffer. There will be an approximately 6,825 square foot area for the compactors, and a 3,600

square foot area which will house the office and provide an area for recycling and hurricane debris. All hardscape runoff will be routed through an oil water separator prior to discharge into the existing drainage way. The entrance will be off Coral Reef Trail, and the exit will be onto East End Road. The site will be fenced and landscaped to provide a buffer between the site and the neighboring properties. A minimum 10ft buffer will be incorporated on the western, northern, and southern boundaries of the site. The site will be manned, and the hours of operation will be between 7:00am and 7:00pm, seven days a week. The site will have separate bins for scrap metal, recyclable “green” waste (e.g., cardboard, plastic, glass), and household waste. Clear signage will be posted identifying which bin shall be used to dispose of waste. The site will have a small office (approximately 800 square feet) with a restroom and three to four parking spaces for the site operators. The site will harvest rainwater via roof catchment and a minimum 15,000-gallon cistern to ensure, and maintain, the cleanliness of the site. The site will be enclosed by an eight-foot fence with surveillance cameras outside and inside of the facility to prevent any illegal dumping and to ensure that the site remains clean, and to prevent any rodent infestation or any unsightly activities. Waste disposal will only be allowed during standard operating hours. Compactors will be contained within leak-proof containers and will not have leachate. It is anticipated that the proposed project design, permitting, and construction will take between 18 and 24 months.

Level of Environmental Review Determination:

Categorically Excluded per 24 CFR 58.35(a), and subject to laws and authorities at §58.5:

Rehabilitation of public facilities and improvements other than buildings 24 CFR 58.35(a)(1)
This activity is CEST if the facilities and improvements are in place and retained in the same use without change in size or capacity of more than 20 percent. Acceptable activities include replacement of water or sewer lines, reconstruction of curbs and sidewalks, and repaving of streets.

Funding Information

Grant Number	HUD Program	Funding Amount
P-17-VI-78-HIM1	CDBG-DR	\$1,320,172.49

Estimated Total HUD Funded Amount: \$1,320,172.49

This project does not anticipate the use of funds or assistance from another Federal Agency in addition to HUD.

Estimated Total Project Cost (HUD and non-HUD funds) [24 CFR 58.32(d)]: \$1,320,172.49

Compliance with 24 CFR 50.4, 58.5, and 58.6 Laws and Authorities

Record below the compliance or conformance determinations for each statute, executive order, or regulation. Provide credible, traceable, and supportive source documentation for each authority. Where applicable, complete the necessary reviews or consultations and obtain or note applicable permits of approvals. Clearly note citations, dates/names/titles of contacts, and page references. Attach additional documentation as appropriate.

Compliance Factors: Statutes, Executive Orders, and Regulations listed at 24 CFR §58.5 and §58.6	Are formal compliance steps or mitigation required?	Compliance determinations
STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR 50.4 and 58.6		
Airport Hazards 24 CFR Part 51 Subpart D	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	The proposed project site is located more than 11 miles from the Henry E. Rohlsen Airport (HERA) and 5.5 miles from the Svend Aage Ovesen Seaplane Facility (“Seaplane Ramp”) in Christiansted, St. Croix. The site is not within the flight path of any commercial airlines (Figure 4). The proposed project is compliant with Airport Hazards 24 CFR 51.
Coastal Barrier Resources Coastal Barrier Resources Act, as amended by the Coastal Barrier Improvement Act of 1990 [16 USC 3501]	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	The proposed project site is not located within a Coastal Barrier as defined by the Coastal Barrier Resources Act and according to the U.S. Fish and Wildlife Service (USFWS), Coastal Barrier Resources System Mapper (Figure 6). The proposed project is compliant with the Coastal Barrier Resources Act of 1990 [16 USC 3501].
Flood Insurance Flood Disaster Protection Act of 1973 and National Flood Insurance Reform Act of 1994 [42 USC 4001-4128 and 42 USC 5154a]	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	The proposed project site is located entirely within Flood Zone X where the 100-year coastal flooding is not expected (FIRM Map Panel 74 of 94, April 16, 2007, Figure 7 and the USVI Advisory Flood Hazard Resource Map, Figure 8). The proposed project is compliant with the Flood Disaster Protection Act of 1973 and the National Flood Insurance Reform Act of 1994 [42 USC 4001-4128 and 42 USC 5154a].
STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR 50.4 & 58.5		
Clean Air	Yes No <input checked="" type="checkbox"/> <input type="checkbox"/>	According to the Environmental Protection Agency (EPA) Criteria Pollutant Nonattainment Summary Report, the proposed project site is not

Clean Air Act, as amended, particularly section 176(c) & (d); 40 CFR Parts 6, 51, 93		<p>within a Designated Nonattainment Area. The Contractor for the proposed project will be required to develop and implement a Dust Control Plan during construction to mitigate negative impacts to surrounding properties. The proposed project site will be kept clean, and waste separated which will minimize any odors emanating from the site. Additionally, the project, as proposed, does not include activities which would result in the project being out of compliance with the Clean Air Act (Figures 9 and 10). The facility will have a generator and VIWMA will obtain a Permit to Construct and a Permit to Operate from the Department of Planning and Natural Resources, Division of Environmental Protection.</p> <p>The proposed project is required to adhere to the mitigative measures and additional permitting requirements provided by the Department of Planning and Natural Resources, Division of Environmental Protection to remain in compliance with the Clean Air Act, as amended, particularly section 176(c) & (d); 40 CFR Parts 6, 51, 93.</p>
Coastal Zone Management Coastal Zone Management Act sections 307(c) & (d)	Yes No <input checked="" type="checkbox"/> <input type="checkbox"/>	<p>The proposed project site is located in Tier II of the Coastal Zone (Figure 11) and does not require a Coastal Zone Management Permit. However, as advised by the Department of Planning and Natural Resources during the proposed project's Pre-Application meeting on (insert date), The proposed project will need to obtain a Federal Consistency from the Department of Planning and Natural Resources. The Federal Consistency is obtained through the Division of Coastal Zone Management prior to the start.</p>
Contamination and Toxic Substances 24 CFR Part 50.3(i) & 58.5(i)(2)	Yes No <input checked="" type="checkbox"/> <input type="checkbox"/>	<p>The proposed site is currently being used by the U.S. Virgin Islands Waste Management Authority (VIWMA) as a solid waste disposal for residents and businesses on the east end of St. Croix. The site has been utilized as a "dumpster site" for at least the past two decades. The inspection of the site found signs of illegal dumping and some stained and discolored soil around the existing dumpsters. Since this site has been a solid waste disposal site for some time, there could have been a previous hydrocarbon release into the soil as the result of improper or illegal disposal of a petroleum product or a piece</p>

		<p>of machinery containing petroleum product. See Appendix A for photographs taken during a site on January 30, 2023. Phase II sampling was conducted of the site in June 2023. Four soil samples were collected at different areas of the site. All four soil samples were found to be contaminated with Total Petroleum Hydrocarbon (TPH) over the U.S. Virgin Islands Regulatory limit of 460ppm for hydrocarbons. Lead was also detected in all four soil samples, however the amount detected was below the USVI Regulatory Limit of 400mg/kg (see Figure 12). As a result of these findings, a remediation plan will be developed and approved by the Division of Environmental Protection and implemented prior to the start of construction or excavation. A No Further Action (NFA) Letter should be obtained at the completion of remediation. Runoff from all hardscapes will be directed through an oil and water separator.</p> <p>The proposed project is required to adhere to the mitigative measures identified to control stormwater runoff and required by the Department of Planning and Natural Resources, Division of Environmental Protection.in order to remain complaint with Contamination and Toxic Substances 24 CFR Part 50.3(i) & 58.5(i)(2).</p>
<p>Endangered Species</p> <p>Endangered Species Act of 1973, particularly section 7; 50 CFR Part 402</p>	<p>Yes No</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>The USFWS Information for Planning and Consultation (IPaC) tool identifies one federally listed, terrestrial plant species – Vahl's Boxwood (<i>Buxus vahlii</i>) – potentially within the proposed project area (Figure 13). Vahl's Boxwood (<i>Buxus vahlii</i>) is a listed Endangered Species Act (ESA) species (1979) and is included in Appendix I of the Convention on International Trade in Endangered Species (CITES). There are no critical habitats within the area of the proposed project, nor are there refuge lands, fish hatcheries or migratory birds of conservation concern expected to occur within the area of the proposed project. The proposed project is within existing paved roadways and in previously developed areas and, thus, should not impact <i>Buxus vahlii</i>.</p> <p>The iPaC tool lists the Antillean manatee (<i>Trichechus manatus manatus</i>), hawksbill Sea turtle (<i>Eretmochelys imbricata</i>), leatherback sea turtle (<i>Dermochelys coriacea</i>), green sea turtle (<i>Chelonia mydas</i>), and loggerhead Sea turtle</p>

	<p>(<i>Caretta caretta</i>) as occurring in the nearshore waters. The project is located inland across a public roadway approximately 250 feet from the shoreline and the shoreline is not suitable for sea turtle nesting. The Antillean manatee after not being seen for years in the U.S. Virgin Islands has been reported off the south shore of St. Croix several years ago, and in the last year in St. John. These species only occur offshore, and the development of the convenience center will have no impact on this species.</p> <p>A letter requesting concurrence that the proposed project will result in no effect (NE) for the West Indian manatee and the sea turtles was submitted to the USFWS on June 16, 2023. In their response, USFWS stated that, “We acknowledge receipt of your no effect (NE) determinations for the West Indian manatee... and the sea turtles. Currently we do not have any information to refute your determination. Because you made a NE determination, you are not required to conduct formal or informal section 7 consultation with the Service and the Service is not required to concur with your NE determination.” The USFWS concurrence letter is Figure 14. USFWS indicated that “obligations under section 7 of the Act must be reconsidered if: (1) new information reveals impacts of this identified action that may affect listed species or critical habitat in a manner that was not previously considered; (2) this action is subsequently modified in a manner not previously considered in this assessment; or (3) a new species is listed, or critical habitat determined that may be affected by the identified action.”</p> <p>In their letter of June 30, 2023, “VIHFA has determined that the proposed project will result in no effect (NE) for the West Indian manatee, Vahl’s boxwood and the sea turtles.” “We acknowledge receipt of your no effect (NE) determinations for the West Indian manatee, Vahl’s boxwood and sea turtles. Currently we do have any information to refute your determination. Because you made a NE determination, you are not required to conduct formal or informal section 7 consultation with the Service and the Service is not required to concur with your NE determination.”</p>
--	---

		<p>The proposed project will have No Effect on ESA species and is compliant with the Endangered Species Act of 1973, particularly section 7; 50 CFR Part 402. If new information reveals impacts of this identified action that may affect listed species or critical habitat in a manner that was not previously considered; this action is subsequently modified in a manner not previously considered in this assessment or a new species is listed, or critical habitat determined that may be affected by the identified action consultation must be reinitiated.</p>
<p>Explosive and Flammable Hazards</p> <p>24 CFR Part 51 Subpart C</p>	<p>Yes No</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>The closest above ground fuel storage to the proposed project site is a backup power station generator associated with VINGN. The fuel storage is located 25ft. to the south, adjacent to the site and has a diesel fuel tank of approximately 90 gallons below the generator (Figure 15). The Acceptable Separation Distance (ASD) for Thermal Radiation for People (ASDPPU) is 101.42ft and the ASD for Thermal Radiation for Buildings (ASDBPU) is 16.52 (Figure 16). The proposed residential convenience center will be approximately 40ft from the above ground storage tank (AST) and the site is intended as a drive through to drop materials in the appropriate bin therefore, the use of the site will not put people within the ASD during operations.</p> <p>The next nearest fuel storage is associated with a gas station 0.62 miles to the east which has underground storage. Also, the Carden Beach Hotel is over one mile away and has approximately 600 gallon above ground diesel storage tank for their wastewater treatment facility's generator. The ASDPPU is 223.55ft and the ASDBPU is 39.70ft for Carden Beach's tank. No fuel storage was noted to the east within one mile.</p> <p>The convenience center will be manned during operations which will reduce the potential of the dumping of explosive and flammable waste.</p> <p>The proposed project is compliant with Explosive and Flammable Hazards 24 CFR Part 51 Subpart C.</p>

<p>Farmlands Protection</p> <p>Farmland Protection Policy Act of 1981, particularly sections 1504(b) and 1541; 7 CFR Part 658</p>	<p>Yes No</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>The proposed project site is not designated as Prime Farmland in the U.S. Department of Agriculture–Natural Resources Conservation Service’s (USDA-NRCS) Farmland Classification Map (Figure 17). The proposed site is classified as “not prime farmland.”</p> <p>The proposed project is compliant with the Farmland Protection Policy Act of 1981, particularly sections 1504(b) and 1541; 7 CFR Part 658.</p> <p>The area is zoned P-Public as per Act No. 8605 and the use is permitted under the category "Refuse Disposals (Solid Waste) (Figure 18).</p>
<p>Floodplain Management</p> <p>Executive Order 11988, particularly section 2(a); 24 CFR Part 55</p>	<p>Yes No</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>The proposed project site is located entirely within Flood Zone X where the 100-year coastal flooding is not expected (FIRM Map Figure 7 and the DPNR Advisory Flood Hazard Resource Map, Figure 8).</p> <p>The proposed project is compliant with Floodplain Management Executive Order 11988, particularly section 2(a); 24 CFR Part 55.</p>
<p>Historic Preservation</p> <p>National Historic Preservation Act of 1966, particularly sections 106 and 110; 36 CFR Part 800</p>	<p>Yes No</p> <p><input checked="" type="checkbox"/> <input type="checkbox"/></p>	<p>A Historic Preservation and Cultural Resources Assessment conducted by the U.S. Virgin Islands’ State Historic Preservation Office (VI-SHPO) found that while the proposed project area does not contain any property listed on the National Register of Historic, the proposed project could adversely impact resources in the vicinity of the proposed site that appear to be historic or fit to be listed or are already listed in the National Register. Thus, VI-SHPO recommends further review of project design to determine potential adverse effects to historic resources (Figure 19) and the project was required to undergo the Section 106 Process.</p> <p>Based on the site analysis and scope of work for the installation, the VISHPO concurs with the determination of Adverse Effects to Archaeological Resources with the Condition that all excavation activities, including foundation and utility trenching activity will have archaeological monitoring during the Project’s activity.</p>

		<p>The Section 106 Review Certificate of Approval For Project Compliance is provided in Figure 20.</p> <p>The proposed project is required to comply with the requirements set forth by the VI-SHPO in order to remain in compliance with National Historic Preservation Act of 1966, particularly sections 106 and 110; 36 CFR Part 800.</p>
<p>Noise Abatement and Control</p> <p>Noise Control Act of 1972, as amended by the Quiet Communities Act of 1978; 24 CFR Part 51 Subpart B</p>	<p>Yes No</p> <p><input checked="" type="checkbox"/> <input type="checkbox"/></p>	<p>The area around the proposed project site is primarily residential interspersed with private rental villas, boutique hotels, and other similar commercial properties. The proposed project site is along East End Road, the main thoroughfare in northeast St. Croix, and is impacted by traffic-related noise. To minimize noise impacts to neighboring properties, the site will be fenced and landscaped to provide a buffer between the site and neighboring properties. As part of the RFP for the Design Build of the sites a minimum approximate 10-foot buffer must be incorporated into the design. The buffer will be required on the western, northern, and southern boundaries where green space currently exists. A minimum of approximately 0.2 acres of the site will be retained as green space via the buffer zone. Construction activities will only occur between the hours of 7:00am and 7:00pm, up to seven days a week. And the site will be manned, and the specific hours of operation will be between 7:00am and 7:00pm, seven days a week.</p> <p>The proposed project is required to implement the mitigative measures identified to mitigate Noise Abatement and Control in order to remain compliant with the Noise Control Act of 1972, as amended by the Quiet Communities Act of 1978; 24 CFR Part 51 Subpart B.</p>
<p>Sole Source Aquifers</p> <p>Safe Drinking Water Act of 1974, as amended, particularly section 1424(e); 40 CFR Part 149</p>	<p>Yes No</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>According to the EPA, there are no Sole Source Aquifers in the U.S. Virgin Islands which falls under the EPA Region 2 (Figure 21). The nearest wells to the proposed project site are approximately 0.7 miles away to the southeast and northeast (Figure 22).</p>

		The proposed project is in compliance with the Safe Drinking Water Act of 1974, as amended, particularly section 1424(e); 40 CFR Part 149.
Wetlands Protection Executive Order 11990, particularly sections 2 and 5	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	According to the USFWS National Wetlands Inventory, the proposed project site is not located within a wetland (Figure 23). There is a fresh water emergent wetland approximately 0.7 miles to the southwest, and farther inland, of the proposed site and a riverine 0.9 miles to the west of the proposed site. The environmental professional preparing this document is a certified wetland delineator. The proposed site does not contain a jurisdictional wetland per the 1987 U.S. Army Corps of Engineers Wetland Delineation Manual and Caribbean Supplement. The proposed project is in compliance with Wetlands Protection Executive Order 11990, particularly sections 2 and 5.
Wild and Scenic Rivers Wild and Scenic Rivers Act of 1968, particularly section 7(b) and (c)	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	According to the USFWS, there are 226 national Wild and Scenic Rivers across the 40 states and Puerto Rico (Figure 24). There are no Wild and Scenic Rivers in the U.S. Virgin Islands. The proposed project is in compliance with Wild and Scenic Rivers Act of 1968, particularly section 7(b) and (c).
ENVIRONMENTAL JUSTICE		
Environmental Justice Executive Order 12898	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	The purpose of the proposed project is to provide a clean and environmentally friendly waste disposal center on the eastern end of St. Croix for the residents and businesses in the area. The site will be fenced and landscaped to provide a buffer between the site and the neighboring properties. The site will also be manned, and the hours of operation will be between 7:00am and 7:00pm, seven days a week. The proposed project will not disproportionately impact the surrounding community with environmental pollution. The community around the proposed project site is neither underserved nor overburdened. The siting of the facility does not disproportionately impact low-income communities or communities of color. The proposed project will protect cultural and historical resources as directed by the Virgin Islands State Historic Preservation office.

		Notices of the proposed activity were sent to potentially interested parties. The proposed project is in compliance with the Environmental Justice Executive Order 12898.
--	--	--

Field Inspection (Date and completed by):

A field inspection was conducted in January 2023 by Bioimpact, Inc and the Phase II sampling was conducted in June 2023 by Jaughna Nielsen-Bobbit and Jose Sanchez.

Summary of Findings and Conclusions:

This project is both a needed, and desired, service for residents and businesses on the eastern end of St. Croix. It will have no significant impact on the human environment and any identified potential impacts to the natural environment will be mitigated, as supported through local and federal agency consultations, assessments, and requirements for regulatory compliance, such as permitting.

The Cotton Valley Convenience Center is compliant with:

- Airport Hazards 24 CFR Part 51 Subpart D.
- Coastal Barrier Resources Act, as amended by the Coastal Barrier Improvement Act of 1990 [16 USC 3501].
- Flood Disaster Protection Act of 1973 and the National Flood Insurance Reform Act of 1994 [42 USC 4001-4128 and 42 USC 5154a].
- Endangered Species Act of 1973, particularly section 7; 50 CFR Part 402.
- Floodplain Management Executive Order 11988, particularly section 2(a); 24 CFR Part 55.
- Explosive and Flammable Hazards 24 CFR Part 51 Subpart C.
- Farmland Protection Policy Act of 1981, particularly sections 1504(b) and 1541; 7 CFR Part 658.
- Noise Control Act of 1972, as amended by the Quiet Communities Act of 1978; 24 CFR Part 51 Subpart B.
- Safe Drinking Water Act of 1974, as amended, particularly section 1424(e); 40 CFR Part 149.
- Wetlands Protection Executive Order 11990, particularly sections 2 and 5; and the
- Wild and Scenic Rivers Act of 1968, particularly section 7(b) and (c).

With the implemented dust control plan during construction the project will be compliant with the Clean Air Act, as amended, particularly section 176(c) & (d); 40 CFR Parts 6, 51, 93.

Having a manned and fenced residential convenience center will also prevent “dumpster fires” which release air contaminants into the atmosphere. In order to maintain compliance with the Coastal Zone Management Act, the proposed project is required to obtain a Federal Consistency Certificate as required by the regulatory requirements set forth by the Virgin Islands Department of Planning and Natural Resources prior to the start of construction. Phase II sampling was conducted on the site in June 2023. Four soil samples were collected at different areas of the stie.

All four soil samples were found to be contaminated with TPH over the USVI Regulatory Limit of 460ppm for hydrocarbons. Lead was also detected in all four soil samples, however the amount detected was below the USVI Regulatory Limit of 400mg/kg. As a result of these findings, a remediation plan will be developed and approved by the Division of Environmental Protection and implemented prior to the start of construction. Runoff from all hardscapes will be directed through an oil and water separator. Adherence to the identified mitigative measures will allow the proposed project to remain in compliance with Contamination and Toxic Substances 24 CFR Part 50.3(i) & 58.5(i) (2.) To be compliant with Noise Abatement and Control Act of 1972, as amended by the Quiet Communities Act of 1978; 24 CFR Part 51 Subpart B, 10-foot buffers will be installed on the sides of the site facing residential properties and the site will only be operated between 7:00am and 7:00pm, seven days a week. In order to be compliant with the National Historic Preservation Act of 1966, particularly sections 106 and 110; 36 CFR Part 800 the project will comply with the requirements set forth by the VI-SHPO and all excavation activities, including foundation and utility trenching. The proposed project is required to maintain archaeological monitoring during the duration of the project's construction as communicated through the project's Section 106 Process. By implementing the buffers to abate and control noise and by following the requirements of VI-SHPO to protect historical and cultural resources, the proposed project is compliant with Executive Order 12898.

The project will have No Effect on ESA listed plant or animal species. In their June 30, 2023, FWS stated, "We acknowledge receipt of your no effect (NE) determinations for Vahl's boxwood. Currently we do not have any information to refute your determination. Because you made a NE determination, you are not required to conduct formal or informal section 7 consultation with the Service and the Service is not required to concur with your NE determination." And went on to state, "In view of this, we believe that requirements of section 7 of the Act have been satisfied". Obligations under section 7 of the Act must be reconsidered if new information reveals a potential impact to a listed species or critical habitat.

Mitigation Measures and Conditions [40 CFR 1505.2(c)]

Summarize below all mitigation measures adopted by the Responsible Entity to reduce, avoid, or eliminate adverse environmental impacts and to avoid non-compliance or non-conformance with the above-listed authorities and factors. These measures/conditions must be incorporated into project contracts, development agreements, and other relevant documents. The staff responsible for implementing and monitoring mitigation measures should be clearly identified in the mitigation plan.

Law, Authority, or Factor	Mitigation Measure	Comments or Conditions
Standard Conditions		<p>Any changes to the approved scope of work will require a review to determine if a re-evaluation for compliance with NEPA and other Laws and Executive Orders is required.</p> <p>This review does not address all federal, state, and local requirements. Acceptance of federal funding requires that all permits, approvals, etc. must be acquired prior to construction activities.</p>
Clean Air Act	The project is required to develop a Dust Control Plan and submit it to the Dept. of Planning of Natural Resources for approval. The Dust Control Plan will be used to implement air quality controls during construction	The project is required to obtain a Permit to Construct and Operate any generators that are anticipated to be installed at the site, before construction is complete
Contamination and Toxic Substances 24 CFR Part 50.3(i) & 58.5(i)(2)	The proposed project was investigated for contamination through the application of a Phase I and Phase II ESA. Findings of this assessment confirmed that the soil sample collected from different areas at the proposed project site were found to be above the USVI TPH Regulatory Limits of 460ppm for Hydrocarbons. As a result of these findings, the proposed project is required to develop a remediation plan approved by the Department of Planning and Natural Resources, Division of Environmental Protection prior to the start of construction.	The cleanup plan must be approved by the Department of Planning and Natural Resources, Division of Environmental Protection and implemented prior to the start of construction. A No Further Action (NFA) letter must be obtained upon completion of the remediation.

Section 106 Historic Preservation Act	All excavation activities, including foundation and utility trenching activity will have archaeological monitoring during the Project's activity.	All ground disturbing activities occurring during construction must be monitored. If any potential archaeological resources are discovered, construction activities will immediately cease in the area and the necessary parties will be notified.
Noise Control Act of 1972, as amended by the Quiet Communities Act of 1978; 24 CFR Part 51 Subpart B	The proposed project is required to install a minimum approximate 10-foot buffer into the design. The buffer will be required on the western, northern, and southern boundaries where green space currently exists. A minimum of approximately 0.2 acres of the site will be retained as green space via the buffer zone. The site will be manned, and the specific hours of operation will be between 7:00am and 7:00pm seven days a week.	
Coastal Zone Management Act, sections 307(c) & (d)	The proposed project will need to obtain a Federal Consistency Determination from the state's regulatory agency, through the Division of Coastal Zone Management prior to construction.	
Endangered Species Act of 1973, particularly section 7; 50 CFR Part 402		If new information reveals impacts of this identified action that may affect listed species or critical habitat in a manner that was not previously considered; this action is subsequently modified in a manner not previously considered in this assessment or a new species is listed, or critical habitat determined that may be affected by the identified action consultation must be reinitiated.

Determination:

- ☐ This categorically excluded activity/project converts to Exempt, per 58.34(a)(12) because there are no circumstances which require compliance with any of the federal laws and authorities cited at

§58.5. **Funds may be committed and drawn down after certification of this part** for this (now) EXEMPT project; OR

- ☒ This categorically excluded activity/project cannot convert to Exempt because there are circumstances which require compliance with one or more federal laws and authorities cited at §58.5. Complete consultation/mitigation protocol requirements, **publish NOI/RROF and obtain “Authority to Use Grant Funds”** (HUD 7015.16) per Section 58.70 and 58.71 before committing or drawing down any funds; OR
- ☐ This project is now subject to a full Environmental Assessment according to Part 58 Subpart E due to extraordinary circumstances (Section 58.35(c)).

Preparer Signature:  _____

Date: June 9, 2023

Name/Title/Organization: Amy Claire Dempsey/President/Bioimpact, Inc.

Certifying Officer Signature: _____

Date:

Name/Title: Dayna Clendinen, Interim Executive Director/Chief Disaster Recovery Officer

This original, signed document and related supporting material must be retained on file by the Responsible Entity in an Environmental Review Record (ERR) for the activity/project (ref: 24 CFR Part 58.38) and in accordance with recordkeeping requirements for the HUD program(s).

APPENDIX A

Figure 1. Proposed Project Location, Cotton Valley, St. Croix
[Source: U.S. Geological Survey]



Note: The orange star indicates the location of the proposed project site.

Figure 2. Proposed Project Location, Cotton Valley, St. Croix
 [Source: Government of the U.S. Virgin Islands, Geospatial Information Systems Division]



Figure 3. Proposed Project Site Layout, Cotton Valley, St. Croix

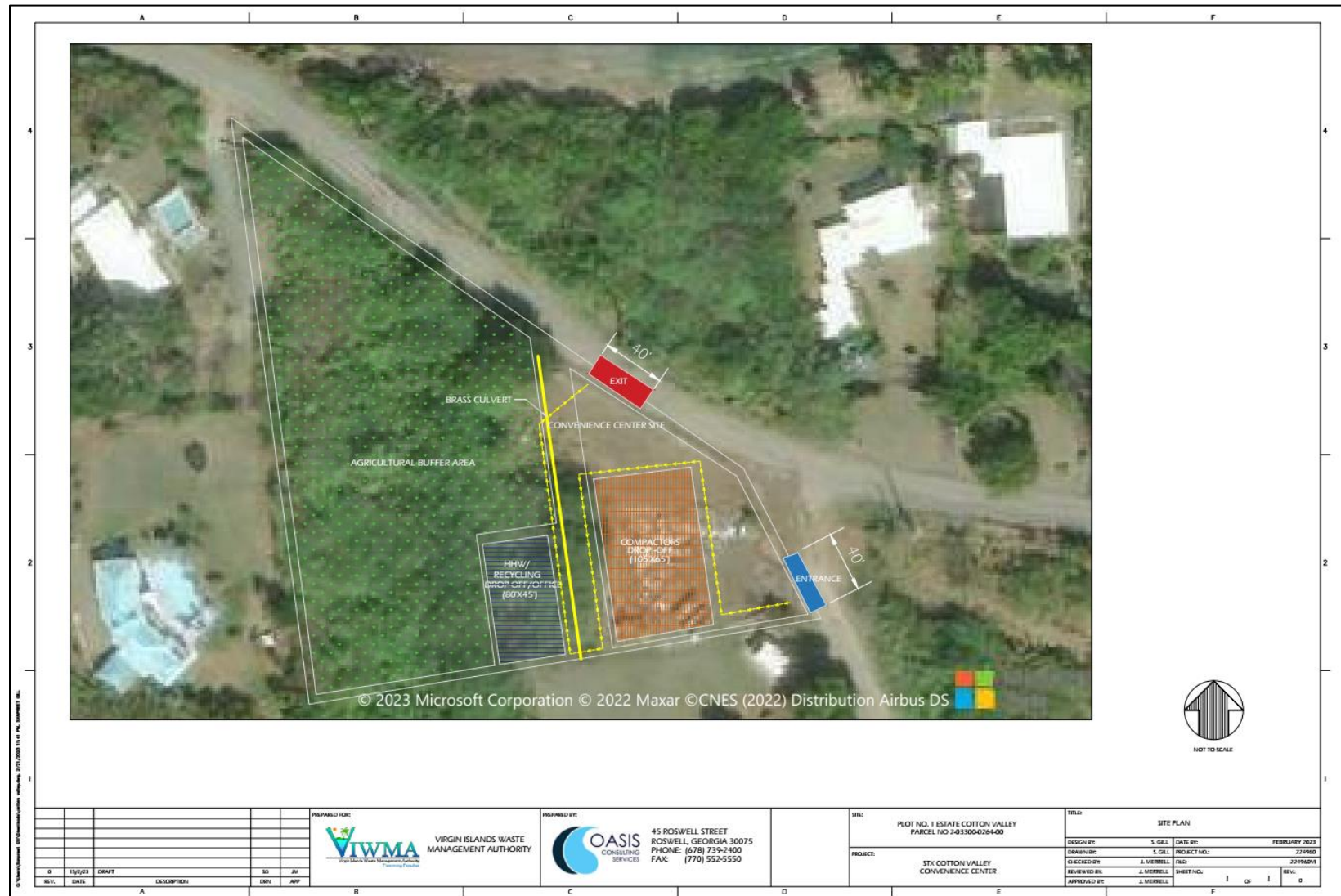


Figure 4. Proposed Project Site in Relation to Airports, St. Croix
[Source: NOAA, Office of Coast Survey]

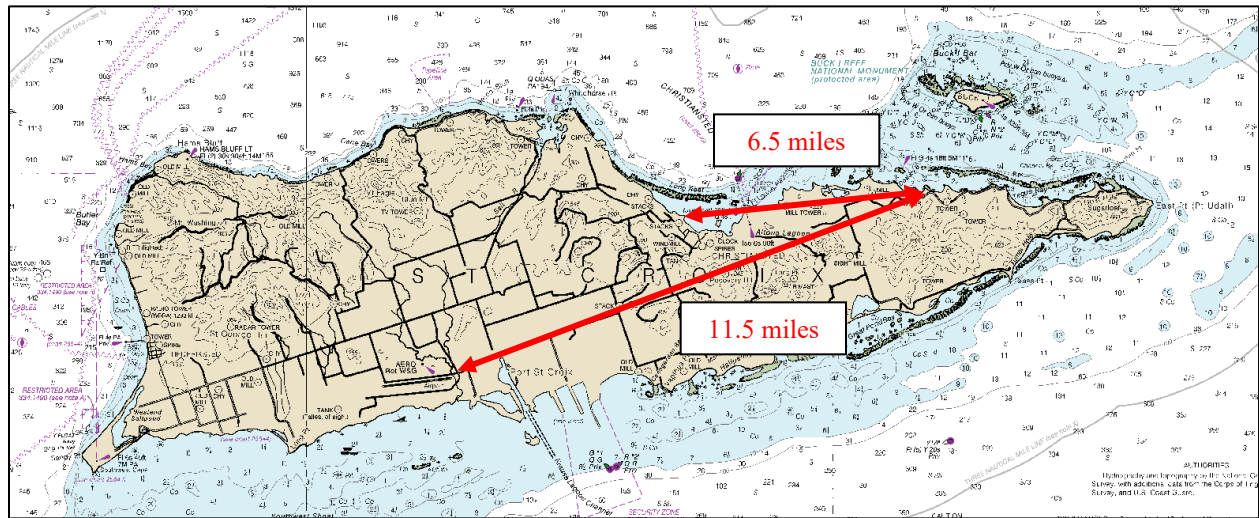
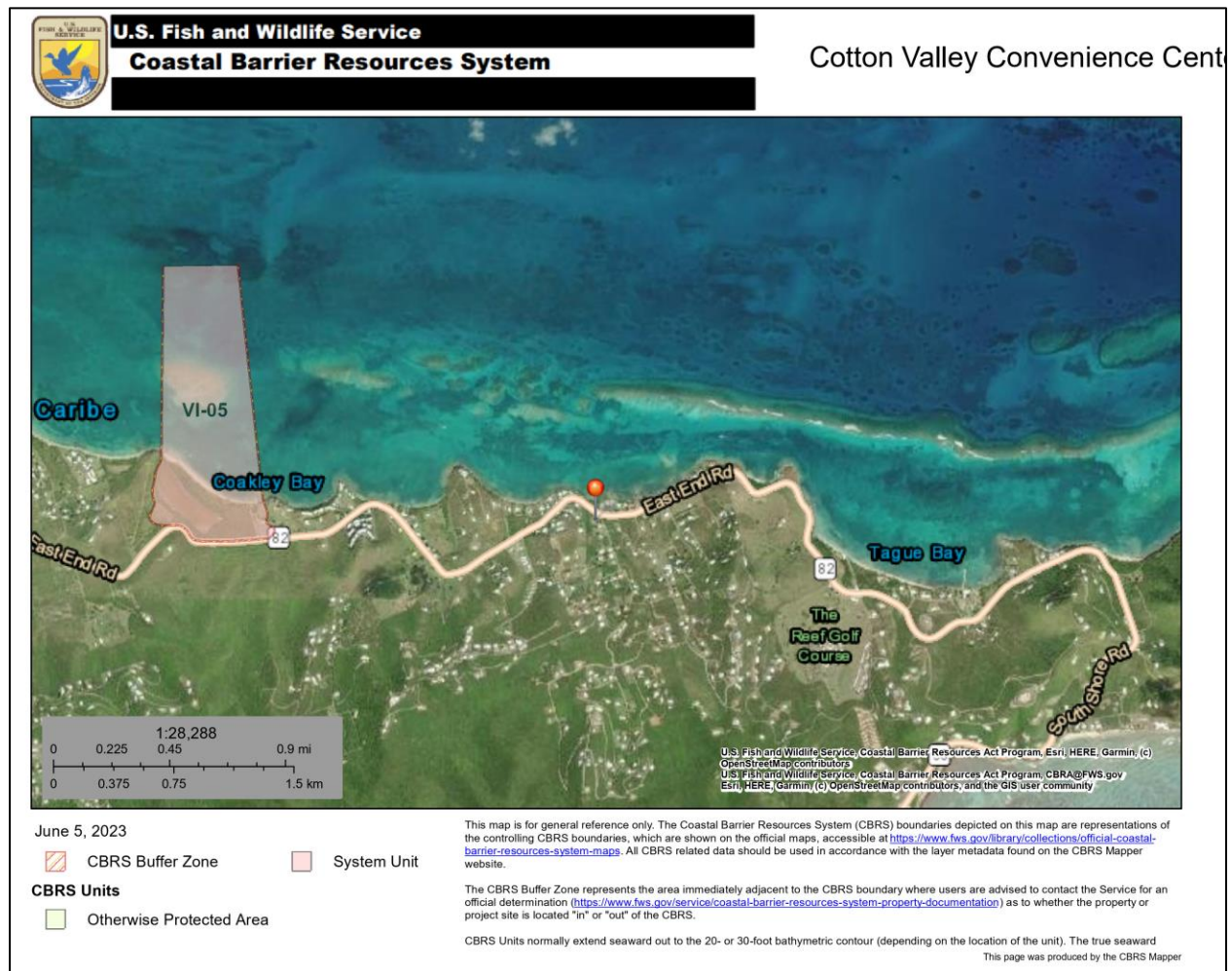


Figure 5. Historical Aerial of the Proposed Cotton Valley Convenience Center
[U.S. Geological Survey, November 1977]



Note: The area of the proposed project site is outlined in orange.

Figure 6. Coastal Barrier Map, Coastal Barriers in Relation to the Cotton Valley Convenience Site, St. Croix



Note: The pen indicates the location of the proposed project site.

Figure 7. National Flood Insurance Program Flood Insurance Rate Map, Panel 74 of 94,
April 16, 2007



Note: The orange star indicates the location of the proposed project site.

Figure 8. DPNR Advisory Flood Hazard Resource Map

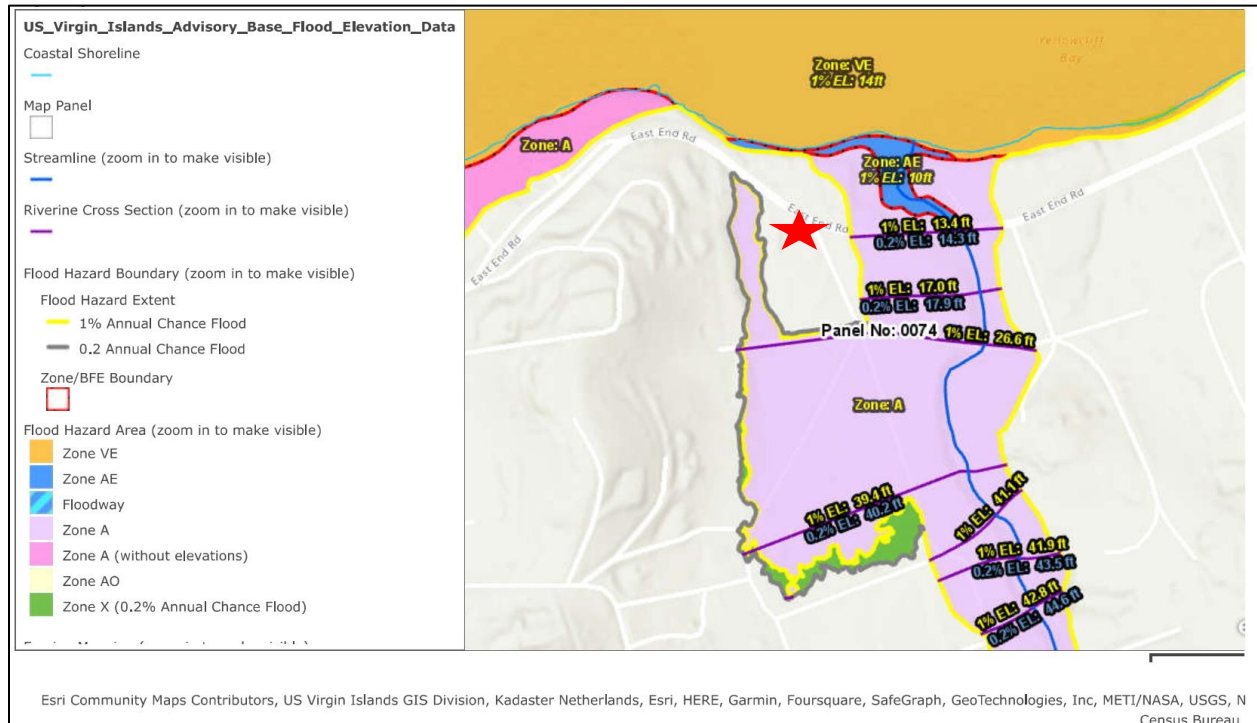


Figure 9. EPA Map of Nonattainment Areas for Criteria Pollutants (Green Book)

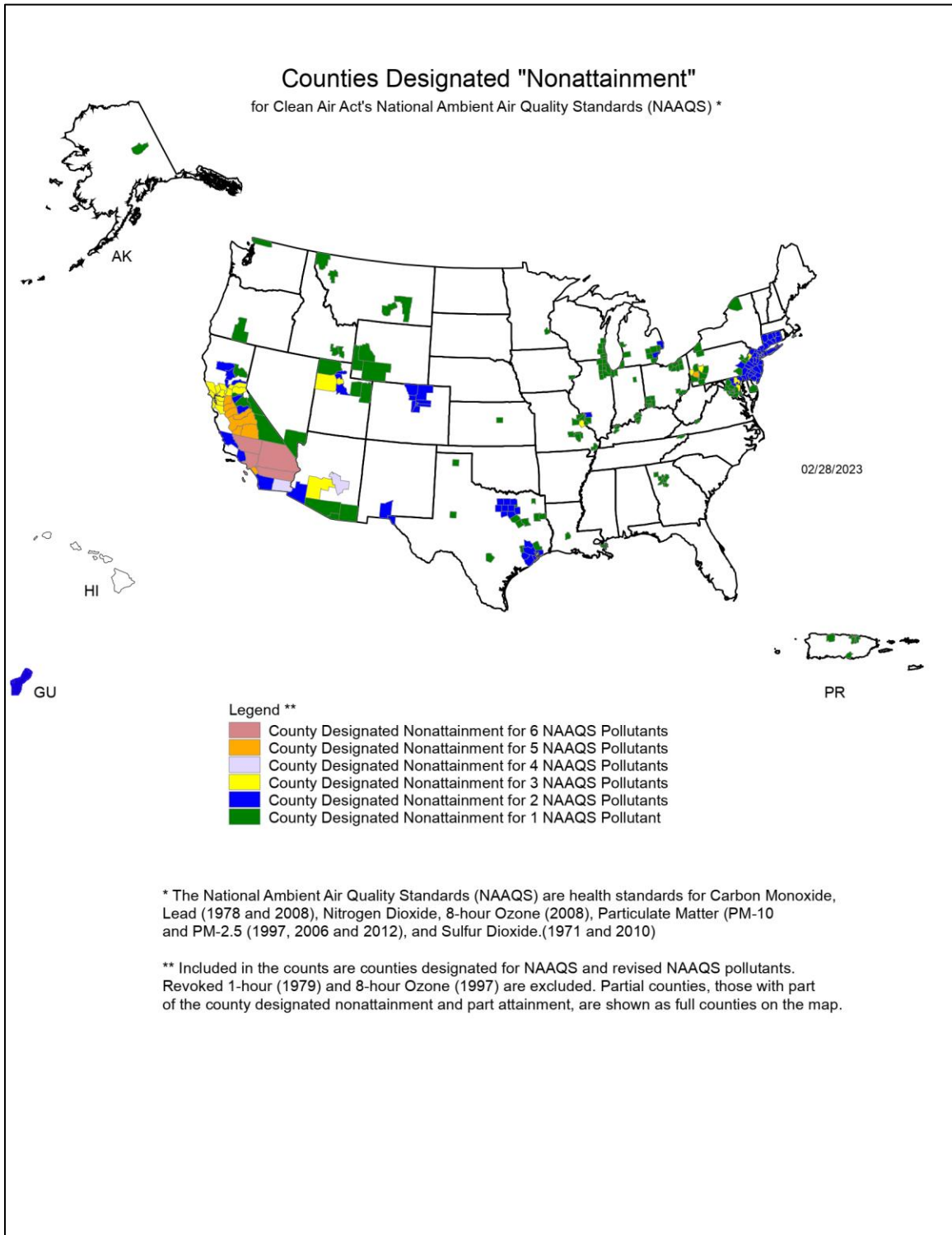



Figure 10. EPA Status of Air Quality State Implementation Plan (SIP)
 [Source: https://www3.epa.gov/airquality/urbanair/sipstatus/reports/vi_areabypoll.html]


United States Environmental Protection Agency

SIP Status Reports

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Status of U.S. Virgin Islands Designated Areas

U.S. Virgin Islands Areas by NAAQS
NOTE: As of 03/12/2021, these reports are no longer being updated. For the latest information, see the [SIP Status Tools](#).

Jump to U.S. Virgin Islands section for: [CO \(1971\)](#) [Lead \(1978\)](#) [Lead \(2008\)](#) [NO2 \(1971\)](#) [Ozone-1Hr \(1979\)](#) [Ozone-8Hr \(1997\)](#) [Ozone-8Hr \(2008\)](#) [Ozone-8Hr \(2015\)](#) [PM-10 \(1987\)](#) [PM-2.5 \(1997\)](#) [PM-2.5 \(2006\)](#) [PM-2.5 \(2012\)](#) [SO2 \(1971\)](#) [SO2 \(2010\)](#)

U.S. Virgin Islands CO (1971) Areas	Return to map
No designated areas for this pollutant.	
U.S. Virgin Islands Lead (1978) Areas	Return to map Top of page
No designated areas for this pollutant.	
U.S. Virgin Islands Lead (2008) Areas	Return to map Top of page
No designated areas for this pollutant.	
U.S. Virgin Islands NO2 (1971) Areas	Return to map Top of page
No designated areas for this pollutant.	
U.S. Virgin Islands Ozone-1Hr (1979) Areas	Return to map Top of page
No designated areas for this pollutant.	
U.S. Virgin Islands Ozone-8Hr (1997) Areas	Return to map Top of page
No designated areas for this pollutant.	
U.S. Virgin Islands Ozone-8Hr (2008) Areas	Return to map Top of page
No designated areas for this pollutant.	
U.S. Virgin Islands Ozone-8Hr (2015) Areas	Return to map Top of page
No designated areas for this pollutant.	
U.S. Virgin Islands PM-10 (1987) Areas	Return to map Top of page
No designated areas for this pollutant.	
U.S. Virgin Islands PM-2.5 (1997) Areas	Return to map Top of page
No designated areas for this pollutant.	
U.S. Virgin Islands PM-2.5 (2006) Areas	Return to map Top of page
No designated areas for this pollutant.	
U.S. Virgin Islands PM-2.5 (2012) Areas	Return to map Top of page
No designated areas for this pollutant.	
U.S. Virgin Islands SO2 (1971) Areas	Return to map Top of page
No designated areas for this pollutant.	
U.S. Virgin Islands SO2 (2010) Areas	Return to map Top of page
No designated areas for this pollutant.	

We have made our best effort to ensure that the data contained in these reports is accurate. We note that there may be brief delays in updating the reports as we receive new state submissions and we take rulemaking action on plans. In order to assist us in providing accurate information, we request that you contact us by clicking on the "Contact Us" link near the top of this page with any comments regarding or corrections to the posted information, including concerns about whether the entries reflect the most recent status.

Current and historical design value data can be found on the [EPA Air Quality Design Values website](#) and the [EPA Green Book](#) contains comprehensive nonattainment area, designation status, and historical information.

The level of the 1-hour NAAQS for sulfur dioxide is 75 parts per billion (ppb) calculated as the 3-year average of the 99th percentile of the annual distribution of daily maximum 1-hour average concentrations.

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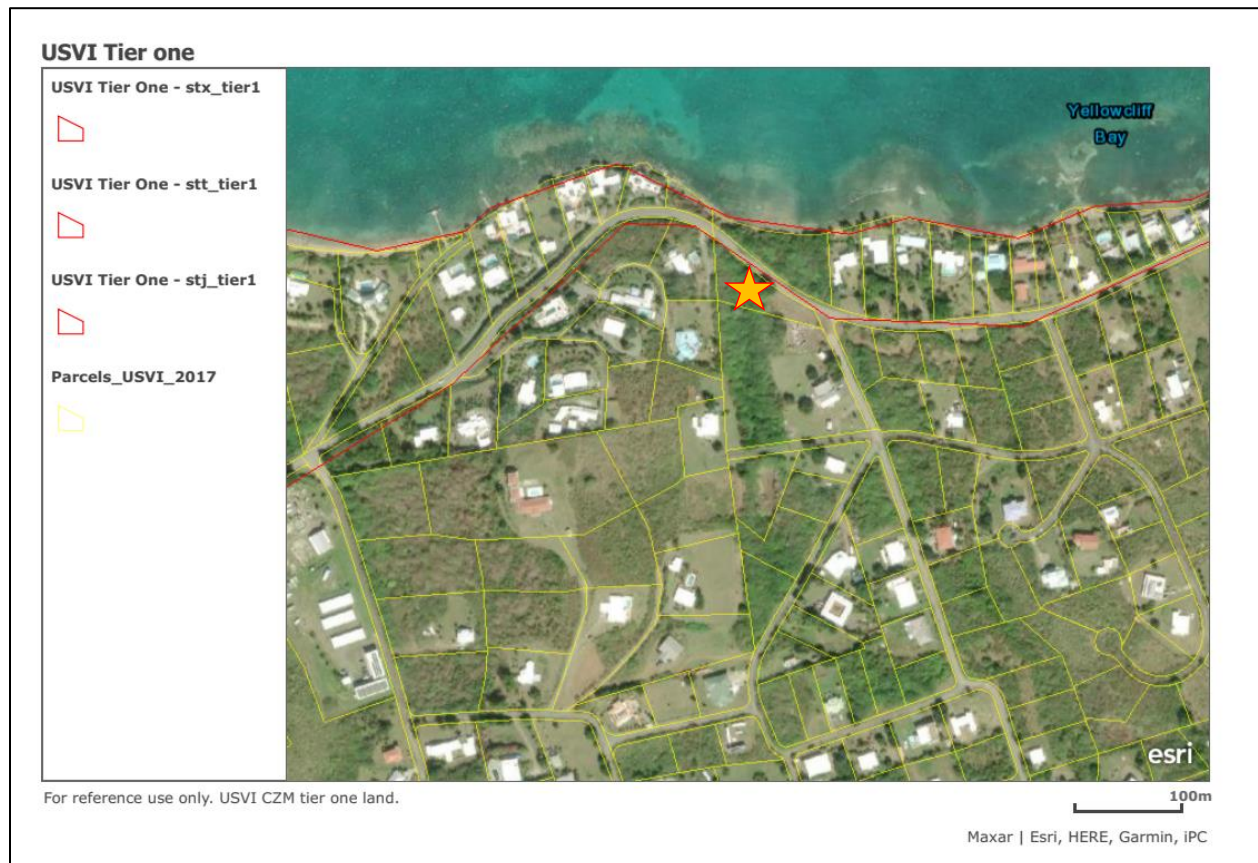



Figure 11. U.S. Virgin Islands Department of Planning and Natural Resources (DPNR) Coastal Zone Management Agency (CZM) Tier 1 Map

[Source: <https://dpnr.vi.gov/coastal-zone-management/what-we-do/coastal-zone-permitting/>]



Note: The orange star indicates the location of the proposed project site.

Figure 12. Phase II Soil Sample Results



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8 East Tower Circle
Ormond Beach, FL 32174
(386)672-5668

ANALYTICAL RESULTS

Project: Cotton Valley
Pace Project No.: 35806837

Sample: Cotton Valley-01 N17.75827 Lab ID: 35806837001 Collected: 06/13/23 13:13 Received: 06/15/23 10:20 Matrix: Solid W64

Results reported on a "dry weight" basis and are adjusted for percent moisture, sample size and any dilutions.

Parameters	Results	Units	PQL	MDL	DF	Prepared	Analyzed	CAS No.	Qual
FL-PRO Soil Microwave Analytical Method: FL-PRO Preparation Method: EPA 3546 Pace Analytical Services - Ormond Beach									
Petroleum Range Organics	523	mg/kg	6.1	5.3	1	06/15/23 23:58	06/16/23 12:38		
Surrogates									
o-Terphenyl (S)	79	%	66-136		1	06/15/23 23:58	06/16/23 12:38	84-15-1	
N-Pentatriacontane (S)	66	%	42-159		1	06/15/23 23:58	06/16/23 12:38	630-07-09	
6010 MET ICP Analytical Method: EPA 6010 Preparation Method: EPA 3050 Pace Analytical Services - Ormond Beach									
Lead	2.8	mg/kg	0.46	0.23	1	06/21/23 05:55	06/21/23 21:19	7439-92-1	
Percent Moisture Analytical Method: ASTM D2974-87 Pace Analytical Services - Ormond Beach									
Percent Moisture	2.9	%	0.10	0.10	1		06/20/23 09:21		

Sample: Cotton Valley-02 N17.75837 Lab ID: 35806837002 Collected: 06/13/23 13:21 Received: 06/15/23 10:20 Matrix: Solid W64

Results reported on a "dry weight" basis and are adjusted for percent moisture, sample size and any dilutions.

Parameters	Results	Units	PQL	MDL	DF	Prepared	Analyzed	CAS No.	Qual
FL-PRO Soil Microwave Analytical Method: FL-PRO Preparation Method: EPA 3546 Pace Analytical Services - Ormond Beach									
Petroleum Range Organics	577	mg/kg	6.4	5.5	1	06/15/23 23:58	06/19/23 11:13		
Surrogates									
o-Terphenyl (S)	79	%	66-136		1	06/15/23 23:58	06/19/23 11:13	84-15-1	
N-Pentatriacontane (S)	72	%	42-159		1	06/15/23 23:58	06/19/23 11:13	630-07-09	
6010 MET ICP Analytical Method: EPA 6010 Preparation Method: EPA 3050 Pace Analytical Services - Ormond Beach									
Lead	340	mg/kg	2.8	1.4	5	06/21/23 05:55	06/23/23 02:21	7439-92-1	
Percent Moisture Analytical Method: ASTM D2974-87 Pace Analytical Services - Ormond Beach									
Percent Moisture	7.4	%	0.10	0.10	1		06/20/23 09:21		

REPORT OF LABORATORY ANALYSIS

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ANALYTICAL RESULTS

Project: Cotton Valley
Pace Project No.: 35806837

Sample: Cotton Valley-03 N175849 Lab ID: 35806837003 Collected: 06/13/23 13:30 Received: 06/15/23 10:20 Matrix: Solid
W64.6

Results reported on a "dry weight" basis and are adjusted for percent moisture, sample size and any dilutions.

Parameters	Results	Units	PQL	MDL	DF	Prepared	Analyzed	CAS No.	Qual
FL-PRO Soil Microwave Analytical Method: FL-PRO Preparation Method: EPA 3546 Pace Analytical Services - Ormond Beach									
Petroleum Range Organics	54900	mg/kg	1260	1080	200	06/15/23 23:58	06/19/23 12:50		
Surrogates									
o-Terphenyl (S)	229	%	66-136		200	06/15/23 23:58	06/19/23 12:50	84-15-1	S5
N-Pentatriacontane (S)	144	%	42-159		200	06/15/23 23:58	06/19/23 12:50	630-07-09	
6010 MET ICP Analytical Method: EPA 6010 Preparation Method: EPA 3050 Pace Analytical Services - Ormond Beach									
Lead	38.7	mg/kg	1.2	0.60	2	06/21/23 05:55	06/21/23 21:42	7439-92-1	
Percent Moisture Analytical Method: ASTM D2974-87 Pace Analytical Services - Ormond Beach									
Percent Moisture	5.1	%	0.10	0.10	1		06/20/23 09:21		

Sample: Cotton Valley-04 N17.75846 Lab ID: 35806837004 Collected: 06/13/23 13:41 Received: 06/15/23 10:20 Matrix: Solid
W64

Results reported on a "dry weight" basis and are adjusted for percent moisture, sample size and any dilutions.

Parameters	Results	Units	PQL	MDL	DF	Prepared	Analyzed	CAS No.	Qual
FL-PRO Soil Microwave Analytical Method: FL-PRO Preparation Method: EPA 3546 Pace Analytical Services - Ormond Beach									
Petroleum Range Organics	1310	mg/kg	62.4	53.7	10	06/15/23 23:58	06/19/23 13:03		
Surrogates									
o-Terphenyl (S)	99	%	66-136		10	06/15/23 23:58	06/19/23 13:03	84-15-1	
N-Pentatriacontane (S)	90	%	42-159		10	06/15/23 23:58	06/19/23 13:03	630-07-09	
6010 MET ICP Analytical Method: EPA 6010 Preparation Method: EPA 3050 Pace Analytical Services - Ormond Beach									
Lead	21.3	mg/kg	0.56	0.28	1	06/21/23 05:55	06/21/23 21:45	7439-92-1	
Percent Moisture Analytical Method: ASTM D2974-87 Pace Analytical Services - Ormond Beach									
Percent Moisture	4.8	%	0.10	0.10	1		06/20/23 09:21		


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Figure 13. U.S. Fish and Wildlife Service, IPaC Tool, Endangered Species

IPaC Information for Planning and Consultation	U.S. Fish & Wildlife Service
<h2>IPaC resource list</h2> <p>This report is an automatically generated list of species and other resources such as critical habitat (collectively referred to as <i>trust resources</i>) under the U.S. Fish and Wildlife Service's (USFWS) jurisdiction that are known or expected to be on or near the project area referenced below. The list may also include trust resources that occur outside of the project area, but that could potentially be directly or indirectly affected by activities in the project area. However, determining the likelihood and extent of effects a project may have on trust resources typically requires gathering additional site-specific (e.g., vegetation/species surveys) and project-specific (e.g., magnitude and timing of proposed activities) information.</p> <p>Below is a summary of the project information you provided and contact information for the USFWS office(s) with jurisdiction in the defined project area. Please read the introduction to each section that follows (Endangered Species, Migratory Birds, USFWS Facilities, and NWI Wetlands) for additional information applicable to the trust resources addressed in that section.</p> <h3>Location</h3> <p>St. Croix County, Virgin Islands</p>  <h3>Local office</h3> <p>Caribbean Ecological Services Field Office</p> <p>☎ (787) 834-1600 📠 (787) 851-7440 ✉ CARIBBEAN_ES@FWS.GOV</p> <p>MAILING ADDRESS Post Office Box 491 Boqueron, PR 00622-0491</p> <p>PHYSICAL ADDRESS Office Park I State Road #2 Km 156.5, Suite 303) Mayaguez, PR 00680</p>	

Endangered species

This resource list is for informational purposes only and does not constitute an analysis of project level impacts.

The primary information used to generate this list is the known or expected range of each species. Additional areas of influence (AOI) for species are also considered. An AOI includes areas outside of the species range if the species could be indirectly affected by activities in that area (e.g., placing a dam upstream of a fish population even if that fish does not occur at the dam site, may indirectly impact the species by reducing or eliminating water flow downstream). Because species can move, and site conditions can change, the species on this list are not guaranteed to be found on or near the project area. To fully determine any potential effects to species, additional site-specific and project-specific information is often required.

Section 7 of the Endangered Species Act requires Federal agencies to "request of the Secretary information whether any species which is listed or proposed to be listed may be present in the area of such proposed action" for any project that is conducted, permitted, funded, or licensed by any Federal agency. A letter from the local office and a species list which fulfills this requirement can only be obtained by requesting an official species list from either the Regulatory Review section in IPaC (see directions below) or from the local field office directly.

For project evaluations that require USFWS concurrence/review, please return to the IPaC website and request an official species list by doing the following:

1. Draw the project location and click CONTINUE.
2. Click DEFINE PROJECT.
3. Log in (if directed to do so).
4. Provide a name and description for your project.
5. Click REQUEST SPECIES LIST.

Listed species¹ and their critical habitats are managed by the [Ecological Services Program](#) of the U.S. Fish and Wildlife Service (USFWS) and the fisheries division of the National Oceanic and Atmospheric Administration (NOAA Fisheries²).

Species and critical habitats under the sole responsibility of NOAA Fisheries are **not** shown on this list. Please contact [NOAA Fisheries](#) for [species under their jurisdiction](#).

1. Species listed under the [Endangered Species Act](#) are threatened or endangered; IPaC also shows species that are candidates, or proposed, for listing. See the [listing status page](#) for more information. IPaC only shows species that are regulated by USFWS (see FAQ).
2. [NOAA Fisheries](#), also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

The following species are potentially affected by activities in this location:

Mammals

NAME	STATUS
West Indian Manatee <i>Trichechus manatus</i> Wherever found There is final critical habitat for this species. Your location does not overlap the critical habitat. https://ecos.fws.gov/ecp/species/4469	Threatened Marine mammal

Reptiles

NAME	STATUS
Green Sea Turtle <i>Chelonia mydas</i> There is final critical habitat for this species. Your location does not overlap the critical habitat. https://ecos.fws.gov/ecp/species/6199	Threatened
Hawksbill Sea Turtle <i>Eretmochelys imbricata</i> Wherever found There is final critical habitat for this species. Your location does not overlap the critical habitat. https://ecos.fws.gov/ecp/species/3656	Endangered
Leatherback Sea Turtle <i>Dermochelys coriacea</i> Wherever found There is final critical habitat for this species. Your location does not overlap the critical habitat. https://ecos.fws.gov/ecp/species/1493	Endangered
Loggerhead Sea Turtle <i>Caretta caretta</i> There is final critical habitat for this species. Your location does not overlap the critical habitat. https://ecos.fws.gov/ecp/species/1110	Threatened
Olive Ridley Sea Turtle <i>Lepidochelys olivacea</i> No critical habitat has been designated for this species. https://ecos.fws.gov/ecp/species/1513	Threatened

Critical habitats

Potential effects to critical habitat(s) in this location must be analyzed along with the endangered species themselves.

There are no critical habitats at this location.

You are still required to determine if your project(s) may have effects on all above listed species.

Bald & Golden Eagles

There are no documented cases of eagles being present at this location. However, if you believe eagles may be using your site, please reach out to the local Fish and Wildlife Service office.

Additional information can be found using the following links:

- Eagle Management <https://www.fws.gov/program/eagle-management>
- Measures for avoiding and minimizing impacts to birds <https://www.fws.gov/library/collections/avoiding-and-minimizing-incidental-take-migratory-birds>

- Nationwide conservation measures for birds <https://www.fws.gov/sites/default/files/documents/nationwide-standard-conservation-measures.pdf>

What does iPaC use to generate the potential presence of bald and golden eagles in my specified location?

The potential for eagle presence is derived from data provided by the [Avian Knowledge Network \(AKN\)](#). The AKN data is based on a growing collection of [survey, banding, and citizen science datasets](#), and is queried and filtered to return a list of those birds reported as occurring in the 10km grid cell(s) which your project intersects, and that have been identified as warranting special attention because they are a BCC species in that area, an eagle ([Eagle Act](#) requirements may apply). To see a list of all birds potentially present in your project area, please visit the [Rapid Avian Information Locator \(RAIL\) Tool](#).

What does iPaC use to generate the probability of presence graphs of bald and golden eagles in my specified location?

The Migratory Bird Resource List is comprised of USFWS [Birds of Conservation Concern \(BCC\)](#) and other species that may warrant special attention in your project location.

The migratory bird list generated for your project is derived from data provided by the [Avian Knowledge Network \(AKN\)](#). The AKN data is based on a growing collection of [survey, banding, and citizen science datasets](#) and is queried and filtered to return a list of those birds reported as occurring in the 10km grid cell(s) which your project intersects, and that have been identified as warranting special attention because they are a BCC species in that area, an eagle ([Eagle Act](#) requirements may apply), or a species that has a particular vulnerability to offshore activities or development.

Again, the Migratory Bird Resource list includes only a subset of birds that may occur in your project area. It is not representative of all birds that may occur in your project area. To get a list of all birds potentially present in your project area, please visit the [Rapid Avian Information Locator \(RAIL\) Tool](#).

What if I have eagles on my list?

If your project has the potential to disturb or kill eagles, you may need to obtain a permit to avoid violating the [Eagle Act](#) should such impacts occur. Please contact your local Fish and Wildlife Service Field Office if you have questions.

Migratory birds

Certain birds are protected under the Migratory Bird Treaty Act¹ and the Bald and Golden Eagle Protection Act².

Any person or organization who plans or conducts activities that may result in impacts to migratory birds, eagles, and their habitats should follow appropriate regulations and consider implementing appropriate conservation measures, as described below.

1. The [Migratory Birds Treaty Act](#) of 1918.
2. The [Bald and Golden Eagle Protection Act](#) of 1940.

Additional information can be found using the following links:

- Birds of Conservation Concern <https://www.fws.gov/program/migratory-birds/species>
- Measures for avoiding and minimizing impacts to birds <https://www.fws.gov/library/collections/avoiding-and-minimizing-incident-take-migratory-birds>
- Nationwide conservation measures for birds <https://www.fws.gov/sites/default/files/documents/nationwide-standard-conservation-measures.pdf>

The [data](#) in this location indicates there are no migratory [birds of conservation concern](#) expected to occur in this area.

There may be migratory birds in your project area, but we don't have any survey data available to provide further direction. For additional information, please refer to the links above for recommendations to minimize impacts to migratory birds or contact your local FWS office.

Tell me more about conservation measures I can implement to avoid or minimize impacts to migratory birds.

[Nationwide Conservation Measures](#) describes measures that can help avoid and minimize impacts to all birds at any location year round. Implementation of these measures is particularly important when birds are most likely to occur in the project area. When birds may be breeding in the area, identifying the locations of any active nests and avoiding their destruction is a very helpful impact minimization measure. To see when birds are most likely to occur and be breeding in your project area, view the Probability of Presence Summary. [Additional measures](#) or [permits](#) may be advisable depending on the type of activity you are conducting and the type of infrastructure or bird species present on your project site.

What does iPaC use to generate the list of migratory birds that potentially occur in my specified location?

The Migratory Bird Resource List is comprised of USFWS [Birds of Conservation Concern \(BCC\)](#) and other species that may warrant special attention in your project location.

The migratory bird list generated for your project is derived from data provided by the [Avian Knowledge Network \(AKN\)](#). The AKN data is based on a growing collection of [survey, banding, and citizen science datasets](#) and is queried and filtered to return a list of those birds reported as occurring in the 10km grid cell(s) which your project intersects, and that have been identified as warranting special attention because they are a BCC species in that area, an eagle ([Eagle Act](#) requirements may apply), or a species that has a particular vulnerability to offshore activities or development.

Again, the Migratory Bird Resource list includes only a subset of birds that may occur in your project area. It is not representative of all birds that may occur in your project area. To get a list of all birds potentially present in your project area, please visit the [Rapid Avian Information Locator \(RAIL\) Tool](#).

What does iPaC use to generate the probability of presence graphs for the migratory birds potentially occurring in my specified location?

The probability of presence graphs associated with your migratory bird list are based on data provided by the [Avian Knowledge Network \(AKN\)](#). This data is derived from a growing collection of [survey, banding, and citizen science datasets](#).

Probability of presence data is continuously being updated as new and better information becomes available. To learn more about how the probability of presence graphs are produced and how to interpret them, go the Probability of Presence Summary and then click on the "Tell me about these graphs" link.

How do I know if a bird is breeding, wintering or migrating in my area?

To see what part of a particular bird's range your project area falls within (i.e. breeding, wintering, migrating or year-round), you may query your location using the [RAIL Tool](#) and look at the range maps provided for birds in your area at the bottom of the profiles provided for each bird in your results. If a bird on your migratory bird species list has a breeding season associated with it, if that bird does occur in your project area, there may be nests present at some point within the timeframe specified. If "Breeds elsewhere" is indicated, then the bird likely does not breed in your project area.

What are the levels of concern for migratory birds?

Migratory birds delivered through iPaC fall into the following distinct categories of concern:

1. "BCC Rangewide" birds are [Birds of Conservation Concern \(BCC\)](#) that are of concern throughout their range anywhere within the USA (including Hawaii, the Pacific Islands, Puerto Rico, and the Virgin Islands);
2. "BCC - BCR" birds are BCCs that are of concern only in particular Bird Conservation Regions (BCRs) in the continental USA; and
3. "Non-BCC - Vulnerable" birds are not BCC species in your project area, but appear on your list either because of the [Eagle Act](#) requirements (for eagles) or (for non-eagles) potential susceptibilities in offshore areas from certain types of development or activities (e.g. offshore energy development or longline fishing).

Although it is important to try to avoid and minimize impacts to all birds, efforts should be made, in particular, to avoid and minimize impacts to the birds on this list, especially eagles and BCC species of rangewide concern. For more information on conservation measures you can implement to help avoid and minimize migratory bird impacts and requirements for eagles, please see the FAQs for these topics.

Details about birds that are potentially affected by offshore projects

For additional details about the relative occurrence and abundance of both individual bird species and groups of bird species within your project area off the Atlantic Coast, please visit the [Northeast Ocean Data Portal](#). The Portal also offers data and information about other taxa besides birds that may be helpful to you in your project review. Alternately, you may download the bird model results files underlying the portal maps through the [NOAA NCCOS Integrative Statistical Modeling and Predictive Mapping of Marine Bird Distributions and Abundance on the Atlantic Outer Continental Shelf](#) project webpage.

Bird tracking data can also provide additional details about occurrence and habitat use throughout the year, including migration. Models relying on survey data may not include this information. For additional information on marine bird tracking data, see the [Diving Bird Study](#) and the [nanotag studies](#) or contact [Caleb Spiegel](#) or [Pam Loring](#).

What if I have eagles on my list?

If your project has the potential to disturb or kill eagles, you may need to [obtain a permit](#) to avoid violating the Eagle Act should such impacts occur.

Proper Interpretation and Use of Your Migratory Bird Report

The migratory bird list generated is not a list of all birds in your project area, only a subset of birds of priority concern. To learn more about how your list is generated, and see options for identifying what other birds may be in your project area, please see the FAQ "What does iPaC use to generate the migratory birds potentially occurring in my specified location". Please be aware this report provides the "probability of presence" of birds within the 10 km grid cell(s) that overlap your project; not your exact project footprint. On the graphs provided, please also look carefully at the survey effort (indicated by the black vertical bar) and for the existence of the "no data" indicator (a red horizontal bar). A high survey effort is the key component. If the survey effort is high, then the probability of presence score can be viewed as more dependable. In contrast, a low survey effort bar or no data bar means a lack of data and, therefore, a lack of certainty about presence of the species. This list is not perfect; it is simply a starting point for identifying what birds of concern have the potential to be in your project area, when they might be there, and if they might be breeding (which means nests might be present). The list helps you know what to look for to confirm presence, and helps guide you in knowing when to implement conservation measures to avoid or minimize potential impacts from your project activities, should presence be confirmed. To learn more about conservation measures, visit the FAQ "Tell me about conservation measures I can implement to avoid or minimize impacts to migratory birds" at the bottom of your migratory bird trust resources page.

NOT FOR CONSULTATION

Marine mammals

Marine mammals are protected under the [Marine Mammal Protection Act](#). Some are also protected under the Endangered Species Act¹ and the Convention on International Trade in Endangered Species of Wild Fauna and Flora².

The responsibilities for the protection, conservation, and management of marine mammals are shared by the U.S. Fish and Wildlife Service (responsible for otters, walrus, polar bears, manatees, and dugongs) and NOAA Fisheries³ (responsible for seals, sea lions, whales, dolphins, and porpoises). Marine mammals under the responsibility of NOAA Fisheries are **not** shown on this list; for additional information on those species please visit the [Marine Mammals](#) page of the NOAA Fisheries website.

The Marine Mammal Protection Act prohibits the take (to harass, hunt, capture, kill, or attempt to harass, hunt, capture or kill) of marine mammals and further coordination may be necessary for project evaluation. Please contact the U.S. Fish and Wildlife Service Field Office shown.

1. The [Endangered Species Act](#) (ESA) of 1973.
2. The [Convention on International Trade in Endangered Species of Wild Fauna and Flora](#) (CITES) is a treaty to ensure that international trade in plants and animals does not threaten their survival in the wild.
3. [NOAA Fisheries](#), also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

The following marine mammals under the responsibility of the U.S. Fish and Wildlife Service are potentially affected by activities in this location:

NAME

West Indian Manatee *Trichechus manatus*
<https://ecos.fws.gov/ecp/species/4469>

Facilities

National Wildlife Refuge lands

Any activity proposed on lands managed by the [National Wildlife Refuge](#) system must undergo a 'Compatibility Determination' conducted by the Refuge. Please contact the individual Refuges to discuss any questions or concerns.

There are no refuge lands at this location.

Fish hatcheries

There are no fish hatcheries at this location.

Wetlands in the National Wetlands Inventory (NWI)

Impacts to [NWI wetlands](#) and other aquatic habitats may be subject to regulation under Section 404 of the Clean Water Act, or other State/Federal statutes.

For more information please contact the Regulatory Program of the local [U.S. Army Corps of Engineers District](#).

Please note that the NWI data being shown may be out of date. We are currently working to update our NWI data set. We recommend you verify these results with a site visit to determine the actual extent of wetlands on site.

This location overlaps the following wetlands:

ESTUARINE AND MARINE DEEPWATER

[M1UBL](#)
[M1RF1L](#)

ESTUARINE AND MARINE WETLAND

[M2B51N](#)

FRESHWATER EMERGENT WETLAND

[PEM1Ch](#)

RIVERINE

[R4SBC](#)

A full description for each wetland code can be found at the [National Wetlands Inventory website](#)

NOTE: This initial screening does **not** replace an on-site delineation to determine whether wetlands occur. Additional information on the NWI data is provided below.

Data limitations

The Service's objective of mapping wetlands and deepwater habitats is to produce reconnaissance level information on the location, type and size of these resources. The maps are prepared from the analysis of high altitude imagery. Wetlands are identified based on vegetation, visible hydrology and geography. A margin of error is inherent in the use of imagery; thus, detailed on-the-ground inspection of any particular site may result in revision of the wetland boundaries or classification established through image analysis.

The accuracy of image interpretation depends on the quality of the imagery, the experience of the image analysts, the amount and quality of the collateral data and the amount of ground truth verification work conducted. Metadata should be consulted to determine the date of the source imagery used and any mapping problems.

Wetlands or other mapped features may have changed since the date of the imagery or field work. There may be occasional differences in polygon boundaries or classifications between the information depicted on the map and the actual conditions on site.

Data exclusions



Certain wetland habitats are excluded from the National mapping program because of the limitations of aerial imagery as the primary data source used to detect wetlands. These habitats include seagrasses or submerged aquatic vegetation that are found in the intertidal and subtidal zones of estuaries and nearshore coastal waters. Some deepwater reef communities (coral or tubercid worm reefs) have also been excluded from the inventory. These habitats, because of their depth, go undetected by aerial imagery.

Data precautions

Federal, state, and local regulatory agencies with jurisdiction over wetlands may define and describe wetlands in a different manner than that used in this inventory. There is no attempt, in either the design or products of this inventory, to define the limits of proprietary jurisdiction of any Federal, state, or local government or to establish the geographical scope of the regulatory programs of government agencies. Persons intending to engage in activities involving modifications within or adjacent to wetland areas should seek the advice of appropriate Federal, state, or local agencies concerning specified agency regulatory programs and proprietary jurisdictions that may affect such activities.

NOT FOR CONSULTATION

Figure 14. U.S. Fish and Wildlife Service Concurrence Letter

	<p>United States Department of the Interior</p> <p>FISH AND WILDLIFE SERVICE Caribbean Ecological Services Field Office Bayamón Mayagüez Maricao Río Grande St Croix P.O. Box 491 Boquerón, Puerto Rico 00622</p>	
<p>In Reply Refer to: FWS/R4/CESFO/78MM-190</p>		
<p>Submitted Via Electronic Mail: (kveira@vihfa.gov)</p>		
<p>Kyora Veira Senior Environmental Manager Community Development Block Grant - Disaster Recovery Program Virgin Islands Housing Finance Authority 3202 Demarara Plaza, Ste. 200 St. Thomas, USVI 00802-6447</p>		
<p>Re: U.S. Virgin Island Waste Management Authority Convenience Centers</p>		
<p>Dear Mrs. Veira:</p>		
<p>Thank you for your letter of June 16, 2023, requesting concurrence on the above referenced project. As per your request, our comments are provided under the Endangered Species Act (Act) (87 Stat. 884, as amended; 16 United States Code 1531 et seq.), and the Fish and Wildlife Coordination Act (48 Stat. 401, as amended; 16 U.S.C. 661 et seq.).</p>		
<p>The Virgin Islands Housing Finance Authority (VIHFA) with funds from the U.S. Department of Housing and Urban Development's Community Development Block Grant – Recovery Funds (CDBG-DR) is proposing to develop five public Convenience Centers for the disposal of solid waste and recycling on the following locations of St. Croix and St. Thomas:</p>		
<p>St. Croix:</p> <ol style="list-style-type: none">1. Cotton Valley Convenience Center (17°45'30.3"N 64°37'22.9"W)2. Mon Bijou Convenience Center (17°44'21.8"N 64°47'02.7"W)3. Concordia Convenience Center (17°42'02.4"N 64°52'15.2"W)		
<p>St. Thomas:</p> <ol style="list-style-type: none">1. Red Hook Convenience Center (18°19'22.8"N 64°51'22.7"W)2. Smith Bay Convenience Center (18°20'37.4"N 64°52'08.3"W)		
<p>Based on the information provided in your letter, the proposed project sites are located within the range of the following federally listed species:</p>		

Location	Species
Mon Bijou Convenience Center	No listed species
Concordia Convenience Center	Vahl's boxwood (<i>Buxus vahlii</i>)
Cotton Valley Convenience Center	Vahl's boxwood (<i>Buxus vahlii</i>)
	West Indian manatee (<i>Trichechus manatus</i>)
	Hawksbill sea turtle (<i>Eretmochelys imbricata</i>)
	Green sea turtle (<i>Chelonia mydas</i>)
	Leatherback sea turtle (<i>Dermochelys coriacea</i>)
	Loggerhead sea turtle (<i>Caretta caretta</i>)
Red Hook Convenience Center	Virgin Islands tree boa (<i>Chilabothrus granti</i>)
Smith Bay Convenience Center	Virgin Islands tree boa (<i>Chilabothrus granti</i>)

Based on the nature of the project, scope of work, information available VIHFA has determined that the proposed project will result in no effect (NE) for the West Indian manatee, Vahl's boxwood and the sea turtles. As for the Virgin Islands tree boa, VIHFA determined that the proposed project *may affect but is not likely to adversely affect* (NLAA) the specie and will implement conservation measures previously provided by the U.S. Fish and Wildlife Service (Service).

We acknowledge receipt of your no effect (NE) determinations for the West Indian manatee, Vahl's boxwood and the sea turtles. Currently we do not have any information to refute your determination. Because you made a NE determination, you are not required to conduct formal or informal section 7 consultation with the Service and the Service is not required to concur with your NE determination.

As for the Virgin Islands tree boa, we have reviewed the information provided in your letter and our files and concur with the above *may affect but is not likely to adversely affect* (NLAA) determination.

In view of this, we believe that requirements of section 7 of the Act have been satisfied. However, obligations under section 7 of the Act must be reconsidered if: (1) new information reveals impacts of this identified action that may affect listed species or critical habitat in a manner that was not previously considered; (2) this action is subsequently modified in a manner not previously considered in this assessment; or (3) a new species is listed, or critical habitat determined that may be affected by the identified action.

Thank you for the opportunity to comment on this project. If you have any questions or require additional information, please contact us at caribbean_es@fws.gov.

Sincerely yours,

EDWIN MUNIZ

Digitally signed by EDWIN
MUNIZ
Date: 2023.06.30 13:38:08
-04'00'

Edwin E. Muñoz
Field Supervisor

dr

Figure 15. Nearest Above Ground Storage Tanks to the Cotton Valley Convenience Center

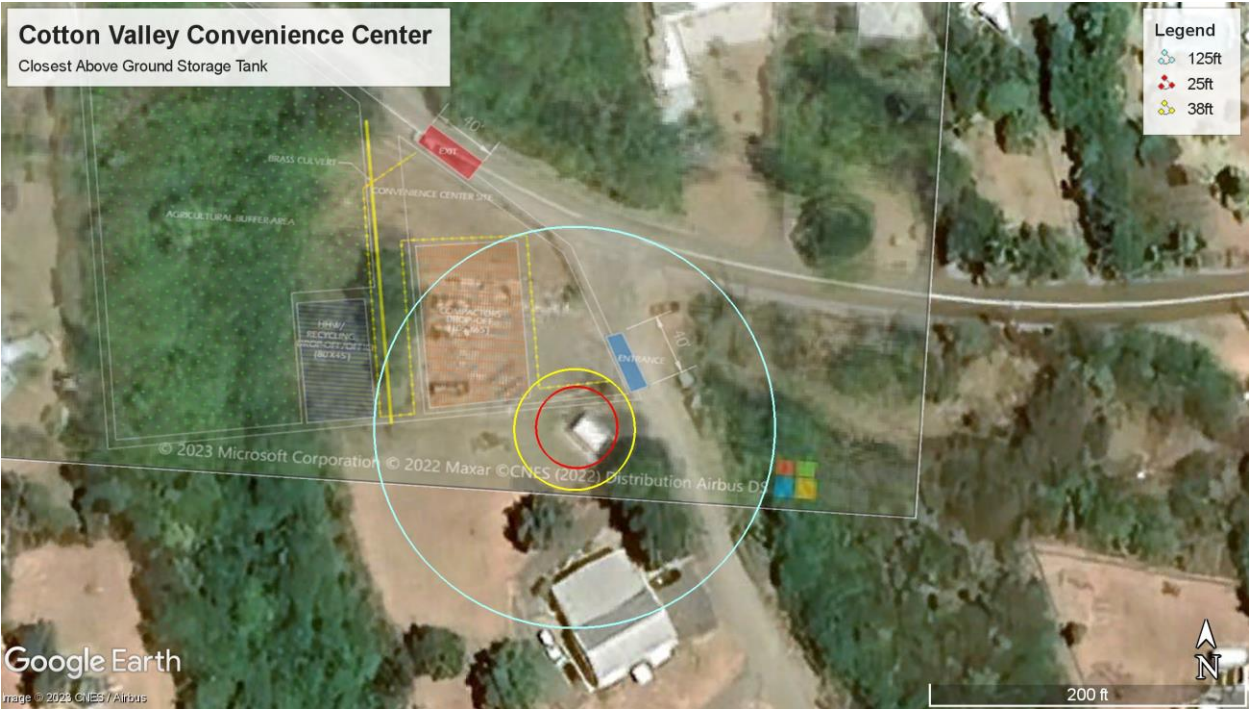


Figure 16. Acceptable Separation Distance (ASD) Electronic Assessment Tool

Acceptable Separation Distance Assessment Tool

Is the container above ground?	Yes: <input checked="" type="checkbox"/> No: <input type="checkbox"/>
Is the container under pressure?	Yes: <input type="checkbox"/> No: <input checked="" type="checkbox"/>
Does the container hold a cryogenic liquified gas?	Yes: <input type="checkbox"/> No: <input type="checkbox"/>
Is the container diked?	Yes: <input type="checkbox"/> No: <input checked="" type="checkbox"/>
What is the volume (gal) of the container?	<input type="text" value="90"/>
What is the Diked Area Length (ft)?	<input type="text"/>
What is the Diked Area Width (ft)?	<input type="text"/>
<input type="button" value="Calculate Acceptable Separation Distance"/>	
Diked Area (sqft)	<input type="text"/>
ASD for Blast Over Pressure (ASDBOP)	<input type="text"/>
ASD for Thermal Radiation for People (ASDPPU)	<input type="text" value="101.42"/>
ASD for Thermal Radiation for Buildings (ASDBPU)	<input type="text" value="16.52"/>
ASD for Thermal Radiation for People (ASDPNPD)	<input type="text"/>
ASD for Thermal Radiation for Buildings (ASDBNPD)	<input type="text"/>

For mitigation options, please click on the following link: [Mitigation Options](#)

Figure 17. USDA-NRCS Farmland Classification Map

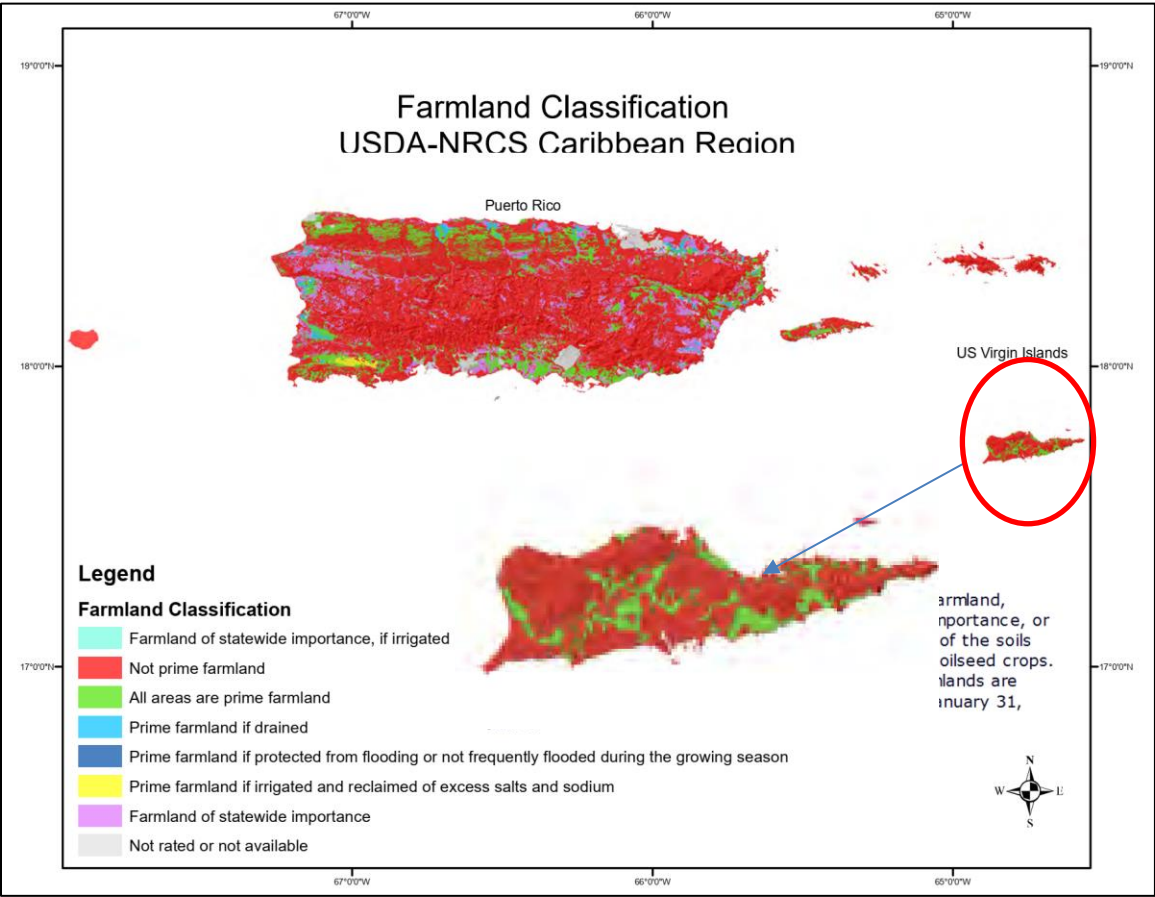


Figure 18. VIRGIN ISLANDS DEPARTMENT OF PLANNING AND NATURAL
RESOURCES -
ZONING AND LAND USE ASSESSMENT



Name of Project: Cotton Valley Convenience Center

Location: Parcel No. 1 Estate Cotton Valley, East End Quarter "B", St. Croix

Activity: Waste Management Solid Waste Facility- Convenience Center Developm

**VIRGIN ISLANDS DEPARTMENT OF PLANNING AND NATURAL RESOURCES -
ZONING AND LAND USE ASSESSMENT**

The activities and location of the proposed project have been analyzed and assessed and, to the best of my knowledge, the following situations apply:

- (1) What is the zoning designation for the proposed site location?
P-Public as per Act No. 8607
- (2) Is the property appropriately zoned for the proposed use?
Yes ☒ No ☐
- (3) If not, is the required zoning change feasible?
Yes ☐ No ☒
- (4) Is the use of the property in compliance with present or projected land use or development plans?
Yes ☒ No ☐
- (5) Does "important farmland", including prime farmland, unique farmland, or farmland of local importance regulated under the Farmland Protection Policy Act, occur on the proposed project site?
Yes ☐ No ☒
- (6) Will the proposed project cause a conversion of land use?
Yes ☐ No ☒
- (7) Other comments:
Use would be permitted under category "Refuse Disposals (Solid Waste)."

Name (Print): Leia LaPlace


Signature: 

Title: Territorial Planner

Date: 12/5/2022

Organization: Dept. of Planning & Natural Resources

Figure 19. Historic Preservation and Cultural Resources Assessment



Name of Project: Cotton Valley Convenience Center

Location: Parcel No. 1 Estate Cotton Valley, East End Quarter "B", St. Croix

Activity: Waste Management Solid Waste Facility- Convenience Center Developm

**VIRGIN ISLANDS DEPARTMENT OF PLANNING AND NATURAL RESOURCES -
HISTORIC PRESERVATION AND CULTURAL RESOURCES ASSESSMENT**

The activities and location of the proposed project have been analyzed and assessed and, to the best of my knowledge, the following situations apply:

- (1) Does the proposed project area contain any property listed on the National Register of Historic Places?
 Yes ☐ No ☒
- (2) Are there any other properties within the vicinity of the project that appears to be historic or fit to be listed or are already listed in the National Register?
 Yes ☒ No ☐
- (3) Is yes, will the proposed project have any adverse impact on these resources?
 Yes ☒ No ☐
- (4) Describe the design features necessary to minimize any potential impact on historic or cultural resources.
Previous known archaeological site. Further review of Convenience Center design to determine potential adverse effects.
- (5) Is the Section 106 Compliance Process required?
 Yes ☒ No ☐
- (6) Initial Survey required:

A. Phase A <input type="radio"/>	B. Phase 1 <input checked="" type="radio"/>
C. Phase 2 <input type="radio"/>	D. Monitoring <input checked="" type="radio"/>
E. Other <input type="radio"/>	Please describe: _____
- (7) Other comments: Further review needed

Name (Print): Sean L. Krigger

Title: Director

Organization: DPNR- VI State Historic Preservation Office

Signature: Sean L. Krigger

Date: 12/8/2022

ENVIRONMENTAL ASSESSMENT | Version 2.0



GOVERNMENT OF THE UNITED STATES VIRGIN ISLANDS

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**DEPARTMENT OF PLANNING AND NATURAL RESOURCES
Virgin Islands State Historic Preservation Office**

Fort Christian National Historic Landmark Site
5064 Forts Straede 1
Charlotte Amalie, St. Thomas 00802

Telephone: (340) 776-8605

Ms. Kyora Veira
Environmental Senior Manager
Virgin Islands Housing Finance Authority
3202 Demerara Plaza, Suite 200
St. Thomas, VI 00802-6447

August 16, 2023

**Ref: Section 106 Consultation on the CDBG Funded VIWMA
Cotton Valley Convenience Center St. Croix, Virgin Islands**

Dear Ms. Moreno:

The Department of Planning and Natural Resources' Virgin Islands State Historic Preservation Office (VISHPO) is in receipt of the Virgin Islands Housing Finance Authority's correspondence requesting Section 106 consultation on the proposed federally funded project to upgrade the existing Cotton Valley bin site in St. Croix, Virgin Islands into a waste management convenience center.

The VISHPO has reviewed the submitted scope of work and supporting documentation for the Cotton Valley Convenience Center. Based on the site analysis and scope of work for the installation, the **VISHPO concurs with the determination of Adverse Effects to Archaeological Resources with the Condition that all excavation activities, including foundation and utility trenching activity will have archaeological monitoring during the Project's activity.**

Please see the attached Section 106 Review Certificate for contact information for the Senior Archaeologist and Archaeological Monitor for the trenching work.

Thank you for the opportunity to consult this matter.

Sincerely,

Sean L. Krigger
Director & Deputy SHPO

Figure 20. Section 106 Consultation on the CDBG Funded VIWMA
Cotton Valley Convenience Center St. Croix, Virgin Islands - Section 106 Review Certificate of
Approval For Project Compliance



**Section 106 Review
Certificate of Approval
For
Project Compliance**

Department of Planning and Natural Resources
Virgin Islands State Historic Preservation Office
Fort Christian National Historic Landmark Site
5064 Forts Straede 1, Charlotte Amalie, VI 00802
Tel. (340) 776-8605

This is to certify that the Federal Undertaking listed below has successfully completed the Section 106 Review with the Virgin Islands State Historic Preservation Office and presents no adverse effects to historic and/or cultural resources listed on or determined to be eligible for listing on the National Register of Historic Places. Projects with findings of Adverse Effect have been resolved with an approved Mitigation Plan for the protection of identified historic and cultural resources.

Project Title: Estate Cotton Valley Bins Site Conversion to a Waste Convenience Center

VISHPO Project No.: VISHPO STX- **Alternate Project No.:**

Federal / State Agency: United States Department of Housing and Urban Development

Applicant: Virgin Islands Waste Management Authority

Project Coordinator: Virgin Islands Housing Finance Authority

Project Coordinator Telephone: 340-772-4432 **Fax or Email:** othomas@vihfa.gov

Location of Project: Parcel 1, Estate Cotton Valley

Island: St. Croix **Quarter:** East End B



Concurrence No Adverse Effects



Concurrence Adverse Effects with * Mitigation Conditions

Figure 21. EPA Sole Source Aquifers
[Source: <https://www.epa.gov/dwssa/map-sole-source-aquifer-locations>]

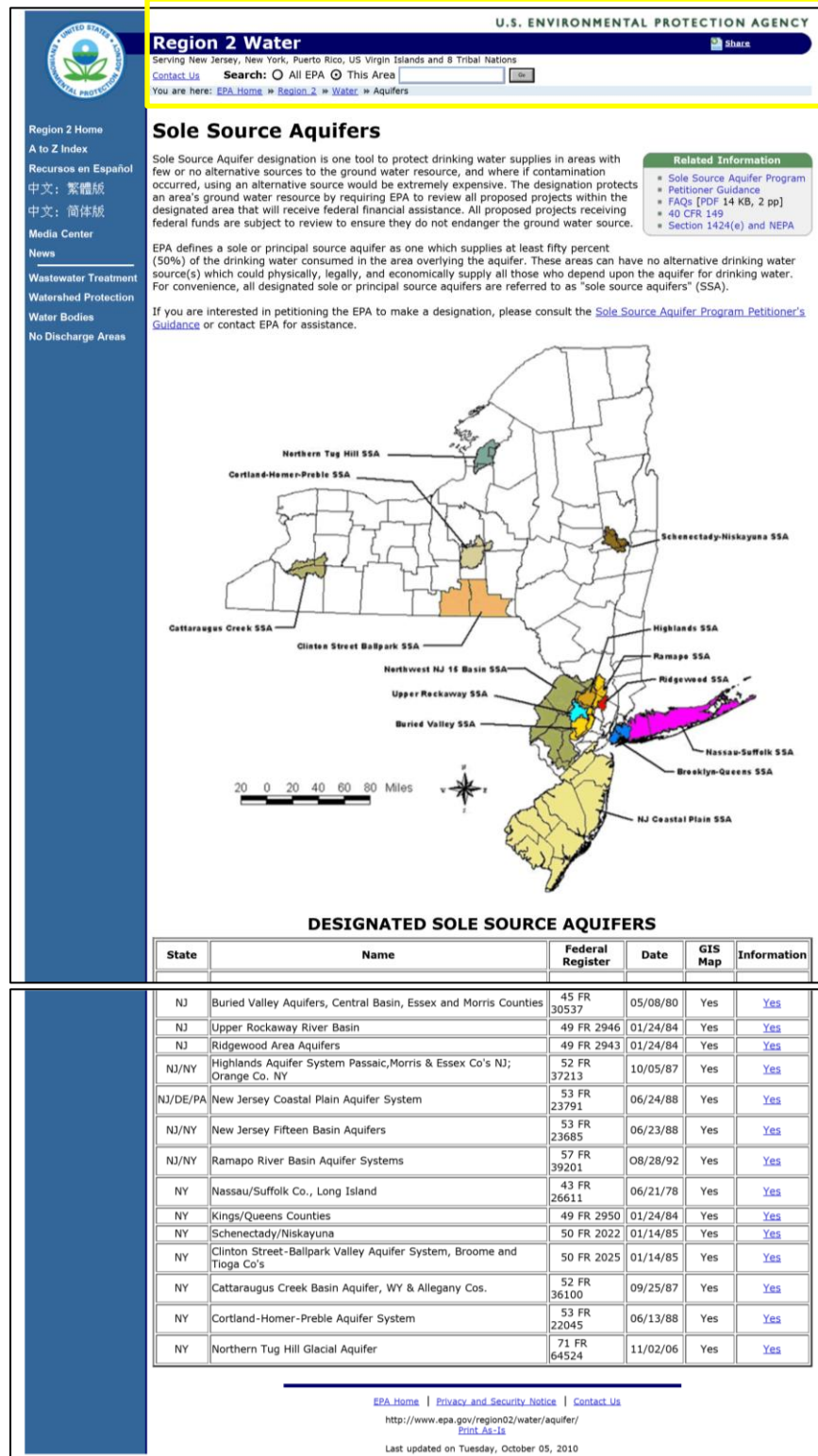
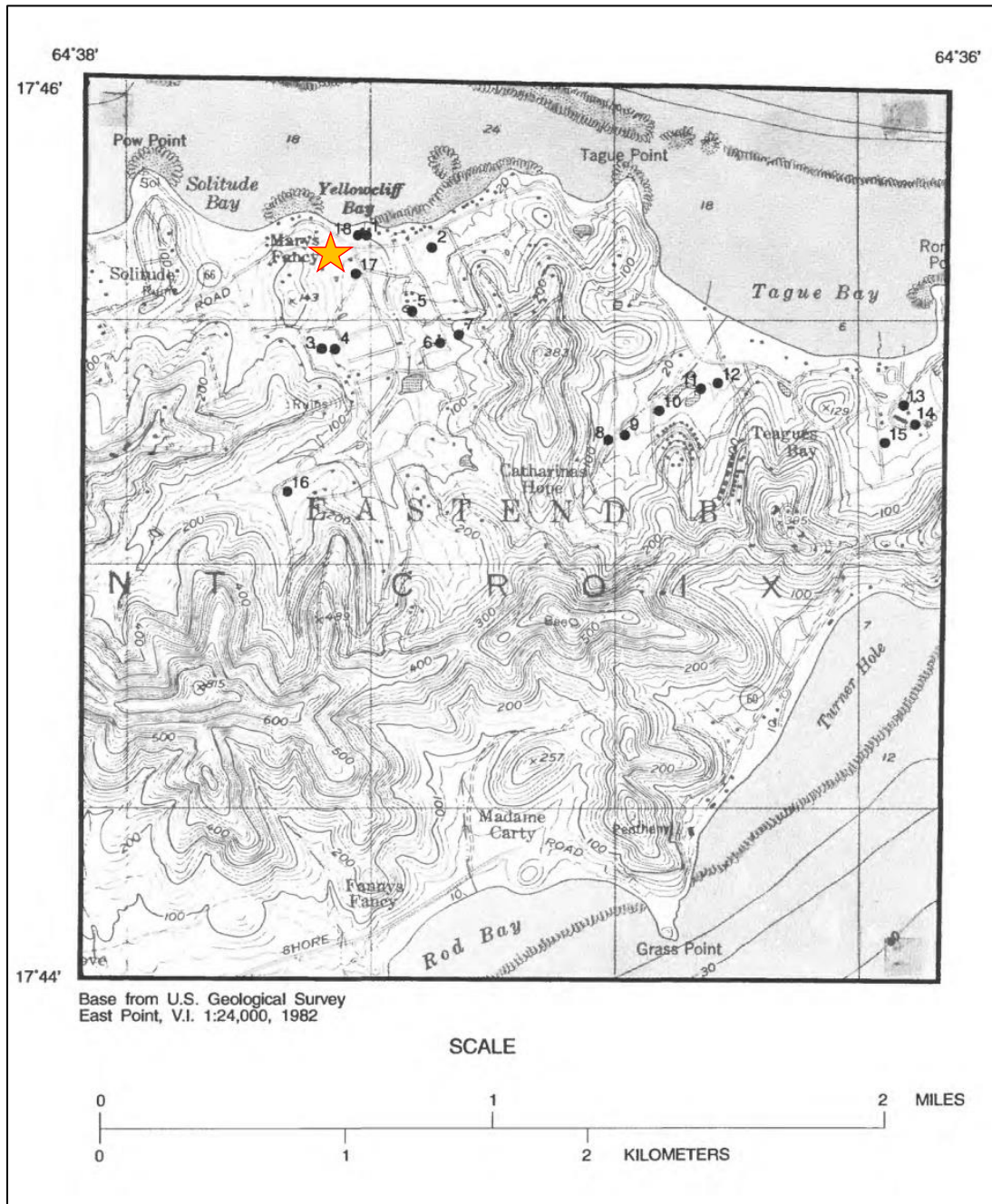


Figure 22. Water Wells on St. Croix, U.S. Virgin Islands
[Source: U.S. Geological Survey, 1994]

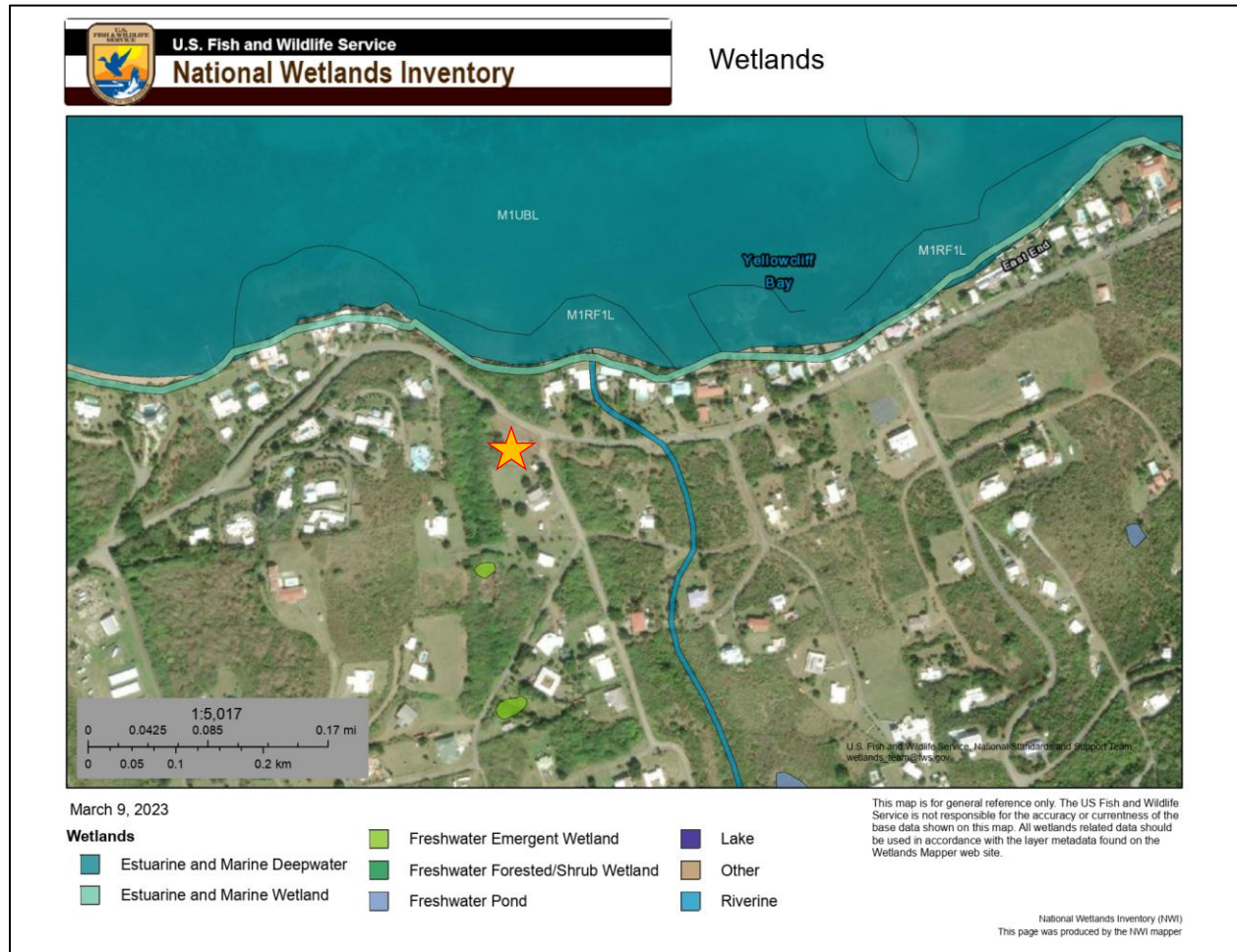


Note: The orange star indicates the location of the proposed project site.

[A, agriculture or stock well; C, commercial well; D, domestic well; PS, public supply well; NU, well not in use; ---, indicates data not available]

Well number on figure 15	Well name	Use of water	Year constructed	Reported depth of well (feet)	Measured depth of well (feet)	Casing diameter (inches)	Type of well finish and finish interval (feet)	Land surface altitude at well site (feet)	Depth to water below land surface datum (feet)	Date water level measured (month-day-year)	Yield (gallons per minute)
14-1	Al Lang	NU	1968	--	--	--	--	5	--	--	--
14-2	Mary Simpson	D	1990	55	--	6	--	20	--	--	--
14-3	Eugene Capuano	D	--	60	--	6	--	72	--	--	--
14-4	Skinner 1	D,A	1972	45	--	8	--	68	--	--	--
14-5	Bertha Kolber	D	1980	100	--	6	--	62	--	--	--
14-6	Frank Bishop	D	--	115	--	6	--	70	--	--	--
14-7	Barbrad Donaldson	A	1981	95	--	6	--	110	--	--	--
14-8	Reef 6	C	1989	110	--	4	--	60	--	--	--
14-9	Reef 5	C	1970	70-80	--	6	--	40	--	--	--
14-10	Reef 4	C	1970	70-80	--	8	--	22	--	--	--
14-11	Reef 3	C	1970	70-80	--	8	--	18	--	--	--
14-12	Reef 2	C	1970	70-80	--	4	--	13	--	--	--
14-13	West Indies Lab 2	NU	--	12	--	120	--	19	--	--	--
14-14	West Indies Lab 1	NU	--	40	--	6	--	30	--	--	--
14-15	West Indies Lab 3	NU	--	40	--	6	--	25	--	--	--
14-16	Diane Chandler	A	--	125	--	--	--	125	--	--	--
14-17	Cotton Valley Fire Station	PS	--	60	--	6	--	25	--	--	--
14-18	Al Lang (neighbor)	--	--	--	--	--	--	5	--	--	--

Figure 23. U.S. Fish and Wildlife Service, National Wetlands Inventory

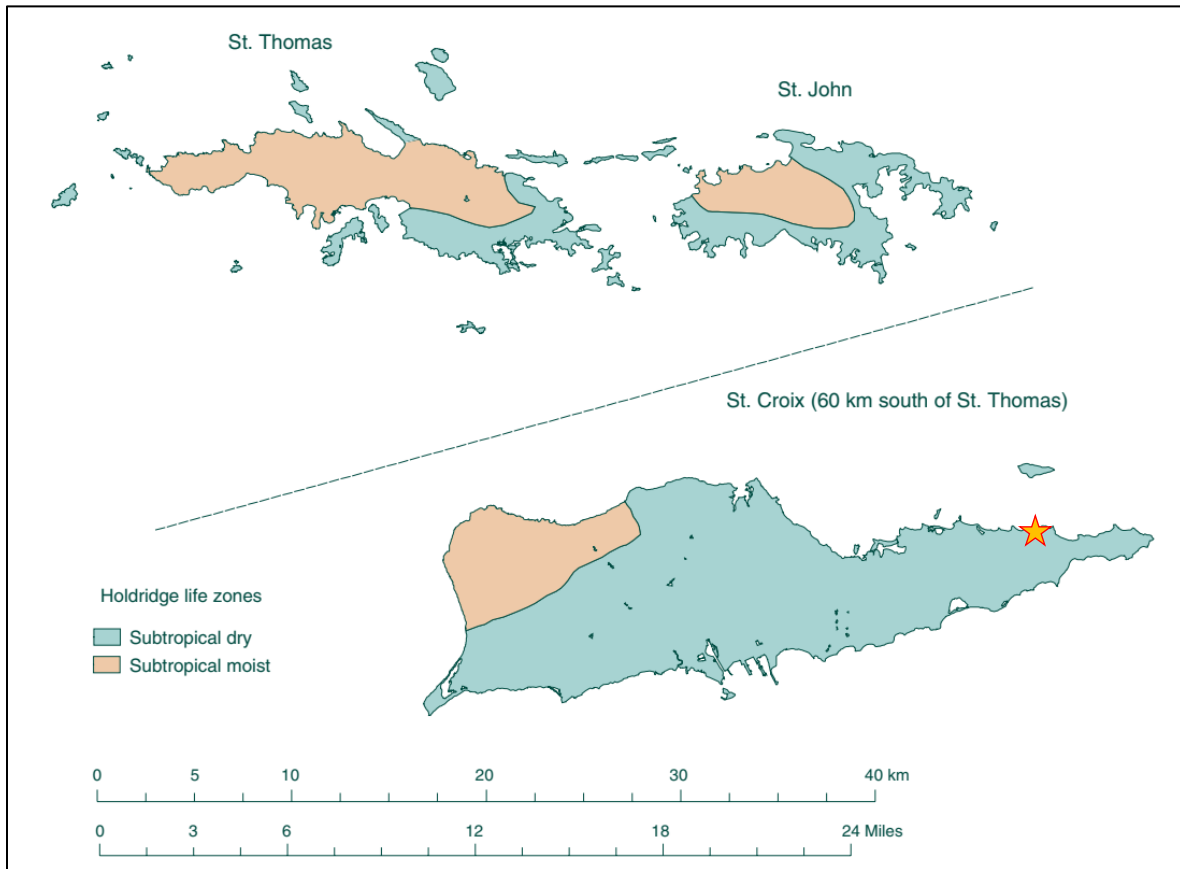


Note: The orange star indicates the location of the proposed project site.

Figure 24. U.S. Fish and Wildlife Service, National Wild and Scenic Rivers System Map
[Source: <https://www.rivers.gov/documents/nwsrs-map.pdf>]



Figure 25. The Forested Life Zones in the U.S. Virgin Islands
[Source: USDA-Forest Service, *The Status of U.S. Virgin Islands' Forests*, 2004]

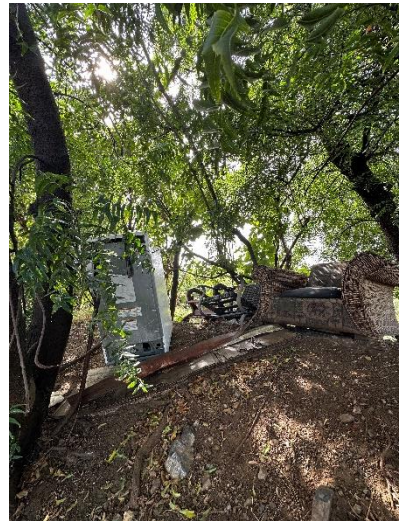


Note: The orange star indicates the location of the proposed project site.

Appendix B. Site Visit, Proposed Cotton Valley Convenience Center Site, St. Croix,
January 30, 2023



The proposed project site is currently used as a solid waste disposal site for residents and businesses on the east end of St. Croix. The proposed Cotton Valley Convenience Center would upgrade the only solid waste disposal site in the area.



Illegal dumping at the existing Cotton Valley solid waste disposal site. The proposed convenience center will be gated with surveillance cameras, manned, and have specific hours of operation which would reduce illegal dumping.



Stained and discolored soils were noted around the existing solid waste dumpsters on the proposed project site. Ground caliche (right) was also observed which could indicate a previous hydrocarbon release. This is not a significant release, however these soils should be collected and disposed of properly when the site is developed.



The proposed project site is along East End Road, the main thoroughfare in northeastern St. Croix (left). The residence adjacent to the existing solid waste disposal facility and proposed project site (center). Windblown trash and an illegally dumped tire (right) along the northern boundary of the proposed project site. The design of proposed convenience center will reduce both windblown refuse and illegal dumping.



The drainageway behind the existing solid waste disposal site. The drainageway channels stormwater from upland (south) to the sea (north) along the western side of the property. The drainageway transects the proposed project site, continues under East End Road through a newly constructed concrete box culvert, and terminates in Yellowcliff Bay. This portion of the site is vegetated and undeveloped, and, per the proposed project site layout, will remain so.



Additional photos of the proposed project site and existing conditions. The proposed Cotton Valley Convenience Center would be a vast improvement to what currently exists.



U.S. Department of Housing and Urban Development

451 Seventh Street, SW
Washington, DC 20410
www.hud.gov

espanol.hud.gov

Environmental Review for Activity/Project that is Categorically Excluded Subject to Section 58.5

Pursuant to 24 CFR 58.35(a)

This is a suggested format that may be used by Responsible Entities to document completion of a Categorically Excluded Subject to Section 58.5 environmental review.

Project Information

Project Name: St. Croix Convenience Center – Mon Bijou

Responsible Entity: Virgin Islands Housing Finance Authority (VIHFA)

Grant Recipient (if different than Responsible Entity): Virgin Islands Waste Management Authority

State/Local Identifier: United States Virgin Islands

Preparer: Amy Claire Dempsey, M.A. Bioimpact, Inc

Certifying Officer Name and Title: Ms. Dayna Clendinen, Interim Executive Director/Chief Disaster Recovery Officer

Consultant (if applicable): Oasis Consulting Services, 45 Woodstock St., Roswell Georgia 30075

Direct Comments to: Virgin Islands Housing Finance Authority, Attention: Dayna Clendinen, 3202 Demarara Plaza, Suite 200, St. Thomas, VI 00802

Project Location: 10 VICORP Land, Estate Colquohoun/Mon Bijou/VICORP Land (Bethlehem and Fred), St. Croix, U.S. Virgin Islands (Figures 1 and 2).

Description of the Proposed Project [24 CFR 50.12 & 58.32; 40 CFR 1508.25]: The proposed project site is located in the middle of the island of St. Croix (Latitude 17.739385°, Longitude -64.784094°) as shown in Figures 1 and 2. The proposed project site is approximately 2.7 acres and includes the construction of a residential convenience center for the disposal of solid waste and recycling (Figure 3). The site is currently used as a waste collection site with numerous bins and areas for white goods. The Virgin Islands Waste Management Authority collects the bins for waste disposal. The new convenience center will have a 7,500 square foot area for an operator office (minimum 800 square foot), recycling drop off, and a 16,000 square foot area for the compactors drop-off. Traffic will enter the convenience center to the south on Canaan Road and exit to the north back onto Canaan Road. The site will be fenced and landscaped to provide a buffer between the site and the neighboring properties. The RFP for the design build will require an oil and water separator for treating all water that is collected from hardscapes and a large agricultural buffer area to the north, west and south as shown in Figure 3. The site will be manned, and the hours of operation will be between 7:00am and 7:00pm seven days a week. The site will have separate bins for scrap metal, white goods, yard waste, construction debris, recyclable “green” waste (e.g., cardboard, plastic, glass), and household waste. Clear signage will be posted to identify which bins will be designated for the

disposal of all applicable waste. The site will have a small, air-conditioned office with a restroom and three to four parking spaces for the site operators. To ensure, and maintain, the cleanliness of the site, rainwater will be harvested via roof catchment and a minimum 20,000-gallon cistern to back up the public water supply in case of a water outage. The site will be enclosed by an eight-foot fence with surveillance cameras outside and inside of the facility to prevent any illegal dumping. Surveillance of the site will also ensure that the site remains clean and prevent any rodent infestation or any unsightly activities at the site. Waste disposal will only be allowed during operating hours. Compactors will be contained within leak-proof containers and will not have leachate. It is anticipated that the proposed project design, permitting, and construction will take between 18 and 24 months.

Level of Environmental Review Determination:

Categorically Excluded per 24 CFR 58.35(a), and subject to laws and authorities at §58.5:

Repair, improvement, reconstruction, or rehabilitation

Rehabilitation of public facilities and improvements other than buildings 24 CFR 58.35(a)(1). This activity is CEST if the facilities and improvements are in place and retained in the same use without change in size or capacity of more than 20 percent. Acceptable activities include replacement of water or sewer lines, reconstruction of curbs and sidewalks, and repaving of streets.

Funding Information

Grant Number	HUD Program	Funding Amount
P-17-VI-78-HIM1	CDBG-DR	1,486,333.72

Estimated Total HUD Funded Amount:

1,486,333.72

This project does not anticipate the use of funds or assistance from another Federal Agency in addition to HUD.

Estimated Total Project Cost (HUD and non-HUD funds) [24 CFR 58.32(d)]:

1,486,333.72

Compliance with 24 CFR 50.4, 58.5, and 58.6 Laws and Authorities

Record below the compliance or conformance determinations for each statute, executive order, or regulation. Provide credible, traceable, and supportive source documentation for each authority. Where applicable, complete the necessary reviews or consultations and obtain or note applicable permits of approvals. Clearly note citations, dates/names/titles of contacts, and page references. Attach additional documentation as appropriate.

Compliance Factors: Statutes, Executive Orders, and Regulations listed at 24 CFR §58.5 and §58.6	Are formal compliance steps or mitigation required?	Compliance determinations
STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR 50.4 & 58.6		
Airport Hazards 24 CFR Part 51 Subpart D	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	<p>The proposed project site is located approximately 2.7 miles from the Henry E. Rohlsen Airport (HERA) and over 5.0 miles from the Svend Aage Ovesen Seaplane Facility ("Seaplane Ramp") in Christiansted, St. Croix (Figure 4).</p> <p>The proposed project is compliant with 24 CFR Part 51 Subpart D.</p>
Coastal Barrier Resources Coastal Barrier Resources Act, as amended by the Coastal Barrier Improvement Act of 1990 [16 USC 3501]	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	<p>The proposed project site is not located within a Coastal Barrier as defined by the Coastal Barrier Resources Act according to the U.S. Fish and Wildlife Service, Coastal Barrier Resources System Mapper (Figure 6)</p> <p>The proposed project site is in compliance with the Coastal Barrier Resource Act, as amended by the Coastal Barrier Improvement Act of 1990 [16 USC 3501].</p>
Flood Insurance Flood Disaster Protection Act of 1973 and National Flood Insurance Reform Act of 1994 [42 USC 4001-4128 and 42 USC 5154a]	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	<p>The proposed project site is located entirely within a Flood Zone X where the 100-year coastal flooding is not expected (FIRM Map Panel 69 of 94, April 16, 2007, Figure 7 and the USVI Advisory Base Flood Elevation Data Map, Figure 8).</p> <p>The proposed project is compliant with Flood Disaster Protection Act of 1973 and National Flood Insurance Reform Act of 1994 [42 USC 4001-4128 and 42 USC 5154a].</p>

STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR 50.4 & 58.5

<p>Clean Air</p> <p>Clean Air Act, as amended, particularly section 176(c) & (d); 40 CFR Parts 6, 51, 93</p>	<p>Yes No</p> <p><input checked="" type="checkbox"/> <input type="checkbox"/></p>	<p>According to the Environmental Protection Agency (EPA) Criteria Pollutant Nonattainment Summary Report, the proposed project site is not within a Designated Nonattainment Area. (See Figures 9 and 10 respectively) The Contractor for the proposed project will develop and implement a Dust Control Plan to prevent negative impacts to surrounding properties. The proposed project site will be kept clean, and waste separated which will minimize any odors emanating from the site. In addition, a generator will be installed as part of the project's design to serve as a back-up power source and reduce the strain on the community's electrical dependence. Thus, the proposed project is required to apply for and obtain a Permit to Construct and a Permit to Operate from the Department of Planning and Natural Resources, Division of Environmental Protection before installation and operation of the generator.</p> <p>The proposed project is required to adhere to all the mitigation measures and conditions identified for implementing air quality controls and meeting air quality standards, during construction and before operation, in order to remain compliant with the Clean Air Act, as amended, particularly section 176(c) & (d); 40 CFR Parts 6, 51, 93.</p>
<p>Coastal Zone Management</p> <p>Coastal Zone Management Act, sections 307(c) & (d)</p>	<p>Yes No</p> <p><input checked="" type="checkbox"/> <input type="checkbox"/></p>	<p>The proposed project site is located in Tier II Coastal Zone (Figure 11) and does not require a Coastal I Consistency Determination. However, as advised by the Department of Planning and Natural Resources during the project's Pre-Application Meeting on July 7, 2023, the proposed project will need to obtain a Federal Consistency Determination from the state's regulatory agency, through the Division of Coastal Zone Management. This consistency must be obtained prior to the start of construction.</p> <p>The proposed project is required to adhere to the mitigative measures identified by the Department of Planning and Natural Resources, Division of</p>

		Coastal Zone Management, to remain compliant with the Coastal Zone Management Act, sections 307(c) & (d).
Contamination and Toxic Substances 24 CFR Part 50.3(i) & 58.5(i)(2)	Yes No <input checked="" type="checkbox"/> <input type="checkbox"/>	<p>The proposed site is currently being used by the U.S. Virgin Islands Waste Management Authority (VIWMA) as a solid waste disposal for residents and businesses in central St. Croix. The site has been utilized as a “dumpster site” for almost two decades. The inspection of the site found signs of illegal dumping and improperly disposed refuse, heavily contaminated soils, and evidence of runoff from the site entering and contaminating the adjacent stormwater channel (referred to locally as a “ghut”). There is notable hydrocarbon staining of the soil under and around the existing dumpsters, and under and around the pile of tires that is between eight and 10-feet high.</p> <p>Phase II sampling was conducted of the site in June 2023. Four soil samples were collected at different areas of the site. All four soil samples were found to be contaminated with Total Petroleum Hydrocarbon (TPH) over the U.S. Virgin Islands Regulatory limit of 460ppm for hydrocarbons. Lead was also detected in all four soil samples, however the amount detected was below the USVI Regulatory Limit of 400mg/kg. Laboratory results of both parameters can be referenced in Figure 12.</p> <p>As a result of these findings, a remediation plan will be developed and approved by the Division of Environmental Protection and implemented prior to the start of construction. Runoff from all hardscapes will be directed through an oil and water separator as part of the project’s mitigative measure to control stormwater contamination. See Appendix B for photographs taken during a Phase I Site visit on January 31, 2023. The proposed project is required to adhere to the mitigation measures identified within this review to remain compliant with Contamination and Toxic Substances 24 CFR Part 50.3(i) & 58.5(i)(2).</p>
Endangered Species Endangered Species Act of 1973, particularly section 7; 50 CFR Part 402	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	According to the USFWS Information for Planning and Consultation (IPaC) tool, there are no listed species or critical habitats expected to occur within the area of the proposed project, nor are there refuge lands, fish hatcheries or migratory birds of conservation concern

		<p>expected to occur within the area of the proposed project (Figure 13). The USFWS in their correspondence of June 30, 2023, stated that the review under Section 7 has been satisfied. (Figure 14). In their letter of June 30, 2023, “VIHFA has determined that the proposed project will result in no effect (NE) for the West Indian manatee, Vahl’s boxwood and the sea turtles.” “We acknowledge receipt of your no effect (NE) determinations for the West Indian manatee, Vahl’s boxwood and sea turtles. Currently we do have any information to refute your determination. Because you made a NE determination, you are not required to conduct formal or informal section 7 consultation with the Service and the Service is not required to concur with your NE determination.”</p> <p>The proposed project will have No Effect on ESA listed species and is compliant with the Endangered Species Act of 1973, particularly section 7; 50 CFR Part 402. If new information reveals impacts of this identified action that may affect listed species or critical habitat in a manner that was not previously considered; this action is subsequently modified in a manner not previously considered in this assessment or a new species is listed, or critical habitat determined that may be affected by the identified action consultation must be reinitiated.</p>
<p>Explosive and Flammable Hazards</p> <p>24 CFR Part 51 Subpart C</p>	<p>Yes No</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>The nearest above ground fuel storage is adjacent to John H. Woodson Jr. High School. This is associated with the Virgin Islands Next Generation Network backup power station. The backup power station has a diesel fuel tank of approximately 90 gallons below the generator and is approximately 1200ft from the proposed project site (Figure 15). The ASD for Thermal Radiation for People (ASDPPU) is 101.42ft, and ASD for Thermal Radiation for Buildings (ASDBPU) is 16.52ft (Figure 16). See Appendix B for photographs taken during a site visit on January 31, 2023.</p> <p>The convenience center will be manned during operations which will reduce the potential of the dumping of explosive and flammable waste.</p>

		The proposed project is compliant with Explosive and Flammable Hazards 24 CFR Part 51 Subpart C.
Farmlands Protection Farmland Protection Policy Act of 1981, particularly sections 1504(b) and 1541; 7 CFR Part 658	Yes No <input checked="" type="checkbox"/> <input type="checkbox"/>	<p>The proposed project site is designated as “Not Prime Farmland” in the U.S. Department of Agriculture–Natural Resources Conservation Service’s (USDA-NRCS) Farmland Classification Map (Figure 15) and designated as “Agricultural” by the U.S. Virgin Islands Department of Planning and Natural Resources DPNR (Figure 17). The area has been and is continued to be used as a collection site for several decades and the new convenience center will have a buffer between it and the adjacent farmland. A large agricultural buffer will be being maintained between the convenience center and the adjacent farmland.</p> <p>The project is zoned P-Public as per Act No. 8599, and Use would be permitted under the category “Refuse Disposals (Solid Waste).” (Figure 18.)</p> <p>Installation of the agricultural buffer will ensure that the project remains in compliance with the Farmland Protection Policy Act of 1981, particularly sections 1504(b) and 1541; 7 CFR Part 658.</p>
Floodplain Management Executive Order 11988, particularly section 2(a); 24 CFR Part 55	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	<p>The proposed project site is located entirely within Flood Zone X where the 100-year coastal flooding is not expected as depicted on the FIRM Map Panel 69 of 94, April 16, 2007, Figure 7 and the USVI Advisory Base Flood Elevation Data Map, Figure 8.</p> <p>The project is compliant with Executive Order 11988, particularly section 2(a); 24 CFR Part 55.</p>
Historic Preservation National Historic Preservation Act of 1966, particularly sections 106 and 110; 36 CFR Part 800	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	A Historic Preservation and Cultural Resources Assessment conducted by the U.S. Virgin Islands’ State Historic Preservation Office (VISHPO) determined that the proposed project is not on the National Register of Historic Places; is not within the vicinity of a property that appears to be historic, or fit to be listed, or is already listed on the National Register; and does not require the Section 106 Compliance Process.

		<p>Thus, VISHPO recorded that no initial survey is required and commented, “advisement to notify DPNR-VISHPO upon discovery of any human burials or historic resources during excavation work” (Figure 19).</p> <p>The project is compliant with Historic Preservation National Historic Preservation Act of 1966, particularly sections 106 and 110; 36 CFR Part 800.</p>
<p>Noise Abatement and Control</p> <p>Noise Control Act of 1972, as amended by the Quiet Communities Act of 1978; 24 CFR Part 51 Subpart B</p>	<p>Yes No</p> <p><input checked="" type="checkbox"/> <input type="checkbox"/></p>	<p>The area around the proposed project site is a mixed use, commercial, farmland, and residential area. The proposed project site is off Canaan Road, a paved north-south thoroughfare in central St. Croix, and is impacted by traffic-related noise. To minimize noise impacts to neighboring properties, the site will be fenced and landscaped to provide a buffer between the site and neighboring properties. In addition, the site will be manned, and the specific hours of operation will be between 7:00am and 7:00pm, seven days a week. With the buffer and hours being restricted between 7:00am and 7:00pm the convenience center will be compliant with Noise Control Act of 1972, as amended by the Quiet Communities Act of 1978; 24 CFR Part 51 Subpart B.</p> <p>The proposed project is required to implement the mitigative measures identified for Noise Abatement and Control in order to remain in compliance with the Noise Control Act of 1972, as amended by the Quiet Communities Act of 1978; 24 CFR Part 51 Subpart B.</p>
<p>Sole Source Aquifers</p> <p>Safe Drinking Water Act of 1974, as amended, particularly section 1424(e); 40 CFR Part 149</p>	<p>Yes No</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>According to the EPA, there are no Sole Source Aquifers in the U.S. Virgin Islands which falls under the EPA Region 2 (Figure 20). The nearest well to the proposed project site is approximately 0.68 miles away to the northeast (Figure 21).</p> <p>The proposed project is in compliance with Safe Drinking Water Act of 1974, as amended, particularly section 1424(e); 40 CFR Part 149.</p>
<p>Wetlands Protection</p> <p>Executive Order 11990, particularly sections 2 and 5</p>	<p>Yes No</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>According to the USFWS National Wetlands Inventory, the proposed project site is not located within a wetland (Figure 22). There is a freshwater forested/shrub wetland approximately 0.25 miles to the west, a freshwater pond 0.25</p>

		<p>miles to the northwest, and a riverine 0.36 miles to the west of the proposed site. The environmental professional preparing this document is a certified wetland delineator. The proposed site does not contain a jurisdictional wetland per the 1987 U.S. Army Corps of Engineers Wetland Delineation Manual and Caribbean Supplement.</p> <p>The proposed project is compliant with the Wetlands Protection Executive Order 11990, particularly sections 2 and 5.</p>
<p>Wild and Scenic Rivers</p> <p>Wild and Scenic Rivers Act of 1968, particularly section 7(b) and (c)</p>	<p>Yes No</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>According to USFWS, there are 226 national Wild and Scenic Rivers across the 45 states and Puerto Rico (Figure 23). There are no Wild and Scenic Rivers in the U.S. Virgin Islands.</p> <p>The proposed project is in compliance with the Wild and Scenic Rivers Act of 1968, particularly section 7(b) and (c).</p>
ENVIRONMENTAL JUSTICE		
<p>Environmental Justice</p> <p>Executive Order 12898</p>	<p>Yes No</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>The purpose of the proposed project is to provide a clean and environmentally friendly waste disposal center for the residents and businesses in central St. Croix. The site will be fenced and landscaped to provide a buffer between the site and the neighboring properties. The site will also be manned, and the hours of operation will be between 7:00am and 7:00pm, seven days a week.</p> <p>The existing solid waste disposal facility on the proposed site disproportionately impacts the surrounding community with environmental pollution. The pollution is expressed in the form of stormwater runoff into a natural drainageway ("ghut") originating from the site which is contaminated with hydrocarbons. An oil water separator is being installed to treat all runoff water from hardscapes on the site. The community around the proposed project site is primarily low- and middle-income families of color. The Mon Bijou Convenience Center, as proposed, would both cleanup and alleviate the environmental burdens of this community that have been caused by years of poor and improper</p>

		<p>solid waste management at the proposed project site.</p> <p>Additionally, unhoused individuals appear to be living around the fringes of the existing solid waste site and utilize rubbish for both shelter and as a source of income. The proposed project will work with local community groups and provide information on housing opportunities to these individuals prior to construction.</p> <p>The proposed project will help reduce environmental burdens directly affecting the neighboring community through improper dumping and household waste disposal. In addition, the Virgin Islands Waste Management Authority, who is the sub-recipient of the proposed project, will work closely with local community groups and provide housing opportunities to the unhoused individuals currently residing on the site, prior to construction.</p> <p>The construction and implementation of the proposed residential convenience center will improve cleanliness through organized disposal and reduce any disturbances, noise, and/or environmental pollution associated with the absence of said convenience center.</p> <p>The proposed residential convenience center project is compliant with the Environmental Justice Executive Order 12898.</p>
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Field Inspection (Date and completed by):

A field inspection was conducted on January 31, 2023, by Amy Claire Dempsey, M.A. of Bioimpact, Inc. and the Phase II sampling was conducted on June 13, 2023 by Jaughna Nielsen-Bobbit and Jose Sanchez of Bioimpact, Inc.

Summary of Findings and Conclusions:

This project is both a needed and desired service for residents and businesses in the Mon Bijou area of St. Croix. It will have a beneficial impact on the human environment and impacts to the natural environment will be mitigated, as supported through local and federal agency consultations, assessments, and requirements for regulatory compliance, such as permitting.

The Mon Bijou Convenience Center is compliant with:

- Airport Hazards 24 CFR Part 51 Subpart D.

- Coastal Barrier Resources Act, as amended by the Coastal Barrier Improvement Act of 1990 [16 USC 3501].
- Flood Disaster Protection Act of 1973 and National Flood Insurance Reform Act of 1994 [42 USC 4001-4128 and 42 USC 5154a].
- Endangered Species Act of 1973, particularly section 7; 50 CFR Part 402.
- Explosive and Flammable Hazards 24 CFR Part 51 Subpart C.
- Floodplain Management Executive Order 11988, particularly section 2(a); 24 CFR Part 55.
- Safe Drinking Water Act of 1974, as amended, particularly section 1424(e); 40 CFR Part 149.
- Wetlands Protection Executive Order 11990, particularly sections 2 and 5; and the
- Wild and Scenic Rivers Act of 1968, particularly section 7(b) and (c).

With the implementation of a Dust Control Plan during construction the proposed project will be compliant with the Clean Air Act, as amended, particularly section 176(c) & (d); 40 CFR Parts 6, 51, 93. In order to maintain compliance with the Coastal Zone Management Act, the proposed project is required to obtain a Federal Consistency Certificate as required by the regulatory requirements set forth by the Virgin Islands Department of Planning and Natural Resources prior to the start of construction.

As it relates to the mitigation measures required to demonstrate compliance with the Contamination and Toxic Substances 24 CFR Part 50.3(i) & 58.5(i)(2), having a manned and fenced residential convenience center will also prevent “dumpster fires” which release air contaminants into the atmosphere. Furthermore, a Phase II sampling was conducted of the site in June 2023. Four soil samples were collected at different areas of the site. All four soil samples were found to be contaminated with TPH over the USVI Regulatory Limit of 460ppm for hydrocarbons. Lead was also detected in all four soil samples. However, the amount detected was below the USVI Regulatory Limit of 400mg/kg. As a result of these findings, a remediation plan will be developed and approved by the Division of Environmental Protection and implemented prior to the start of construction and a No Further Action Letter (NFA) should be obtained upon the conclusion of the cleanup. An oil and water separator will be installed to treat all runoff water from all hardscapes on the site to abate existing runoff issues. With implementation of these mitigative measures the project will be compliant with the Contamination and Toxic Substances 24 CFR Part 50.3(i) & 58.5(i)(2).

The proposed convenience center will have No Effect on ESA listed species. In their June 30, 2023, FWS stated, “We acknowledge receipt of your no effect (NE) determinations for Vahl’s boxwood. Currently we do not have any information to refute your determination. Because you made a NE determination, you are not required to conduct formal or informal section 7 consultation with the Service and the Service is not required to concur with your NE determination.” And went on to state, “In view of this, we believe that requirements of section 7 of the Act have been satisfied”. Obligations under section 7 of the Act must be reconsidered if new information reveals a potential impact on a listed species or critical habitat.

A large agricultural buffer is being maintained between the convenience center and the adjacent farmland to ensure compliance with the Farmland Protection Policy Act of 1981, particularly sections 1504(b) and 1541; 7 CFR Part 658. Through consultation with the Virgin Islands State Historic Preservation Office, the Virgin Islands Waste Management Authority, who is the sub-recipient of this proposed project will engage an archeological monitor during excavation to ensure compliance with the Historic Preservation National Historic Preservation Act of 1966, particularly sections 106 and 110; 36 CFR Part 800. In addition, as a condition proposed by VISHPO, the proposed project will immediately notify the DPNR-VISHPO office if any archaeological artifacts or human burials are located or discovered during excavation.

To be compliant with Noise Abatement and Control Noise Control Act of 1972, as amended by the Quiet Communities Act of 1978; 24 CFR Part 51 Subpart B, 10-foot buffers will be provided on the sides of the site facing residential properties and the site will only be operational between 7:00 am and 7:00pm, seven days a week.

The proposed project will work with local community groups and provide information on housing opportunities to the unhoused individuals currently residing on the site prior to construction. With the implementation of these mitigative measures, the project will maintain compliance under the Environmental Justice Executive Order 12898.

Mitigation Measures and Conditions [40 CFR 1505.2(c)]

Summarize below all mitigation measures adopted by the Responsible Entity to reduce, avoid, or eliminate adverse environmental impacts and to avoid non-compliance or non-conformance with the above-listed authorities and factors. These measures/conditions must be incorporated into project contracts, development agreements, and other relevant documents. The staff responsible for implementing and monitoring mitigation measures should be clearly identified in the mitigation plan.

Law, Authority, or Factor	Mitigation Measure	Comments or Conditions
Standard Conditions		<p>Any changes to the approved scope of work will require a review to determine if a re-evaluation for compliance with NEPA and other Laws and Executive Orders is required.</p> <p>This review does not address all federal, state, and local requirements. Acceptance of federal funding requires that all permits, approvals, etc. must be</p>

		acquired prior to construction activities.
Clean Air Act	<p>The proposed project is required to develop a Dust Control Plan and submit to the Department of Planning and Natural Resources for approval. The Dust Control Plan will be used to implement air quality controls during construction.</p> <p>The project is also required to obtain a Permit to Construct and Operate any generators that are anticipated to be installed at the site before construction is complete.</p> <p>A permit to Construct and Operate the proposed generator installation is required to maintain compliance with and standards of the Clean Air Act</p>	
Contamination and Toxic Substances 24 CFR Part 50.3(i) & 58.5(i)(2)	The proposed project was investigated for contamination through the application of a Phase I and Phase II ESA. Findings of this assessment confirmed that the soil samples collected from different areas at the proposed project site, were found to be above the USVI TPH Regulatory of 460ppm for Hydrocarbons. As a result of these findings, the proposed project is required to develop a remediation plan to address all contamination identified at the site. The plan must be approved by the Division of Environmental Protection and implemented prior to the start of construction.	The cleanup plan must be approved by the Department of Planning and Natural Resources, Division of Environmental Protection and implemented prior to the start of construction. A No Further Action (NFA) letter must be obtained upon completion of the remediation.
Noise Control Act of 1972, as amended by the Quiet Communities Act of 1978; 24 CFR Part 51 Subpart B	The proposed project is required to install a minimum approximate 10-foot buffer must be incorporated into the design. The buffer will be required on the western, northern, and southern boundaries where green space currently exists. A minimum of approximately 0.2 acres of the site will be retained as green space via the buffer zone.	
Farmlands Protection	A large agricultural buffer will be installed and maintained between the	

Farmland Protection Policy Act of 1981, particularly sections 1504(b) and 1541; 7 CFR Part 658	proposed residential convenience center and the adjacent farmland as shown in Figure 3.	
National Historic Preservation Act of 1966, particularly sections 106 and 110; 36 CFR Part 800	All excavation activities, including foundation and utility trenching activity will have archaeological monitoring during the Project's activity.	All ground disturbing activities occurring during construction must be monitored. If any potential archaeological resources are discovered, construction activities will immediately cease in the area and the necessary parties will be notified.
Coastal Zone Management Act, sections 307(c) & (d)	The proposed project will need to obtain a Federal Consistency Determination from the state's regulatory agency, through the Division of Coastal Zone Management prior to construction.	
Endangered Species Act of 1973, particularly section 7; 50 CFR Part 402		If new information reveals impacts of this identified action that may affect listed species or critical habitat in a manner that was not previously considered; this action is subsequently modified in a manner not previously considered in this assessment or a new species is listed, or critical habitat determined that may be affected by the identified action consultation must be reinitiated.

Determination:

- ☐ This categorically excluded activity/project converts to Exempt, per 58.34(a)(12) because there are no circumstances which require compliance with any of the federal laws and authorities cited at §58.5. **Funds may be committed and drawn down after certification of this part** for this (now) EXEMPT project; OR
- ☒ This categorically excluded activity/project cannot convert to Exempt because there are circumstances which require compliance with one or more federal laws and authorities cited at §58.5. Complete consultation/mitigation protocol requirements, **publish NOI/RROF and obtain "Authority to Use Grant Funds"** (HUD 7015.16) per Section 58.70 and 58.71 before committing or drawing down any funds; OR
- ☐ This project is now subject to a full Environmental Assessment according to Part 58 Subpart E due to extraordinary circumstances (Section 58.35(c)).

Preparer Signature:  Date: _____

Name/Title/Organization: Amy Claire Dempsey, M.A. President, Bioimpact, Inc.

Responsible Entity Agency Official Signature:

_____ Date: _____

Name/Title: _____

This original, signed document and related supporting material must be retained on file by the Responsible Entity in an Environmental Review Record (ERR) for the activity/project (ref: 24 CFR Part 58.38) and in accordance with recordkeeping requirements for the HUD program(s).

APPENDIX A
 Figure 1. Proposed Project Location, Mon Bijou, St. Croix
 [Source: U.S. Geological Survey]



Note: The orange star indicates the location of the proposed project site.

Figure 2. Proposed Project Location, Mon Bijou, St. Croix
 [Source: Government of the U.S. Virgin Islands, Geospatial Information Systems Division]



[illegible]

Figure 4. Proposed Project Site in Relation to Airports, St. Croix
[Source: NOAA, Office of Coast Survey]

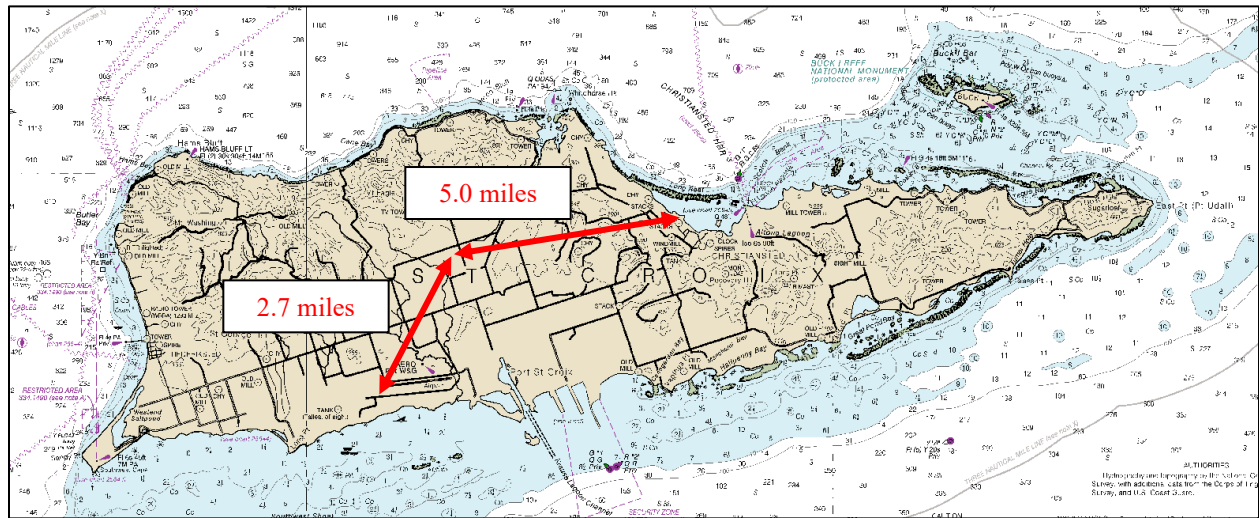


Figure 5. Historical Aerial of the Proposed Mon Bijou Convenience Center
[U.S. Geological Survey, November 1971]



Note: The area of the proposed project site is outlined in orange.



U.S. Fish and Wildlife Service
Coastal Barrier Resources System

Mon Bijou Convenience Center



June 10, 2023

CBRS Buffer Zone

CBRS Units

Otherwise Protected Area

This map is for general reference only. The Coastal Barrier Resources System (CBRS) boundaries depicted on this map are representations of the controlling CBRS boundaries, which are shown on the official maps, accessible at <https://www.fws.gov/library/collections/official-coastal-barrier-resources-system-maps>. All CBRS related data should be used in accordance with the layer metadata found on the CBRS Mapper website.

The CBRS Buffer Zone represents the area immediately adjacent to the CBRS boundary where users are advised to contact the Service for an official determination (<https://www.fws.gov/service/coastal-barrier-resources-system-property-documentation>) as to whether the property or project site is located "in" or "out" of the CBRS.

CBRS Units normally extend seaward out to the 20- or 30-foot bathymetric contour (depending on the location of the unit). The true seaward

This page was produced by the CBRS Mapper

Note: The orange star indicates the location of the proposed project site.

Insurance Program at 1-800-638-6620.

MAP SCALE 1" = 500'

250 0 500 1000
FEET

0 0 150 300
MET

NFIP

PANEL 0069G

FIRM

FLOOD INSURANCE RATE MAP

U.S. VIRGIN ISLANDS

PANEL 69 OF 94

(SEE MAP INDEX FOR FIRM PANEL LAYOUT)

CONTAINS:

COMMUNITY	NUMBER	PANEL	SUFFIX
U.S. VIRGIN ISLANDS	780000	0069	G

Notice to User: The **Map Number** shown below should be used when placing map orders, the **Community Number** shown above should be used on insurance applications for the subject community.

MAP NUMBER
7800000069G

MAP REVISED
APRIL 16, 2007

Federal Emergency Management Agency

NATIONAL FLOOD INSURANCE PROGRAM

This is an official FIRMette showing a portion of the above-referenced flood map created from the MSC FIRMette Web tool. This map does not reflect changes or amendments which may have been made subsequent to the date on the title block. For additional information about how to make sure the map is current, please see the Flood Hazard Mapping Updates Overview Fact Sheet available on the FEMA Flood Map Service Center home page at <https://msc.fema.gov>.

Note: The orange star indicates the location of the proposed project site.

Figure 8. USVI Advisory Base Flood Elevation Data

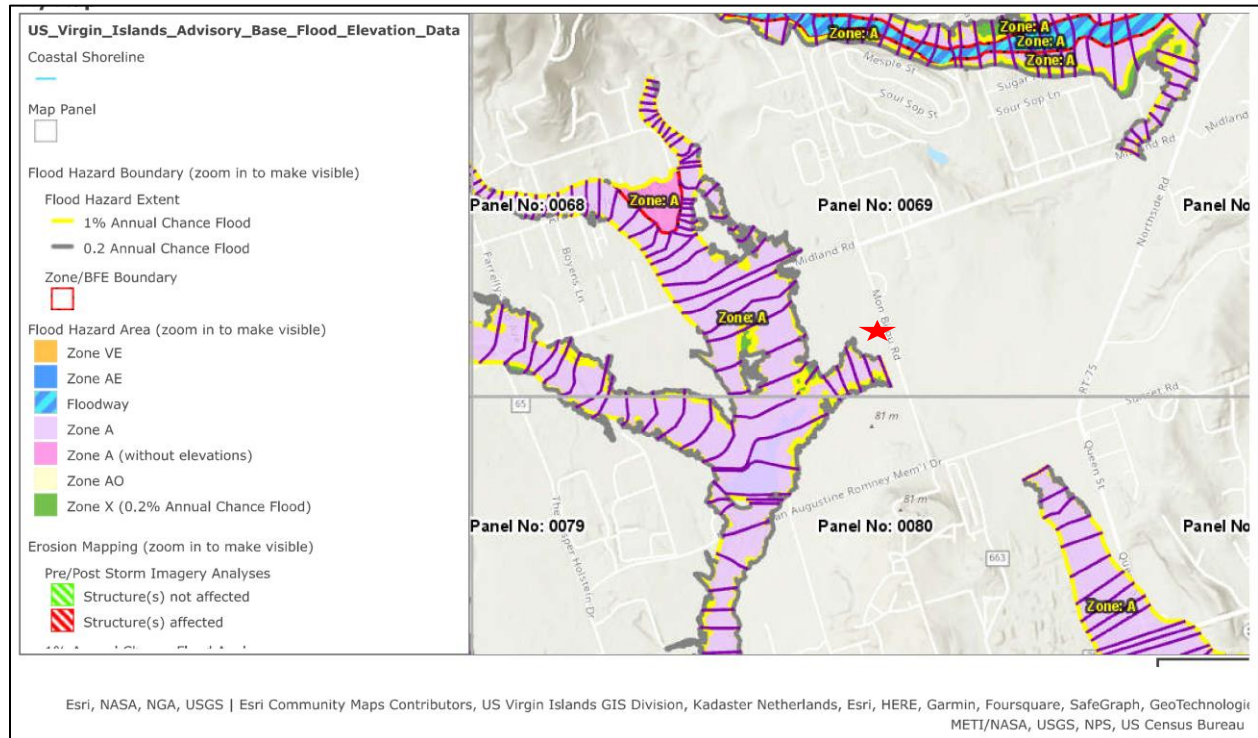


Figure 9. EPA Map of Nonattainment Areas for Criteria Pollutants (Green Book)

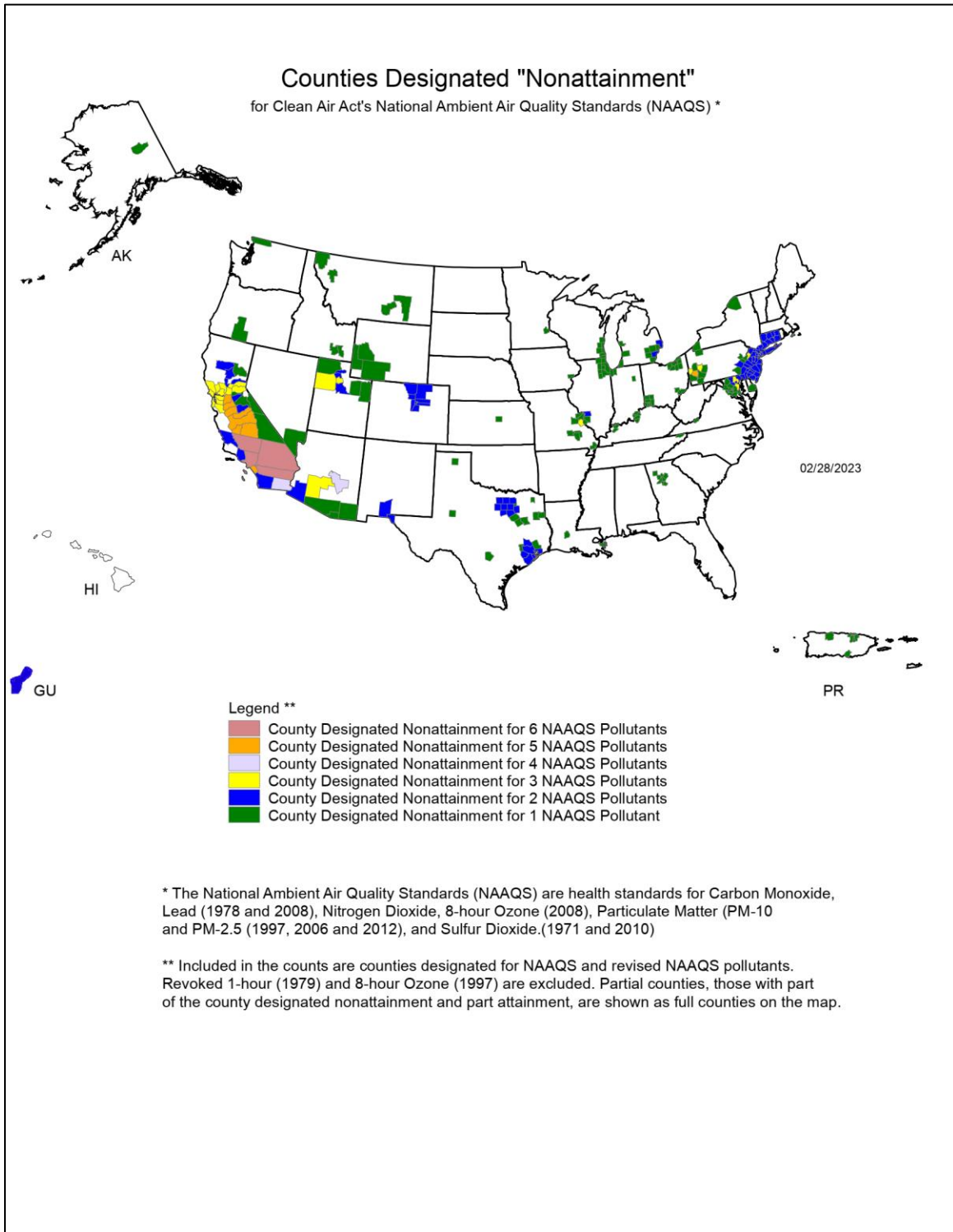



Figure 10. EPA Status of Air Quality State Implementation Plan (SIP)
 [Source: https://www3.epa.gov/airquality/urbanair/sipstatus/reports/vi_areabypoll.html]


United States Environmental Protection Agency

SIP Status Reports

[Air Quality Implementation Plans](#)
[SIP Status Reports](#)
[State Designated Area Reports](#)
[National Designated Area Reports](#)
[NAAQS Designated Area Reports](#)
[State Infrastructure Reports](#)
[National Infrastructure Reports](#)

[Contact Us](#)
You are here: [EPA Home](#) > [Air Quality Implementation Plans](#) > [SIP Status Reports](#) > Status of U.S. Virgin Islands Designated Areas

Status of U.S. Virgin Islands Designated Areas

U.S. Virgin Islands Areas by NAAQS
NOTE: As of 03/12/2021, these reports are no longer being updated. For the latest information, see the [SIP Status Tools](#).

Jump to U.S. Virgin Islands section for: [CO \(1971\)](#) [Lead \(1978\)](#) [Lead \(2008\)](#) [NO2 \(1971\)](#) [Ozone-1Hr \(1979\)](#) [Ozone-8Hr \(1997\)](#) [Ozone-8Hr \(2008\)](#) [Ozone-8Hr \(2015\)](#) [PM-10 \(1987\)](#) [PM-2.5 \(1997\)](#) [PM-2.5 \(2006\)](#) [PM-2.5 \(2012\)](#) [SO2 \(1971\)](#) [SO2 \(2010\)](#)

U.S. Virgin Islands CO (1971) Areas	Return to map
No designated areas for this pollutant.	
U.S. Virgin Islands Lead (1978) Areas	Return to map Top of page
No designated areas for this pollutant.	
U.S. Virgin Islands Lead (2008) Areas	Return to map Top of page
No designated areas for this pollutant.	
U.S. Virgin Islands NO2 (1971) Areas	Return to map Top of page
No designated areas for this pollutant.	
U.S. Virgin Islands Ozone-1Hr (1979) Areas	Return to map Top of page
No designated areas for this pollutant.	
U.S. Virgin Islands Ozone-8Hr (1997) Areas	Return to map Top of page
No designated areas for this pollutant.	
U.S. Virgin Islands Ozone-8Hr (2008) Areas	Return to map Top of page
No designated areas for this pollutant.	
U.S. Virgin Islands Ozone-8Hr (2015) Areas	Return to map Top of page
No designated areas for this pollutant.	
U.S. Virgin Islands PM-10 (1987) Areas	Return to map Top of page
No designated areas for this pollutant.	
U.S. Virgin Islands PM-2.5 (1997) Areas	Return to map Top of page
No designated areas for this pollutant.	
U.S. Virgin Islands PM-2.5 (2006) Areas	Return to map Top of page
No designated areas for this pollutant.	
U.S. Virgin Islands PM-2.5 (2012) Areas	Return to map Top of page
No designated areas for this pollutant.	
U.S. Virgin Islands SO2 (1971) Areas	Return to map Top of page
No designated areas for this pollutant.	
U.S. Virgin Islands SO2 (2010) Areas	Return to map Top of page
No designated areas for this pollutant.	

We have made our best effort to ensure that the data contained in these reports is accurate. We note that there may be brief delays in updating the reports as we receive new state submissions and we take rulemaking action on plans. In order to assist us in providing accurate information, we request that you contact us by clicking on the "Contact Us" link near the top of this page with any comments regarding or corrections to the posted information, including concerns about whether the entries reflect the most recent status.

Current and historical design value data can be found on the [EPA Air Quality Design Values website](#) and the [EPA Green Book](#) contains comprehensive nonattainment area, designation status, and historical information.

The level of the 1-hour NAAQS for sulfur dioxide is 75 parts per billion (ppb) calculated as the 3-year average of the 99th percentile of the annual distribution of daily maximum 1-hour average concentrations.

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Figure 12. Phase II Soil Sample Results



Pace Analytical
www.pacelabs.com

Pace Analytical Services, LLC
8 East Tower Circle
Ormond Beach, FL 32174
(386)672-5668

ANALYTICAL RESULTS

Project: VWMA
Pace Project No.: 35806839

Sample: Monbijou -01 N17.73964 Lab ID: 35806839001 Collected: 06/13/23 10:53 Received: 06/15/23 10:20 Matrix: Solid
W1478

Results reported on a "dry weight" basis and are adjusted for percent moisture, sample size and any dilutions.

Parameters	Results	Units	PQL	MDL	DF	Prepared	Analyzed	CAS No.	Qual
FL-PRO Soil Microwave	Analytical Method: FL-PRO Preparation Method: EPA 3546 Pace Analytical Services - Ormond Beach								
Petroleum Range Organics	26800	mg/kg	625	537	100	06/15/23 23:58	06/19/23 13:17		
Surrogates									
o-Terphenyl (S)	120	%	66-136		100	06/15/23 23:58	06/19/23 13:17	84-15-1	
N-Pentatriacontane (S)	121	%	42-159		100	06/15/23 23:58	06/19/23 13:17	630-07-09	
6010 MET ICP	Analytical Method: EPA 6010 Preparation Method: EPA 3050 Pace Analytical Services - Ormond Beach								
Lead	14.1	mg/kg	0.59	0.29	1	06/21/23 05:55	06/21/23 21:49	7439-92-1	
Percent Moisture	Analytical Method: ASTM D2974-87 Pace Analytical Services - Ormond Beach								
Percent Moisture	5.0	%	0.10	0.10	1		06/20/23 09:22		

Sample: Monbijou - 02 N17.73964 Lab ID: 35806839002 Collected: 06/13/23 11:00 Received: 06/15/23 10:20 Matrix: Solid
W64.78

Results reported on a "dry weight" basis and are adjusted for percent moisture, sample size and any dilutions.

Parameters	Results	Units	PQL	MDL	DF	Prepared	Analyzed	CAS No.	Qual
FL-PRO Soil Microwave	Analytical Method: FL-PRO Preparation Method: EPA 3546 Pace Analytical Services - Ormond Beach								
Petroleum Range Organics	62900	mg/kg	2130	1830	200	06/15/23 23:58	06/19/23 13:30		P1
Surrogates									
o-Terphenyl (S)	87	%	66-136		1	06/15/23 23:58	06/16/23 13:46	84-15-1	
N-Pentatriacontane (S)	137	%	42-159		200	06/15/23 23:58	06/19/23 13:30	630-07-09	
6010 MET ICP	Analytical Method: EPA 6010 Preparation Method: EPA 3050 Pace Analytical Services - Ormond Beach								
Lead	96.5	mg/kg	0.59	0.29	1	06/21/23 05:55	06/21/23 21:53	7439-92-1	
Percent Moisture	Analytical Method: ASTM D2974-87 Pace Analytical Services - Ormond Beach								
Percent Moisture	7.7	%	0.10	0.10	1		06/20/23 09:22		

REPORT OF LABORATORY ANALYSIS

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Date: 06/22/2023 11:08 AM

Page 5 of 13



Pace Analytical Services, LLC
8 East Tower Circle
Ormond Beach, FL 32174
(386)672-5668

ANALYTICAL RESULTS

Project: VWMA
Pace Project No.: 35806839

Sample: Monbijou - 03 N17.73949 Lab ID: 35806839003 Collected: 06/13/23 11:11 Received: 06/15/23 10:20 Matrix: Solid
W64.78

Results reported on a "dry weight" basis and are adjusted for percent moisture, sample size and any dilutions.

Parameters	Results	Units	PQL	MDL	DF	Prepared	Analyzed	CAS No.	Qual
FL-PRO Soil Microwave Analytical Method: FL-PRO Preparation Method: EPA 3546 Pace Analytical Services - Ormond Beach									
Petroleum Range Organics	125000	mg/kg	3040	2610	500	06/15/23 23:58	06/19/23 12:50		
Surrogates									
o-Terphenyl (S)	4490	%	66-136		500	06/15/23 23:58	06/19/23 12:50	84-15-1	S5
N-Pentatriacontane (S)	166	%	42-159		500	06/15/23 23:58	06/19/23 12:50	630-07-09	S5
6010 MET ICP Analytical Method: EPA 6010 Preparation Method: EPA 3050 Pace Analytical Services - Ormond Beach									
Lead	24.7	mg/kg	0.59	0.29	1	06/21/23 05:55	06/21/23 21:57	7439-92-1	
Percent Moisture Analytical Method: ASTM D2974-87 Pace Analytical Services - Ormond Beach									
Percent Moisture	2.4	%	0.10	0.10	1		06/20/23 09:22		

Sample: Monbijou - 04 N17.73906 Lab ID: 35806839004 Collected: 06/13/23 11:22 Received: 06/15/23 10:20 Matrix: Solid
W64.78

Results reported on a "dry weight" basis and are adjusted for percent moisture, sample size and any dilutions.

Parameters	Results	Units	PQL	MDL	DF	Prepared	Analyzed	CAS No.	Qual
FL-PRO Soil Microwave Analytical Method: FL-PRO Preparation Method: EPA 3546 Pace Analytical Services - Ormond Beach									
Petroleum Range Organics	558	mg/kg	6.4	5.5	1	06/15/23 23:58	06/16/23 14:13		
Surrogates									
o-Terphenyl (S)	90	%	66-136		1	06/15/23 23:58	06/16/23 14:13	84-15-1	
N-Pentatriacontane (S)	74	%	42-159		1	06/15/23 23:58	06/16/23 14:13	630-07-09	
6010 MET ICP Analytical Method: EPA 6010 Preparation Method: EPA 3050 Pace Analytical Services - Ormond Beach									
Lead	30.1	mg/kg	0.52	0.26	1	06/21/23 05:55	06/21/23 22:00	7439-92-1	
Percent Moisture Analytical Method: ASTM D2974-87 Pace Analytical Services - Ormond Beach									
Percent Moisture	6.8	%	0.10	0.10	1		06/20/23 09:22		


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Figure 13. U.S. Fish and Wildlife Service, IPaC Tool, Endangered Species

IPaC Information for Planning and Consultation	U.S. Fish & Wildlife Service
<h2>IPaC resource list</h2> <p>This report is an automatically generated list of species and other resources such as critical habitat (collectively referred to as <i>trust resources</i>) under the U.S. Fish and Wildlife Service's (USFWS) jurisdiction that are known or expected to be on or near the project area referenced below. The list may also include trust resources that occur outside of the project area, but that could potentially be directly or indirectly affected by activities in the project area. However, determining the likelihood and extent of effects a project may have on trust resources typically requires gathering additional site-specific (e.g., vegetation/species surveys) and project-specific (e.g., magnitude and timing of proposed activities) information.</p> <p>Below is a summary of the project information you provided and contact information for the USFWS office(s) with jurisdiction in the defined project area. Please read the introduction to each section that follows (Endangered Species, Migratory Birds, USFWS Facilities, and NWI Wetlands) for additional information applicable to the trust resources addressed in that section.</p> <h3>Location</h3> <p>St. Croix County, Virgin Islands</p>  <h3>Local office</h3> <p>Caribbean Ecological Services Field Office</p> <p>☎ (787) 834-1600 📠 (787) 851-7440 ✉ CARIBBEAN_ES@FWS.GOV</p> <p>MAILING ADDRESS Post Office Box 491 Boqueron, PR 00622-0491</p> <p>PHYSICAL ADDRESS Office Park I State Road #2 Km 156.5, Suite 303 Mayaguez, PR 00680</p>	

Endangered species

This resource list is for informational purposes only and does not constitute an analysis of project level impacts.

The primary information used to generate this list is the known or expected range of each species. Additional areas of influence (AOI) for species are also considered. An AOI includes areas outside of the species range if the species could be indirectly affected by activities in that area (e.g., placing a dam upstream of a fish population even if that fish does not occur at the dam site, may indirectly impact the species by reducing or eliminating water flow downstream). Because species can move, and site conditions can change, the species on this list are not guaranteed to be found on or near the project area. To fully determine any potential effects to species, additional site-specific and project-specific information is often required.

Section 7 of the Endangered Species Act **requires** Federal agencies to "request of the Secretary information whether any species which is listed or proposed to be listed may be present in the area of such proposed action" for any project that is conducted, permitted, funded, or licensed by any Federal agency. A letter from the local office and a species list which fulfills this requirement can **only** be obtained by requesting an official species list from either the Regulatory Review section in IPaC (see directions below) or from the local field office directly.

For project evaluations that require USFWS concurrence/review, please return to the IPaC website and request an official species list by doing the following:

1. Draw the project location and click CONTINUE.
2. Click DEFINE PROJECT.
3. Log in (if directed to do so).
4. Provide a name and description for your project.
5. Click REQUEST SPECIES LIST.

Listed species¹ and their critical habitats are managed by the [Ecological Services Program](#) of the U.S. Fish and Wildlife Service (USFWS) and the fisheries division of the National Oceanic and Atmospheric Administration (NOAA Fisheries²).

Species and critical habitats under the sole responsibility of NOAA Fisheries are **not** shown on this list. Please contact [NOAA Fisheries](#) for [species under their jurisdiction](#).

1. Species listed under the [Endangered Species Act](#) are threatened or endangered; IPaC also shows species that are candidates, or proposed, for listing. See the [listing status page](#) for more information. IPaC only shows species that are regulated by USFWS (see FAQ).
2. [NOAA Fisheries](#), also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

There are no listed species or critical habitats expected to occur at this location.

Migratory birds

Certain birds are protected under the Migratory Bird Treaty Act¹ and the Bald and Golden Eagle Protection Act².

Any person or organization who plans or conducts activities that may result in impacts to migratory birds, eagles, and their habitats should follow appropriate regulations and consider implementing appropriate conservation measures, as described below.

1. The [Migratory Birds Treaty Act](#) of 1918.
2. The [Bald and Golden Eagle Protection Act](#) of 1940.

Additional information can be found using the following links:

- Birds of Conservation Concern <https://www.fws.gov/program/migratory-birds/species>
- Measures for avoiding and minimizing impacts to birds <https://www.fws.gov/library/collections/avoiding-and-minimizing-incident-take-migratory-birds>
- Nationwide conservation measures for birds <https://www.fws.gov/sites/default/files/documents/nationwide-standard-conservation-measures.pdf>

There are no migratory birds of conservation concern expected to occur at this location.

Tell me more about conservation measures I can implement to avoid or minimize impacts to migratory birds.

[Nationwide Conservation Measures](#) describes measures that can help avoid and minimize impacts to all birds at any location year round. Implementation of these measures is particularly important when birds are most likely to occur in the project area. When birds may be breeding in the area, identifying the locations of any active nests and avoiding their destruction is a very helpful impact minimization measure. To see when birds are most likely to occur and be breeding in your project area, view the Probability of Presence Summary. [Additional measures](#) or [permits](#) may be advisable depending on the type of activity you are conducting and the type of infrastructure or bird species present on your project site.

What does IPaC use to generate the list of migratory birds that potentially occur in my specified location?

The Migratory Bird Resource List is comprised of USFWS [Birds of Conservation Concern \(BCC\)](#) and other species that may warrant special attention in your project location.

The migratory bird list generated for your project is derived from data provided by the [Avian Knowledge Network \(AKN\)](#). The AKN data is based on a growing collection of [survey, banding, and citizen science datasets](#) and is queried and filtered to return a list of those birds reported as occurring in the 10km grid cell(s) which your project intersects, and that have been identified as warranting special attention because they are a BCC species in that area, an eagle ([Eagle Act](#) requirements may apply), or a species that has a particular vulnerability to offshore activities or development.

Again, the Migratory Bird Resource list includes only a subset of birds that may occur in your project area. It is not representative of all birds that may occur in your project area. To get a list of all birds potentially present in your project area, please visit the [Rapid Avian Information Locator \(RAIL\) Tool](#).

What does IPaC use to generate the probability of presence graphs for the migratory birds potentially occurring in my specified location?

The probability of presence graphs associated with your migratory bird list are based on data provided by the [Avian Knowledge Network \(AKN\)](#). This data is derived from a growing collection of [survey, banding, and citizen science datasets](#).

Probability of presence data is continuously being updated as new and better information becomes available. To learn more about how the probability of presence graphs are produced and how to interpret them, go the Probability of Presence Summary and then click on the "Tell me about these graphs" link.

How do I know if a bird is breeding, wintering or migrating in my area?

To see what part of a particular bird's range your project area falls within (i.e. breeding, wintering, migrating or year-round), you may query your location using the [RAIL Tool](#) and look at the range maps provided for birds in your area at the bottom of the profiles provided for each bird in your results. If a bird on your migratory bird species list has a breeding season associated with it, if that bird does occur in your project area, there may be nests present at some point within the timeframe specified. If "Breeds elsewhere" is indicated, then the bird likely does not breed in your project area.

What are the levels of concern for migratory birds?

Migratory birds delivered through IPaC fall into the following distinct categories of concern:

1. "BCC Rangewide" birds are [Birds of Conservation Concern \(BCC\)](#) that are of concern throughout their range anywhere within the USA (including Hawaii, the Pacific Islands, Puerto Rico, and the Virgin Islands);
2. "BCC - BCR" birds are BCCs that are of concern only in particular Bird Conservation Regions (BCRs) in the continental USA; and

3. "Non-BCC - Vulnerable" birds are not BCC species in your project area, but appear on your list either because of the [Eagle Act](#) requirements (for eagles) or (for non-eagles) potential susceptibilities in offshore areas from certain types of development or activities (e.g. offshore energy development or longline fishing).

Although it is important to try to avoid and minimize impacts to all birds, efforts should be made, in particular, to avoid and minimize impacts to the birds on this list, especially eagles and BCC species of rangewide concern. For more information on conservation measures you can implement to help avoid and minimize migratory bird impacts and requirements for eagles, please see the FAQs for these topics.

Details about birds that are potentially affected by offshore projects

For additional details about the relative occurrence and abundance of both individual bird species and groups of bird species within your project area off the Atlantic Coast, please visit the [Northeast Ocean Data Portal](#). The Portal also offers data and information about other taxa besides birds that may be helpful to you in your project review. Alternately, you may download the bird model results files underlying the portal maps through the [NOAA NCCOS Integrative Statistical Modeling and Predictive Mapping of Marine Bird Distributions and Abundance on the Atlantic Outer Continental Shelf](#) project webpage.

Bird tracking data can also provide additional details about occurrence and habitat use throughout the year, including migration. Models relying on survey data may not include this information. For additional information on marine bird tracking data, see the [Diving Bird Study](#) and the [panotag studies](#) or contact [Caleb Seisegel](#) or [Pam Loring](#).

What if I have eagles on my list?

If your project has the potential to disturb or kill eagles, you may need to [obtain a permit](#) to avoid violating the Eagle Act should such impacts occur.

Proper Interpretation and Use of Your Migratory Bird Report

The migratory bird list generated is not a list of all birds in your project area, only a subset of birds of priority concern. To learn more about how your list is generated, and see options for identifying what other birds may be in your project area, please see the FAQ "What does IPaC use to generate the migratory birds potentially occurring in my specified location". Please be aware this report provides the "probability of presence" of birds within the 10 km grid cell(s) that overlap your project; not your exact project footprint. On the graphs provided, please also look carefully at the survey effort (indicated by the black vertical bar) and for the existence of the "no data" indicator (a red horizontal bar). A high survey effort is the key component. If the survey effort is high, then the probability of presence score can be viewed as more dependable. In contrast, a low survey effort bar or no data bar means a lack of data and, therefore, a lack of certainty about presence of the species. This list is not perfect; it is simply a starting point for identifying what birds of concern have the potential to be in your project area, when they might be there, and if they might be breeding (which means nests might be present). The list helps you know what to look for to confirm presence, and helps guide you in knowing when to implement conservation measures to avoid or minimize potential impacts from your project activities, should presence be confirmed. To learn more about conservation measures, visit the FAQ "Tell me about conservation measures I can implement to avoid or minimize impacts to migratory birds" at the bottom of your migratory bird trust resources page.

Facilities

National Wildlife Refuge lands

Any activity proposed on lands managed by the [National Wildlife Refuge](#) system must undergo a 'Compatibility Determination' conducted by the Refuge. Please contact the individual Refuges to discuss any questions or concerns.

There are no refuge lands at this location.

Fish hatcheries

There are no fish hatcheries at this location.

Wetlands in the National Wetlands Inventory (NWI)

Impacts to [NWI wetlands](#) and other aquatic habitats may be subject to regulation under Section 404 of the Clean Water Act, or other State/Federal statutes.

For more information please contact the Regulatory Program of the local [U.S. Army Corps of Engineers District](#).

Please note that the NWI data being shown may be out of date. We are currently working to update our NWI data set. We recommend you verify these results with a site visit to determine the actual extent of wetlands on site.

This location overlaps the following wetlands:

FRESHWATER EMERGENT WETLAND

[PEM1C](#)
[PEM1A](#)

FRESHWATER FORESTED/SHRUB WETLAND

[PSS3A](#)
[PFO3A](#)

FRESHWATER POND

[PUBGh](#)

RIVERINE

[R45BC](#)
[RSUBH](#)

A full description for each wetland code can be found at the [National Wetlands Inventory website](#)

NOTE: This initial screening does **not** replace an on-site delineation to determine whether wetlands occur. Additional information on the NWI data is provided below.

Data limitations

The Service's objective of mapping wetlands and deepwater habitats is to produce reconnaissance level information on the location, type and size of these resources. The maps are prepared from the analysis of high altitude imagery. Wetlands are identified based on vegetation, visible hydrology and geography. A margin of error is inherent in the use of imagery; thus, detailed on-the-ground inspection of any particular site may result in revision of the wetland boundaries or classification established through image analysis.

The accuracy of image interpretation depends on the quality of the imagery, the experience of the image analysts, the amount and quality of the collateral data and the amount of ground truth verification work conducted. Metadata should be consulted to determine the date of the source imagery used and any mapping problems.

Wetlands or other mapped features may have changed since the date of the imagery or field work. There may be occasional differences in polygon boundaries or classifications between the information depicted on the map and the actual conditions on site.

Data exclusions



Certain wetland habitats are excluded from the National mapping program because of the limitations of aerial imagery as the primary data source used to detect wetlands. These habitats include seagrasses or submerged aquatic vegetation that are found in the intertidal and subtidal zones of estuaries and nearshore coastal waters. Some deepwater reef communities (coral or tubercid worm reefs) have also been excluded from the inventory. These habitats, because of their depth, go undetected by aerial imagery.

Data precautions

Federal, state, and local regulatory agencies with jurisdiction over wetlands may define and describe wetlands in a different manner than that used in this inventory. There is no attempt, in either the design or products of this inventory, to define the limits of proprietary jurisdiction of any Federal, state, or local government or to establish the geographical scope of the regulatory programs of government agencies. Persons intending to engage in activities involving modifications within or adjacent to wetland areas should seek the advice of appropriate Federal, state, or local agencies concerning specified agency regulatory programs and proprietary jurisdictions that may affect such activities.

NOT FOR CONSULTATION

Figure 14. U.S. Fish and Wildlife Service Concurrence Letter

	<p>United States Department of the Interior</p> <p>FISH AND WILDLIFE SERVICE Caribbean Ecological Services Field Office Bayamón Mayagüez Maricao Río Grande St Croix P.O. Box 491 Boquerón, Puerto Rico 00622</p>	
<p>In Reply Refer to: FWS/R4/CESFO/78MM-190</p>		
<p>Submitted Via Electronic Mail: (kveira@vihfa.gov)</p>		
<p>Kyora Veira Senior Environmental Manager Community Development Block Grant - Disaster Recovery Program Virgin Islands Housing Finance Authority 3202 Demarara Plaza, Ste. 200 St. Thomas, USVI 00802-6447</p>		
<p>Re: U.S. Virgin Island Waste Management Authority Convenience Centers</p>		
<p>Dear Mrs. Veira:</p>		
<p>Thank you for your letter of June 16, 2023, requesting concurrence on the above referenced project. As per your request, our comments are provided under the Endangered Species Act (Act) (87 Stat. 884, as amended; 16 United States Code 1531 et seq.), and the Fish and Wildlife Coordination Act (48 Stat. 401, as amended; 16 U.S.C. 661 et seq.).</p>		
<p>The Virgin Islands Housing Finance Authority (VIHFA) with funds from the U.S. Department of Housing and Urban Development's Community Development Block Grant – Recovery Funds (CDBG-DR) is proposing to develop five public Convenience Centers for the disposal of solid waste and recycling on the following locations of St. Croix and St. Thomas:</p>		
<p>St. Croix:</p> <ol style="list-style-type: none">1. Cotton Valley Convenience Center (17°45'30.3"N 64°37'22.9"W)2. Mon Bijou Convenience Center (17°44'21.8"N 64°47'02.7"W)3. Concordia Convenience Center (17°42'02.4"N 64°52'15.2"W)		
<p>St. Thomas:</p> <ol style="list-style-type: none">1. Red Hook Convenience Center (18°19'22.8"N 64°51'22.7"W)2. Smith Bay Convenience Center (18°20'37.4"N 64°52'08.3"W)		
<p>Based on the information provided in your letter, the proposed project sites are located within the range of the following federally listed species:</p>		

Location	Species
Mon Bijou Convenience Center	No listed species
Concordia Convenience Center	Vahl's boxwood (<i>Buxus vahlii</i>)
Cotton Valley Convenience Center	Vahl's boxwood (<i>Buxus vahlii</i>)
	West Indian manatee (<i>Trichechus manatus</i>)
	Hawksbill sea turtle (<i>Eretmochelys imbricata</i>)
	Green sea turtle (<i>Chelonia mydas</i>)
	Leatherback sea turtle (<i>Dermochelys coriacea</i>)
Red Hook Convenience Center	Loggerhead sea turtle (<i>Caretta caretta</i>)
Smith Bay Convenience Center	Virgin Islands tree boa (<i>Chilabothrus granti</i>)

Based on the nature of the project, scope of work, information available VIHFA has determined that the proposed project will result in no effect (NE) for the West Indian manatee, Vahl's boxwood and the sea turtles. As for the Virgin Islands tree boa, VIHFA determined that the proposed project *may affect but is not likely to adversely affect* (NLAA) the specie and will implement conservation measures previously provided by the U.S. Fish and Wildlife Service (Service).

We acknowledge receipt of your no effect (NE) determinations for the West Indian manatee, Vahl's boxwood and the sea turtles. Currently we do not have any information to refute your determination. Because you made a NE determination, you are not required to conduct formal or informal section 7 consultation with the Service and the Service is not required to concur with your NE determination.

As for the Virgin Islands tree boa, we have reviewed the information provided in your letter and our files and concur with the above *may affect but is not likely to adversely affect* (NLAA) determination.

In view of this, we believe that requirements of section 7 of the Act have been satisfied. However, obligations under section 7 of the Act must be reconsidered if: (1) new information reveals impacts of this identified action that may affect listed species or critical habitat in a manner that was not previously considered; (2) this action is subsequently modified in a manner not previously considered in this assessment; or (3) a new species is listed, or critical habitat determined that may be affected by the identified action.

Thank you for the opportunity to comment on this project. If you have any questions or require additional information, please contact us at caribbean_es@fws.gov.

Sincerely yours,

EDWIN MUNIZ

Digitally signed by EDWIN
MUNIZ
Date: 2023.06.30 13:38:08
-04'00'

Edwin E. Muñoz
Field Supervisor

dr

Figure 15. Location of Nearest Above Ground Fuel Storage

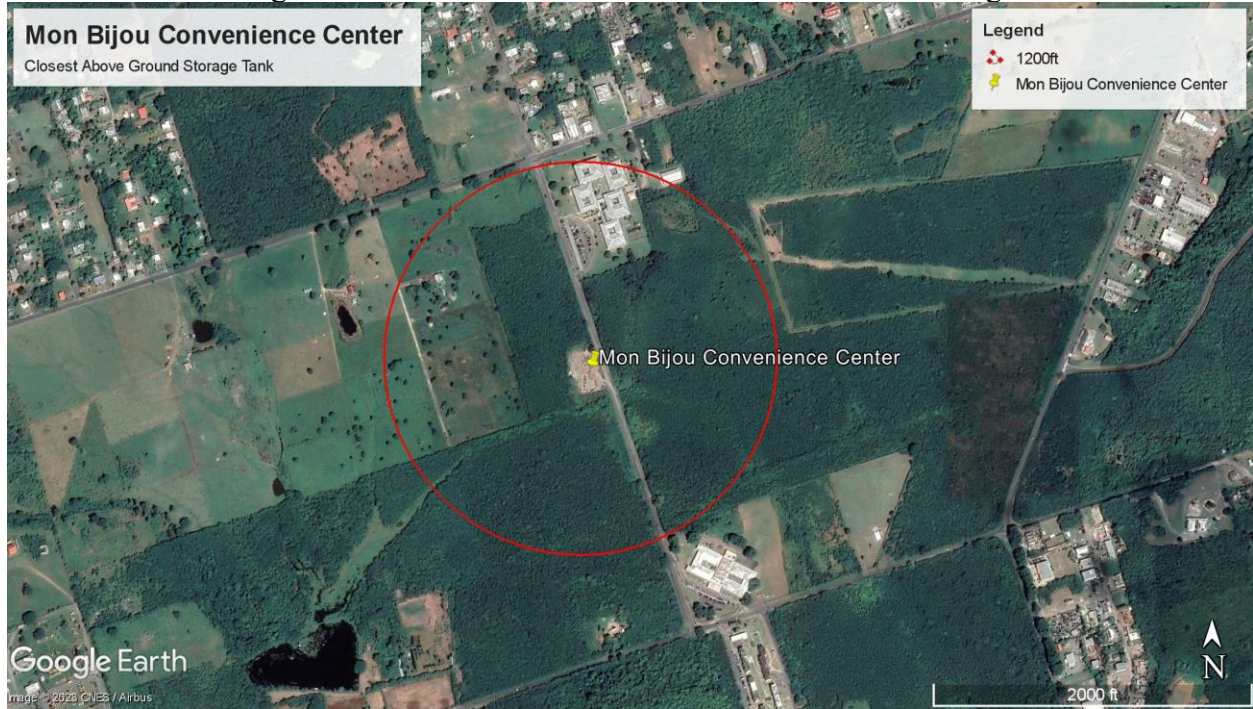


Figure 16. Acceptable Separation Distance (ASD) Electronic Assessment Tool

Acceptable Separation Distance Assessment Tool

Is the container above ground?	Yes: <input checked="" type="checkbox"/> No: <input type="checkbox"/>
Is the container under pressure?	Yes: <input type="checkbox"/> No: <input checked="" type="checkbox"/>
Does the container hold a cryogenic liquified gas?	Yes: <input type="checkbox"/> No: <input type="checkbox"/>
Is the container diked?	Yes: <input type="checkbox"/> No: <input checked="" type="checkbox"/>
What is the volume (gal) of the container?	<input type="text" value="90"/>
What is the Diked Area Length (ft)?	<input type="text"/>
What is the Diked Area Width (ft)?	<input type="text"/>
Calculate Acceptable Separation Distance	
Diked Area (sqft)	<input type="text"/>
ASD for Blast Over Pressure (ASDBOP)	<input type="text"/>
ASD for Thermal Radiation for People (ASDPPU)	<input type="text" value="101.42"/>
ASD for Thermal Radiation for Buildings (ASDBPU)	<input type="text" value="16.52"/>
ASD for Thermal Radiation for People (ASDPNPD)	<input type="text"/>
ASD for Thermal Radiation for Buildings (ASDBNPD)	<input type="text"/>

Figure 17. USDA-NRCS Farmland Classification Map

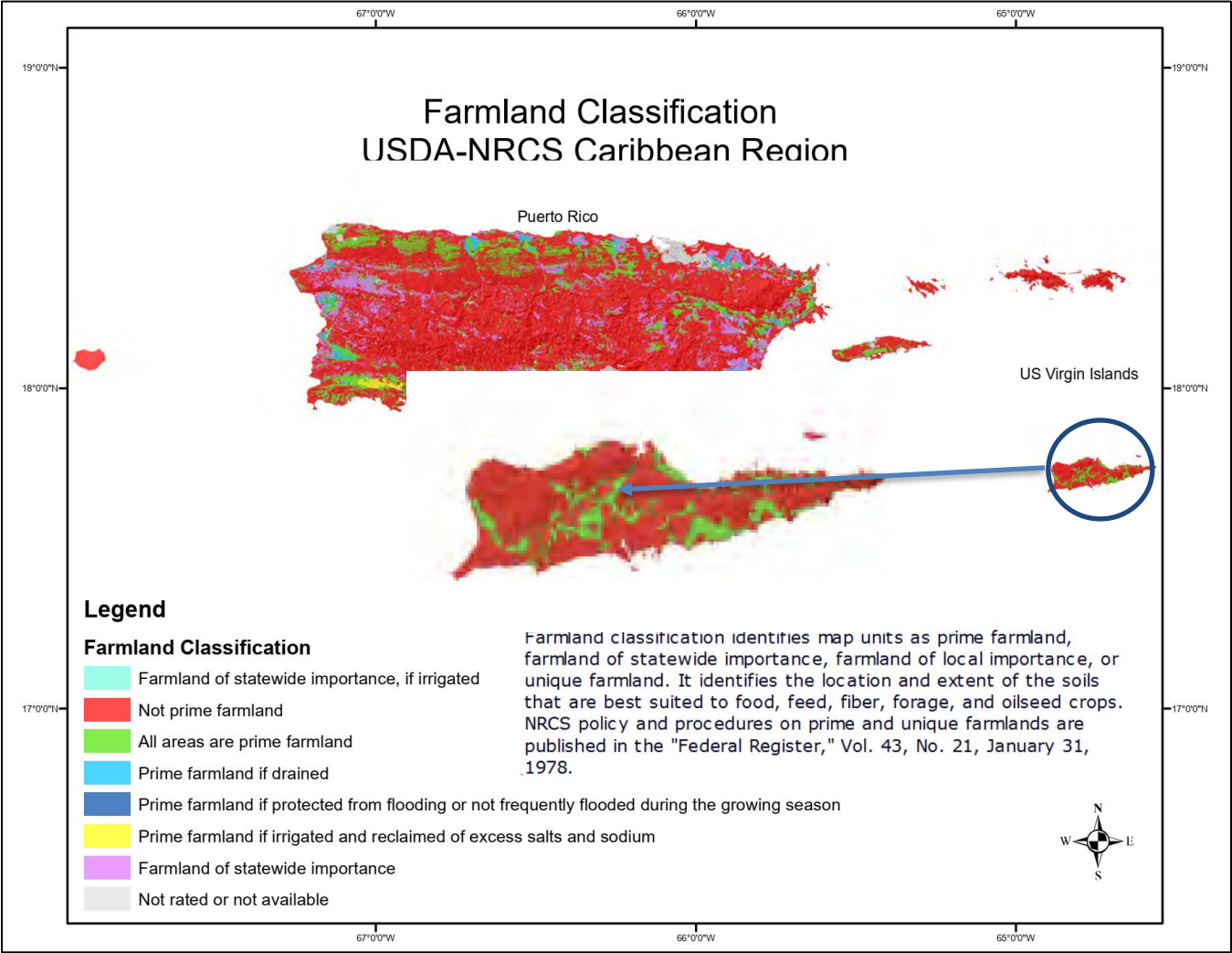


Figure 19. VIRGIN ISLANDS DEPARTMENT OF PLANNING AND NATURAL RESOURCES - ZONING AND LAND USE ASSESSMENT



Name of Project: Mon Bijou Convenience Center

Location: Parcel No. 10-M VICORP Land, Estate Fredensborg, King Quarter, St. C

Activity: Waste Management Solid Waste Facility- Convenience Center Developm

***VIRGIN ISLANDS DEPARTMENT OF PLANNING AND NATURAL RESOURCES -
ZONING AND LAND USE ASSESSMENT***

The activities and location of the proposed project have been analyzed and assessed and, to the best of my knowledge, the following situations apply:

- (1) What is the zoning designation for the proposed site location?

P-Public as per Act No. 8599

- (2) Is the property appropriately zoned for the proposed use?

Yes ☒

No ☐

- (3) If not, is the required zoning change feasible?

Yes ☐

No ☒

- (4) Is the use of the property in compliance with present or projected land use or development plans?

Yes ☒

No ☐

- (5) Does "important farmland", including prime farmland, unique farmland, or farmland of local importance regulated under the Farmland Protection Policy Act, occur on the proposed project site?

Yes ☐

No ☒

- (6) Will the proposed project cause a conversion of land use?

Yes ☐

No ☒

- (7) Other comments:

Use would be permitted under category "Refuse Disposals (Solid Waste)."

Name (Print): Leia LaPlace

Signature: 

Title: Territorial Planner

Date: 12/5/2022

Organization: Dept. of Planning & Natural Resources

Figure 19. Historic Preservation and Cultural Resources Assessment



Name of Project: Mon Bijou Convenience Center

Location: Parcel No. 10-M VICORP Land, Estate Fredensborg, King Quarter, St. Cl

Activity: Waste Management Solid Waste Facility- Convenience Center Developm

**VIRGIN ISLANDS DEPARTMENT OF PLANNING AND NATURAL RESOURCES -
HISTORIC PRESERVATION AND CULTURAL RESOURCES ASSESSMENT**

The activities and location of the proposed project have been analyzed and assessed and, to the best of my knowledge, the following situations apply:

- (1) Does the proposed project area contain any property listed on the National Register of Historic Places?

Yes ☐

No ☒

- (2) Are there any other properties within the vicinity of the project that appears to be historic or fit to be listed or are already listed in the National Register?

Yes ☐

No ☒

- (3) Is yes, will the proposed project have any adverse impact on these resources?

Yes ☐

No ☒

- (4) Describe the design features necessary to minimize any potential impact on historic or cultural resources.

None

- (5) Is the Section 106 Compliance Process required?

Yes ☐

No ☒

- (6) Initial Survey required:

A. Phase A ☐

B. Phase 1 ☐

C. Phase 2 ☐

D. Monitoring ☐

E. Other ☐

Please describe: _____

- (7) Other comments:

Advisement to notify DPNR/VISHPO
upon discovery of any human burials or historic
resources during excavation work.

Name (Print): Sean L. Krigger

Signature: Sean L. Krigger

Title: Director

Date: 12/9/2022

Organization: DPNR - VI State Historic Preservation Office

Figure 20. EPA Sole Source Aquifers
[Source: <https://www.epa.gov/dwssa/map-sole-source-aquifer-locations>]

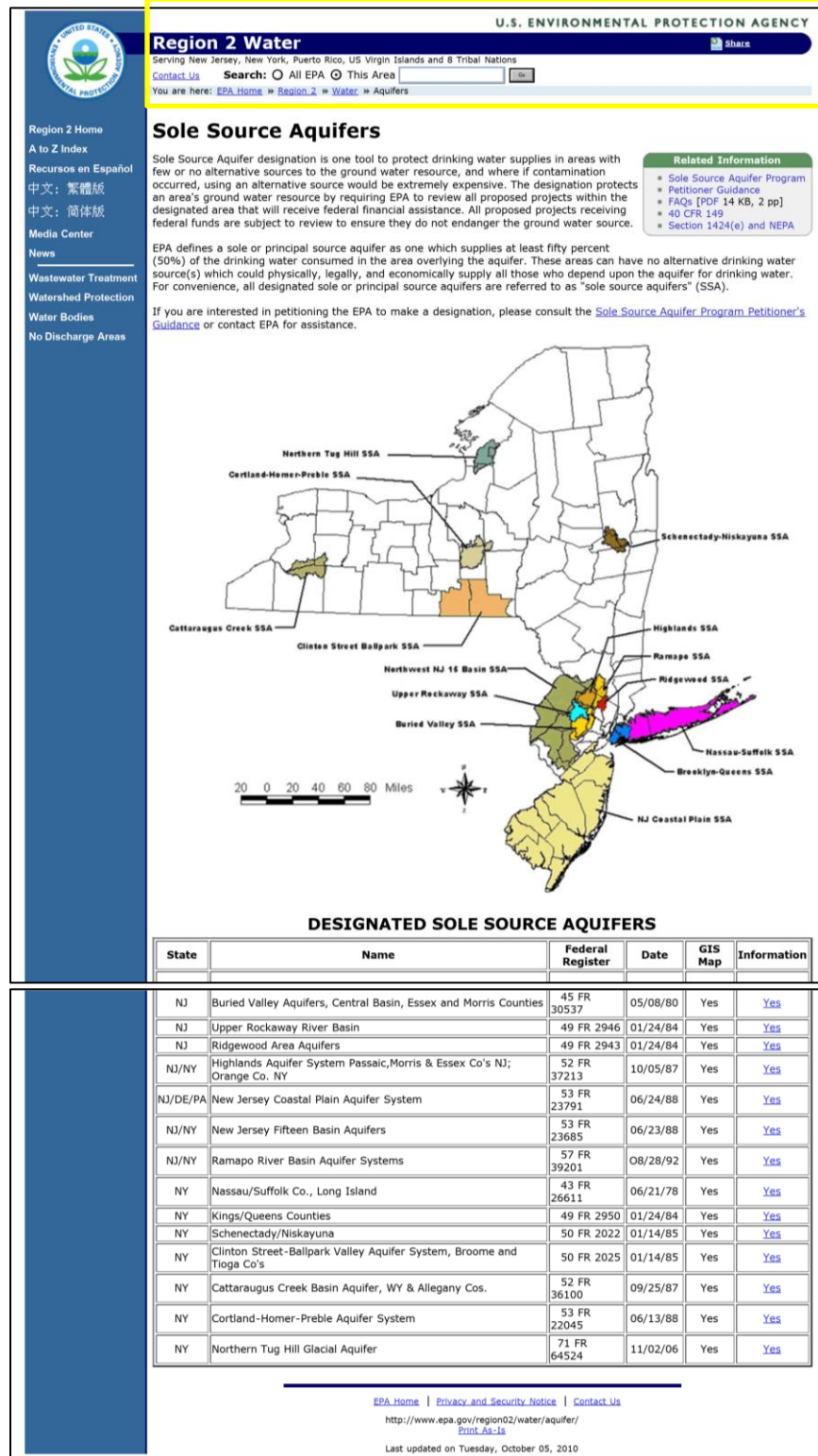
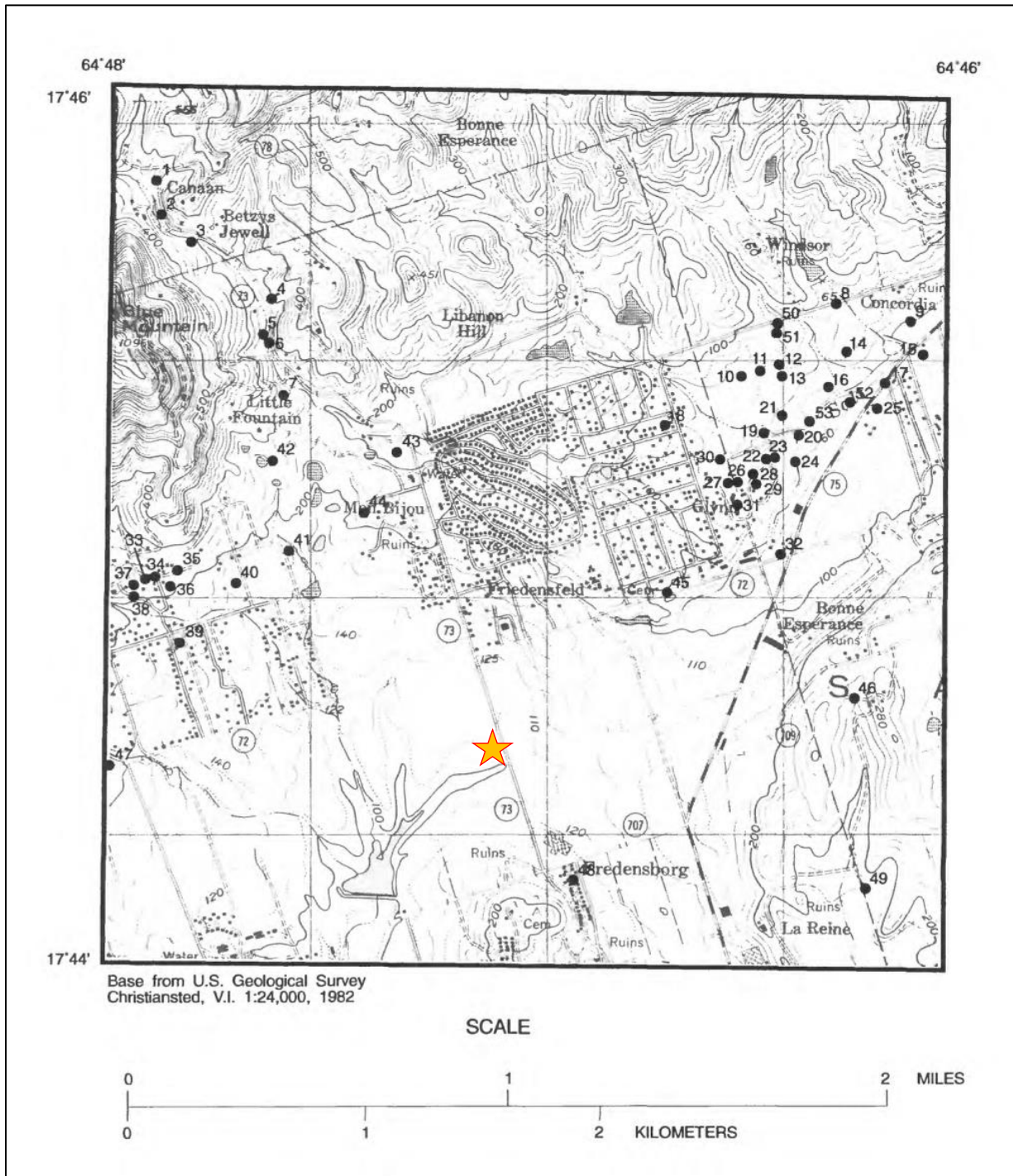


Figure 21. Water Wells on St. Croix, U.S. Virgin Islands
[Source: U.S. Geological Survey, 1994]

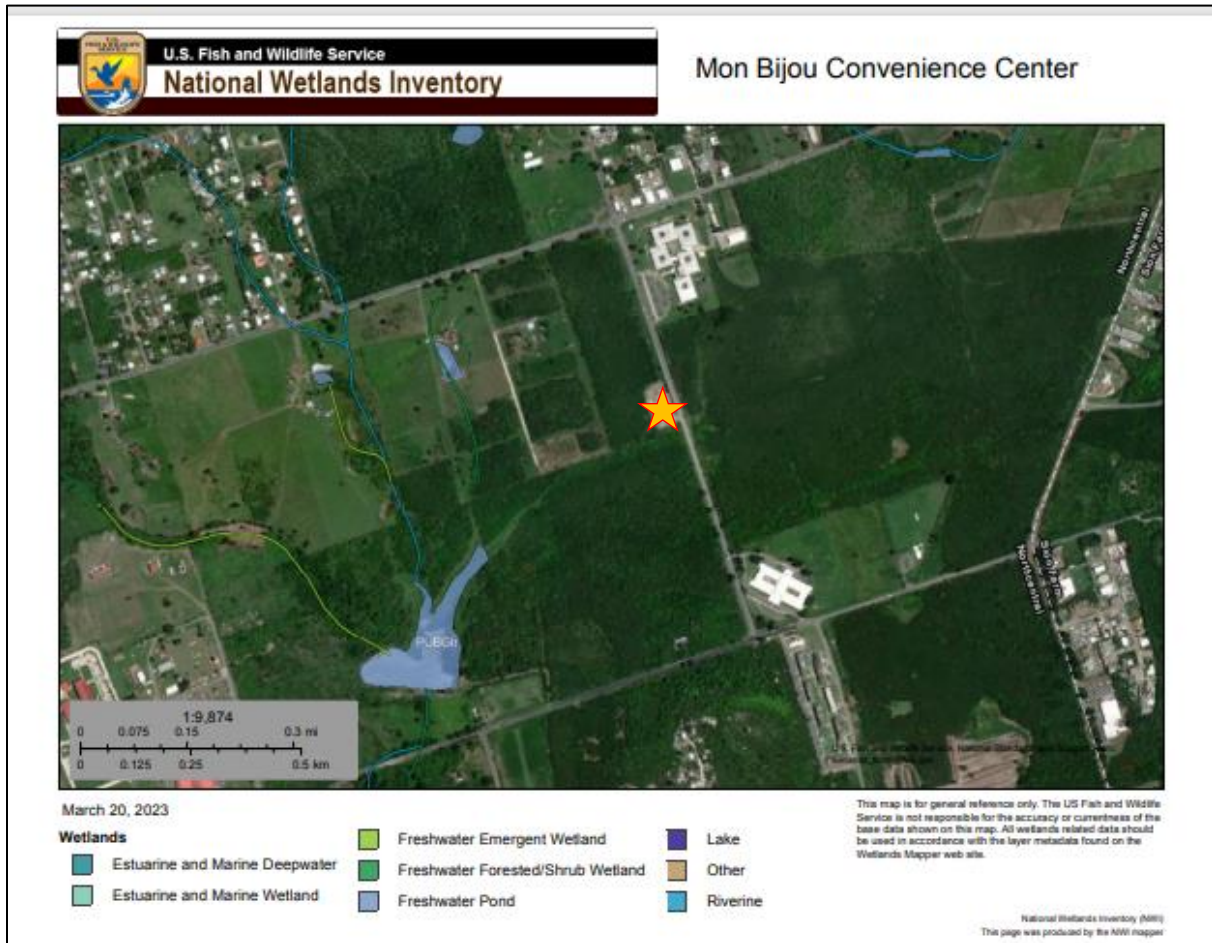


Note: The orange star indicates the location of the proposed project site.

[A, agriculture or stock well; D, domestic well; PS, public supply well; NU, well not in use; --, indicates data not available]

Well number on figure 10	Well name	Use of water	Year constructed	Reported depth of well (feet)	Measured depth of well (feet)	Casing diameter (inches)	Type of well finish and finish interval (feet)	Land surface altitude at well site (feet)	Depth to water below land surface datum (feet)	Date water level measured (month-day-year)	yield (gallons per minute)
9-23	Felix Madir 1	C	1985	85	--	8	--	60	--	--	--
9-24	Gerald Maile	NU	1985	80	--	4	--	60	25	08-15-90	--
9-25	Little house - Concordia	D	--	--	--	6	--	70	--	--	--
9-26	Oliver Lake 1	NU	--	7	--	84	--	70	--	--	--
9-27	Oliver Lake 2	D,A	--	--	--	4	--	75	--	--	--
9-28	Charles Nicholas	D,A	--	--	--	6	--	70	--	--	--
9-29	Joseph Augustin	D	--	--	55	4	--	70	23	07-11-90	--
9-30	Victoria Sablon	D	1989	80	--	6	--	70	--	--	--
9-31	Glynn Apartments	NU	--	--	--	6	--	80	--	--	--
9-32	Adam Kalloo	NU	--	--	--	6	--	85	--	--	--
9-33	Ramon Cruz	D	--	80	--	6	--	230	--	--	--
9-34	Arsenio Carrasquillo	NU	--	--	--	--	--	230	--	--	--
9-35	Francisco Navarro 2	D	--	65	--	6	--	220	--	--	--
9-36	Francisco Navarro 1	D	1974	65	--	6	--	210	--	--	--
9-37	Nobert Coviello	NU	1967	70	--	6	open hole 21-70	220	43	03-21-68	8
9-38	Louise Williams	D	1967	52	--	6	--	210	--	--	8
9-39	Eulogio Bermudez	NU	1972	60	--	6	--	175	--	--	--
9-40	Alfred Greenway	NU	--	12	--	36	--	180	--	--	--
9-41	Oliver Skov	NU	1967	180	179	6	--	180	92	03-21-68	2
9-42	Henry Carter 2	NU	1954	65	--	6	open hole 30-65	265	--	--	8
9-43	Henry Carter 1	NU	1954	--	--	6	--	220	--	--	--
9-44	Daniel Andino	NU	--	--	--	6	--	180	--	--	--
9-45	Prema Khan	C	--	90	--	6	--	100	--	--	--
9-46	H. Moolenar	A	--	175	--	8	--	260	110	02-21-90	--
9-47	Richard Schrader	D	--	55	--	6	--	160	--	--	--

Figure 22. U.S. Fish and Wildlife Service, National Wetlands Inventory

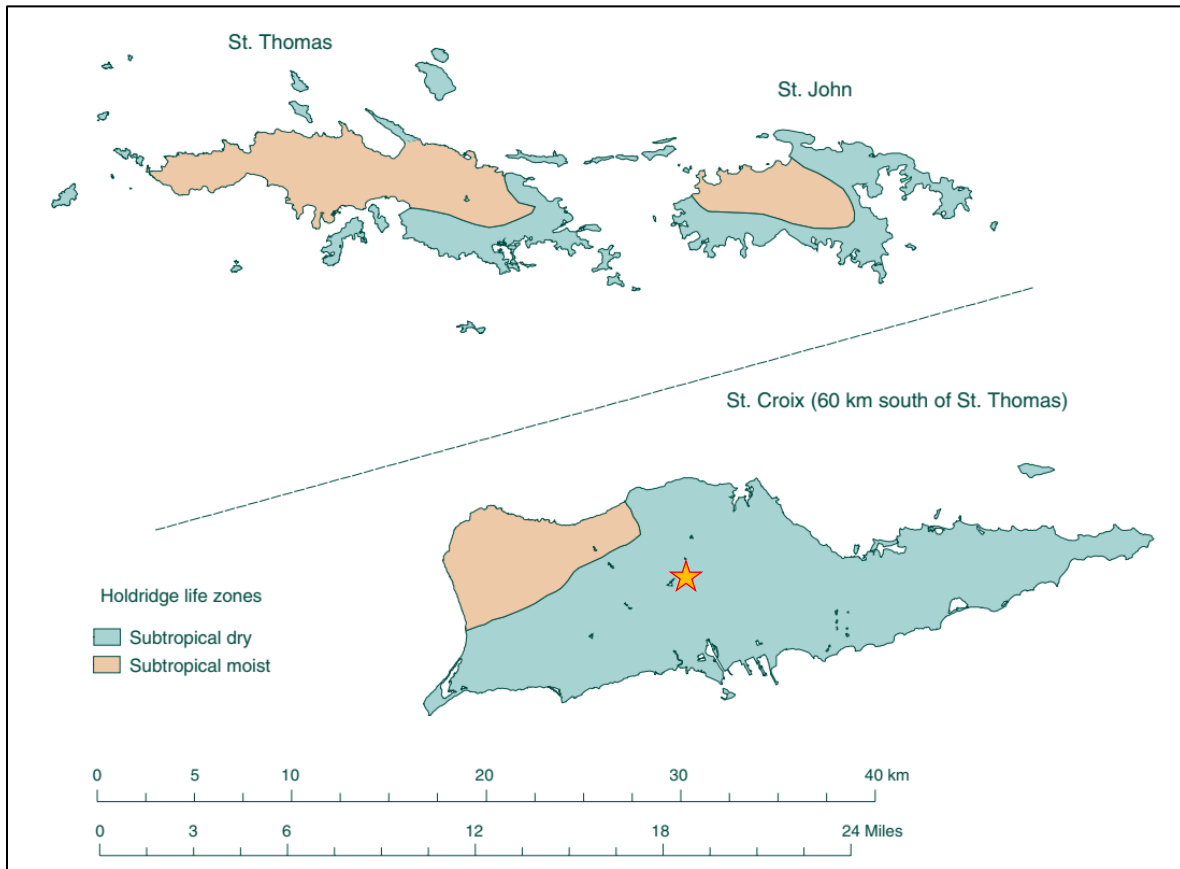


Note: The orange star indicates the location of the proposed project site.

[Source: <https://www.rivers.gov/documents/nwsrs-map.pdf>]



Figure 24. The Forested Life Zones in the U.S. Virgin Islands
[Source: USDA-Forest Service, *The Status of U.S. Virgin Islands' Forests*, 2004]



Note: The orange star indicates the location of the proposed project site.

Appendix B. Site Visit, Proposed Mon Bijou Convenience Center Site, St. Croix,
January 31, 2023



The proposed project site is currently used as a solid waste disposal site for residents and businesses in central St. Croix. This is the only solid waste disposal site in the area. The proposed Mon Bijou Convenience Center would cleanup, upgrade, and vastly improve the existing site.



The existing Mon Bijou solid waste disposal site is heavily contaminated, particularly around the boundaries of the existing waste site and tire pile. Signs of illegal dumping and improper disposal of waste were also observed. The proposed Mon Bijou Convenience Center will be gated with surveillance cameras, manned, and have specific hours of operation which would reduce illegal dumping.



Unhoused individuals sort through the trash at the existing site during the day and have set up shaded areas near the existing dumpsters. It would also appear that at least two unhoused individuals currently live in the vegetation around the existing dumpsters.



Additional photos of the proposed project site and existing conditions. The proposed Mon Bijou Convenience Center would be a vast improvement to what currently exists.