

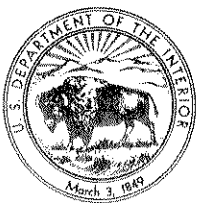
REPORT TO CONGRESS: COASTAL BARRIER RESOURCES SYSTEM

Recommendations for Additions to or Deletions from
the Coastal Barrier Resources System



**VOLUME 22
VIRGIN ISLANDS**

U.S. Department of the Interior



REPORT TO CONGRESS: COASTAL BARRIER RESOURCES SYSTEM

VOLUME 22

**Recommendations for Additions to or Deletions from
the Coastal Barrier Resources System**

VIRGIN ISLANDS

Mapped, edited, and published by the Coastal Barriers Study Group

**United States Department of the Interior
William P. Horn, Assistant Secretary for Fish and Wildlife and Parks**

1988

TABLE OF CONTENTS

	<u>Page</u>
Introduction.....	1
Background.....	1
Coastal Resource Management.....	2
Existing CBRS Units.....	3
Recommended Additions.....	3
Table: Summary of Recommendations.....	4
Territory Comment Letter.....	6
Other General Comment Letters Concerning the Virgin Islands.....	7
Index to Proposed CBRS Units.....	14
Table: Maps Depicting Proposed CBRS Units.....	15
Table: Maps Depicting Otherwise Protected, Military, and Coast Guard Lands on Undeveloped Coastal Barriers.....	15
Map Key.....	16
Individual Unit Comment Summaries, DOI Responses, and Maps.....	17

VIRGIN ISLANDS

INTRODUCTION

The Coastal Barrier Resources Act (CBRA) of 1982 (Public Law 97-348) established the Coastal Barrier Resources System (CBRS), a system of undeveloped coastal barriers along the Atlantic and Gulf of Mexico coasts. This atlas of coastal barriers in the U.S. Virgin Islands has been prepared in accordance with Section 10 of CBRA (16 U.S.C. 3509), which states:

Sec. 10. Reports to Congress.

(a) In General.--Before the close of the 3-year period beginning on the date of the enactment of this Act, the Secretary shall prepare and submit to the Committees a report regarding the System.

(b) Consultation in Preparing Report.--The Secretary shall prepare the report required under subsection (a) in consultation with the Governors of the States in which System units are located and with the coastal zone management agencies of the States in which System units are located and after providing opportunity for, and considering, public comment.

(c) Report Content.--The report required under subsection (a) shall contain--

(1) recommendations for the conservation of fish, wildlife, and other natural resources of the System based on an evaluation and comparison of all management alternatives, and combinations thereof, such as State and local actions (including management plans approved under the Coastal Zone Management Act of 1972 (16 U.S.C. 1451 et seq.)), Federal actions (including acquisition for administration as part of the National Wildlife Refuge System), and initiatives by private organizations and individuals;

(2) recommendations for additions to, or deletions from, the Coastal Barrier Resources System, and for modifications to the boundaries of System units;

(3) a summary of the comments received from the Governors of the States, State coastal zone management agencies, other government officials, and the public regarding the System; and

(4) an analysis of the effects, if any, that general revenue sharing grants made under section 102 of the State and Local Fiscal Assistance Amendments of 1972 (31 U.S.C. 1221) have had on undeveloped coastal barriers.

Under the direction of the Assistant Secretary for Fish and Wildlife and Parks, this report has been prepared by the Coastal Barriers Study Group, a task force of professionals representing the National Park Service, U.S. Fish and Wildlife Service, U.S. Geological Survey, and other Departmental offices.

This volume of the report contains delineations of the additions to the CBRS in the U.S. Virgin Islands that the Department of the Interior recommends to the Congress for its consideration. No units were designated in the Virgin Islands when CBRA was enacted in 1982.

BACKGROUND

The U.S. Virgin Islands lie about 40 to 65 miles east and southeast of Puerto Rico. The Territory includes the islands of St. Croix, St. Thomas, and St. John, and about 90 smaller islands. The combined area is about 133 square miles. To the north of the islands is the Atlantic Ocean, and to the south, the Caribbean Sea.

Coastal ecosystems in the Virgin Islands include mangroves, coral reefs, beaches, seagrass beds, and salt ponds. Mangroves are very productive ecosystems that support a high diversity of fish, birds, and other wildlife. They are vital feeding, nesting, and roosting areas for several species of birds and important nurseries for fish and shellfish species of commercial importance.

Seagrass beds and coral reefs are other highly productive ecosystems that are extensive in the shallow waters around these islands. Several species of commercially important fishes shelter in coral reefs during the day and feed in grass beds at night. Coral reefs have economic value for recreation and tourism, and provide vital protection for harbors and shorelines because they dissipate wave energies and reduce erosion. Harvestable coral reef resources include fish, spiny lobsters, octopuses, and conchs. The breakdown of corals produces sand for beaches. Reefs and seagrass beds buffer wave energies and promote beach stability.

Industrialization and tourism have placed enormous demands on the coastal resources of the U.S. Virgin Islands. Their population has tripled in the last three decades to about 100,000 people. The pressures on the shorelines are evident as marinas, hotels, and condominiums continue to be built. Dredging of bays, mining of beach sand, overfishing, and oil spills have caused other adverse impacts to coastal resources in these islands.

COASTAL RESOURCE MANAGEMENT

In 1917, Denmark ceded the Virgin Islands to the United States along with all Danish governmental interests in submerged lands (lands below the mean high tide line). Under the Organic Act of 1936 and Revised Organic Act of 1954, which provide the framework for the operation of the Virgin Islands government, the Territorial government has jurisdiction over Federal lands, including submerged and tidelands, but no authority to sell these lands.

Territorial control over these lands was expanded with the Territorial Submerged Lands Act of 1974. Together these Acts authorized the Secretary of the Interior to transfer Federal interests in submerged and other lands to the Virgin Islands upon the Governor's request and effectively conveyed all Federal right, title, and interest to Territorial submerged lands with certain restrictions.

The Department of Conservation and Cultural Affairs (DCCA) is the central Territorial agency for administration of coastal zone management. Other principal entities include the Governor, Legislature, Planning Office, Department of Public Works, and the Board of Land Use Appeals. The Coastal Zone Management Act of 1978 became effective in 1979. The Coastal Zone Management Program was prepared by the Virgin Islands Planning Office for the management of the coastal zone of the Virgin Islands and submitted by the Governor to the U.S. Department of Commerce, pursuant to the Federal Coastal Zone Management Act of 1972.

The Coastal Land and Water Use Plan is the comprehensive plan for the development of the first tier of the coastal zone. It is to serve as a guideline for making decisions related to development within this tier. The first tier is defined as the area extending from the outer limit of the territorial sea (including offshore islands) to distances inland as indicated on a set of maps. The second tier includes interior portions of the three major islands, including all areas not in the first tier.

The Coastal Zone Management Act created a Coastal Zone Management Commission within DCCA. There are three committees within the Commission, one for each major island. Each committee has authority over the issuance of coastal zone permits. A Division of Coastal Zone Management was also created within DCCA to assist the Commission in administration and enforcement of the Act. The Act defines major and minor coastal permits.

After completion of a major permit application, the Commissioner submits a copy to relevant public agencies for review and schedules a public hearing. Within 30 days of the hearing, the appropriate committee acts upon the application. Appeals of committee decisions can be filed with the Board of Land Use Appeals. The Board of Land Use Appeals must hold a public hearing on an appeal and then render a decision. Minor permit applications are acted upon by the Commissioner.

Water Pollution Control Act, Act 1979 (1967). This Act provides the Territorial authority to implement the Federal Water Pollution Control Act, establishing standards for water quality and pollutant discharge into Virgin Islands waters. The term "pollutant" refers to a variety of materials including rock, sand, and dredged spoils. The Act as amended only regulates point sources of pollution. DCCA administers the Act through a permit system which requires a public hearing and determination by the Commissioner that all water quality standards are met. The Commissioner is to cooperate with the Virgin Islands Planning Board on zoning of waters.

Under the Federal Act, the U.S. Army Corps of Engineers, with the Environmental Protection Agency, has regulatory authority over discharge of pollutants into navigable waters. Permits cannot be issued unless specified standards are met. The Secretary of the Army, acting through the Chief of the Corps of Engineers, issues permits for the discharge of dredged or fill material.

All development in tidelands, coastal wetlands, swamps, and lagoons is subject to review. Consequently, the Corps of Engineers has independent review and determination over dredging and filling of all U.S. Virgin Islands coastal waters.

Open Shorelines Act, Act 3063 (1971). This Act constituted a critical element for implementation of the Coastal Zone Management Program by establishing a legal basis for public use of shorelines. Shorelines are defined as the area between the low tide to a line of natural vegetation, a natural barrier, or a distance of 50 feet, whichever is shortest. The Act is intended to regulate extraction of natural products, including sand and marine life (such as coral and mollusks), with the exception of fish and wildlife. The DCCA Commissioner administers a permit program for the taking of all specified resources.

Earth Change Law, Act 2967 (1971). This Act created an environmental protection program for the Virgin Islands to control soil erosion and restrict environmentally damaging land alterations within entire watersheds. Earth Change Permits are issued after approval by the Virgin Islands Water and Soil Conservation District or DCCA. The Commissioner of Public Works enforces the Act.

Trustlands, Occupancy and Alteration Control Act, Act 3667 (1975). Along with the Open Shorelines Act and the Earth Change Act, this Act provides Territorial authority over the development and alteration of the Virgin Islands coastal zone, including dredging and mining of sand and coral from the shoreline.

The DCCA Commissioner administers the permit system. An environmental assessment of the site or proposed development is required, and the Governor, Legislature, and Corps of Engineers must approve the work. A permit from the Corps of Engineers is required after the applicant receives a permit from the Territorial government.

Oil Spill Prevention and Pollution Control Act and Regulations, Act 3538 (1974). The objectives of the Act include (1) preservation of Virgin Islands waters and shorelines for recreation and (2) protection of environmental resources. The Act established a program to regulate the production and transport of pollutants, as well as contingency plans to control the effects of pollution discharges and the cleanup of discharges. All discharges are to be reported to the U.S. Coast Guard and DCCA. The Governor has emergency powers under this Act.

Zoning Law, Act 3284 (1972). This law is an important element in the system of land use and environmental regulations in the Virgin Islands. It established 17 separate zoning districts, including agricultural, residential, commercial, industrial, waterfront, and public use classifications. Passed prior to the Coastal Zone Act, it fails to specify adequate criteria for development of the coastal zone. The Virgin Island Planning Office submits reviews of applications to the zoning administrator, who is the Commissioner of DCCA.

Any project involving potential impacts on coastal waters must be reviewed by several Federal agencies. All wetlands in the Virgin Islands lie in Tier One of the Coastal Zone. Accordingly, permits must be obtained from the Corps of Engineers. Projects must be reported to the National Marine Fisheries Service and the U.S. Fish and Wildlife Service, as well as to the Coastal Zone Management division of the Division of Conservation and Cultural Affairs.

The Corps of Engineers and the Department of Conservation and Cultural Affairs have developed a "Joint Permit Applications" form for projects requiring both agencies to issue permits for work in U.S. waters and for fills affecting wetlands. If a given proposal potentially endangers or threatens a protected species, notification must be made to the U.S. Fish and Wildlife Service, the National Marine Fisheries Service, and the Virgin Islands Division of Fish and Wildlife. The local Division of Fish and Wildlife, in the Department of Conservation and Cultural Affairs, serves as a representative of the U.S. Fish and Wildlife Service. These agencies work together under a Memorandum of Agreement for Endangered Species.

At present, two areas in the Virgin Islands are classified as National Wildlife Refuges:

1. Sandy Point, St. Croix. This beach area is used by leatherback turtles for breeding and was recently designated a National Wildlife Refuge to provide protection for this endangered species.
2. Green Cay, St. Croix. This small island northeast of Christiansted is one of

the last remaining habitats for the endangered lizard Ameiva polops.

These areas are part of the Caribbean Islands National Wildlife Refuge System.

The National Park Service has concurrent jurisdiction with the Virgin Islands government on Federally owned land areas of the Virgin Islands National Park on St. John. Offshore water areas within the park are under the jurisdiction of the Park Service, Corps of Engineers, Virgin Islands government, and U.S. Coast Guard. Acts of the Virgin Islands government and the U.S. Code of Federal Regulations apply to lands and waters of the National Park. The Virgin Islands government has jurisdiction over the enforcement of traffic regulations on roads in the park. It retains rights-of-way for all dedicated roads, as defined by an official map that includes tracks now reverted to trails or completely overgrown.

The Territorial government exerts control over lands and activities on St. John through public health and safety laws. It also has legislation providing for the protection of water resources, wildlife, and the environment. The National Park Service cooperates with the Territorial government in these matters.

Zoning regulations of the Territorial government were approved August 8, 1972. They permit residential development on inholdings within the park.

EXISTING CBRS UNITS

No units were designated in the U.S. Virgin Islands when CBRA was enacted in 1982.

RECOMMENDED ADDITIONS

The Department of the Interior recommends that all undeveloped, unprotected coastal barriers and associated aquatic habitat identified in the Virgin Islands be added to the Coastal Barrier Resources System. The DOI also recommends that otherwise protected undeveloped coastal barriers be excluded from the CBRS. However, if any otherwise protected, undeveloped coastal barrier is ever made available for development that is inconsistent with the purposes of the CBRA, the DOI recommends that it then be automatically included in the CBRS. A complete discussion of DOI's recommendations concerning otherwise protected, undeveloped coastal barriers appears in Volume I. Maps of all otherwise protected, undeveloped coastal barriers in the Virgin Islands appear in the following section.

A table summarizing the Department's recommendation on each proposed unit identified in the Virgin Islands follows this discussion.

The Department of the Interior's recommendations were developed after full consideration of the many public, State and Federal Agency,

and Congressional comments on the delineations in the Draft Report released in March 1987. The U.S. Territory of the Virgin Islands reviewed the 1987 Draft Report and supports a CBRS expansion into the Virgin Islands. The Territory also suggested additional areas that might qualify for inclusion in the CBRS. The DOI visited the Virgin Islands in early 1988 and carefully examined these areas. Two new units at Salt River Bay (VI-01A) and Krause Lagoon (VI-07) were delineated and are recommended for addition to the CBRS. The barrier at Magen's Bay, however, is otherwise protected and nothing in Manchenil Bay qualifies as a coastal barrier under DOI definitions.

The Territory also requested that coral reefs be considered coastal barriers and that several reef tracts be recommended for addition to the CBRS. Under DOI criteria, however, a coral reef by itself does not qualify as a coastal barrier. Coral reefs are sometimes associated with fringing mangroves. In these instances, the associated reefs are included as part of the coastal barrier unit. The Territory's positions on individual CBRS units are discussed in the following section, interspersed with the appropriate maps. The Territory expressed no positions on the DOI's general recommendations.

The Department received nine other comment letters specifically concerning the Virgin Islands; seven of these supported a CBRS expansion into the Virgin Islands. These commenters also provided a long list of other areas that might qualify for addition to the CBRS. The DOI carefully examined

these areas, and has adjusted the recommended boundaries of several proposed units to include qualified undeveloped unprotected areas, and identified two new proposed CBRS units (VI-01A and VI-07).

Several commenters requested that all possible fringing mangroves, coral reefs, and salt ponds be included in the proposed additions. The DOI has done this within the scope of the delineation criteria. In the Virgin Islands and other tropical and subtropical areas, fringing mangroves are considered coastal barriers because the protection the mangroves provide for the associated aquatic habitat and the mainland is comparable to that given by sandy barriers. Coral reefs associated with fringing mangroves are included in the proposed CBRS units. Salt ponds that are protected by a coastal barrier with at least a 0.25-mile shoreline are also included in the proposed CBRS units.

One commenter provided evidence that Chocolate Hole (VI-23 in the 1987 Draft Report) is developed, and this unit is not included in DOI's recommended additions. Several commenters also suggested that some otherwise protected areas had been incorrectly included in the draft delineations. Part of VI-22 and all of VI-28 are Federally protected and have been eliminated from the proposed additions.

Substantive comments concerning individual proposed CBRS units are discussed in the following section, interspersed with the appropriate maps.

SUMMARY OF RECOMMENDATIONS FOR COASTAL BARRIERS IN THE U.S. VIRGIN ISLANDS

Unit ID Code ^a	Unit Name ^b	Municipality	Shore-line Length (miles)	Total Area (acres)	Fast-land Area (acres) ^c	Recommendation ^d
VI-01	Rust Up Twist	St. Croix	0.3	50	13	Add to CBRS
VI-01A	Salt River Bay	St. Croix	0.9	315	102	Add to CBRS
VI-02	Altona Lagoon	St. Croix	1.2	255	76	Add to CBRS
VI-03	Southgate Pond	St. Croix	0.4	52	14	Add to CBRS
VI-04	Coakley Bay	St. Croix	0.4	57	14	Add to CBRS
VI-05	Robin Bay	St. Croix	0.4	32	12	Add to CBRS
VI-06	Great Pond	St. Croix	0.8	162	29	Add to CBRS
VI-07	Krause Lagoon	St. Croix	1.8	619	128	Add to CBRS
VI-08	Long Point	St. Croix	0.5	41	9	Add to CBRS
VI-09	Westend Saltpond	St. Croix	0.8	85	27	Add to CBRS
VI-14	Newfound Bay	St. Thomas and St. John	0.5	40	10	Add to CBRS
VI-15	Lagoon Point	St. Thomas and St. John	0.3	10	5	Add to CBRS

(continued)

SUMMARY OF RECOMMENDATIONS FOR COASTAL BARRIERS IN THE U.S. VIRGIN ISLANDS (CONCLUDED)

Unit ID Code ^a	Unit Name ^b	Municipality	Shore-line Length (miles)	Total Area (acres)	Fast-land Area (acres) ^c	Recommendation ^d
VI-22	Fish Bay	St. Thomas and St. John	0.3	72	10	Add to CBRS
VI-25	Sprat Point	St. Thomas and St. John	0.5	102	30	Add to CBRS
VI-26	Limestone Bay	St. Thomas and St. John	0.3	12	7	Add to CBRS
VI-27	Perseverance Bay	St. Thomas and St. John	0.7	46	18	Add to CBRS
VI-31	Smith Bay	St. Thomas and St. John	0.8	80	22	Add to CBRS
VI-32	Vessup Bay	St. Thomas and St. John	0.3	16	3	Add to CBRS
VI-33	Great Bay	St. Thomas and St. John	0.3	26	6	Add to CBRS
VI-34	Jersey Bay	St. Thomas and St. John	1.9	668	52	Add to CBRS
Total - CBRS as Recommended			13.4	2,740	587	

^aUNIT ID CODE - Territory's initials plus a number identify each proposed unit.

^bUNIT NAME - A provisional name based on a prominent local feature.

^cFASTLAND AREA - This acreage is a rough estimate of the portion of the total area that is above the mean high tide line (i.e., the non-wetland area). It is a very general representation of the potentially developable land.

^dRECOMMENDATION - A brief explanation of the Department's recommendations to Congress. For more detailed explanations, see the following section. Abbreviations: FWS = Fish and Wildlife Service, NPS = National Park Service, CBRS = Coastal Barrier Resources System.

TERRITORY COMMENT LETTER

1783



GOVERNMENT OF THE VIRGIN ISLANDS OF THE UNITED STATES

DEPARTMENT OF PLANNING AND NATURAL RESOURCES

#179 ALYONA AND WELGUNST
CHARLOTTE AMALIE, ST. THOMAS, V.I. 00802

April 22, 1988

Mr. Frank McGilvey
The Coastal Barriers Study Group
Department of Interior, Fish & Wildlife
National Park Service
P.O. Box 37127
Washington, DC. 20013-7127

RE: Coastal Barrier Resources
System: proposed Recommendations
for Additions to or Deletions
from the Coastal Barrier
Resources System, Volume II,
Virgin Islands.

Dear Mr. McGilvey:

I have reviewed the Coastal Barrier Resources System Atlas of the U.S. Virgin Islands (Vol. II), which includes delineations of proposed recommendations for additions to the CBRS that will be provided to Congress for approval. Regarding the northern Virgin Islands, including St. Thomas, St. John and offshore cays, I feel that all proposed locations for CBRS designations should be so designated. However, I do bring to your attention the suggested area of particular concern that surrounds Magens Bay that I identified in our meeting in my office. Otherwise I have no further additions to recommend for the Northern USVI nor do I suggest any changes in the Department of the Interior's current position on each unit identified in the inventory.

However, I feel that several areas of St. Croix that apply appear to have been excluded. A list of these is given below:

1. Salt River Bay.
2. Manning Bay.
3. Canegarden Bay.

The Coastal Barrier Resource System
April 22, 1988
Page 3

Sincerely,

Clara Lewis
Brian Turnbull
Assistant Commissioner

BT/CL/bt

CC: Mr. Ralf Boulon, Jr. Endangered Species Coordinator
Division of Fish and Wildlife - St. Thomas
Mr. Alan D. Smith, Commissioner

The Coastal Barrier Resources System
April 22, 1988
Page 2

4. Manchenil Bay.
5. The barrier coral reefs system - which includes the reefs fronting Salt River, Long Reef, Teague Bay, Isaac Bay, Jacks Bay, Grapetree Bay, Turner Hole, Rod Bay, Robin Bay, Great Pond Bay, and,
6. Krause Lagoon.

I feel that the proposed expansion of the "coastal barrier" definition, as recommended by the Department of Interior (DOI), is necessary in order to fulfill the intent of the Coastal Barrier Resources Act (CBRA). This expanded definition, which would include coral reefs, mangroves, cheniers and granitic outcroppings in New England, would, if adopted, require the inclusion of items 1 and 5 in the above list.

Items 2, 3 and 4 are areas of significant unconsolidated sediment (sand) barriers such as are already listed in the reference proposal. Area 2, also contains significant stands of mangroves which help to consolidate this shoreline. These, then, should be included in the VI inventory of Barriers.

Items 6 has been listed, but is given no further consideration due to previous industrial development. There are two remnant areas of Krause Lagoon which presently fit the definition of coastal barrier: the extensive sand bars and mangrove stands west of the Alucroix channel; and, the sand berm with its associated landward mangrove wetlands which lies east of the Alucroix channel and west of the present container Port.

The first of these is an area of shifting sand beaches and extensive stands of red mangroves. This area is designated as a preservation district in the Land and Water Use Plan, adopted by the Legislature with the passage of the CZM Act in 1978 (Section 907, chap.21, Title 12, V.I.C.). In spite of the extensive industrialization of the remainder of Krause Lagoon to the north of this "barrier" area, this barrier should be included for all the reasons given for the CBRA. It acts as a barrier to coastal erosion, provides habitat for significant populations of fish and wildlife and affords extensive opportunities for passive types of recreational activities to residents and visitors alike.

OTHER GENERAL COMMENT LETTERS CONCERNING THE VIRGIN ISLANDS

1295

BOX 638, ST. THOMAS, U.S. VIRGIN ISLANDS 00801 • (808) 774-1400

LWV The League of Women Voters of the Virgin Islands

20 June 1987

Mr. Frank McGilvrey
Department of the Interior
National Park Service
P. O. Box 37127
Washington, D. C. 20013-7127

Dear Mr. McGilvrey:

I enclose the response to the 1987 DOI recommendations for the Coastal Barriers Resources System prepared by the Committee on Planning and Environmental Quality of the League of Women Voters of the Virgin Islands.

It is my understanding that the V. I. Department of Conservation and Cultural Affairs has asked for an extension of the deadline for comments in order to review specific bays and cays of the Virgin Islands that might be included in the System, as well as certain questions pertaining to exceptions to CBRA limitations. The League has similar questions requiring more information, therefore we may be submitting additional comments within the next few weeks.

To aid us in our continued study of the DOI recommendations for CBRA, could you forward to us Sections 5 and 6 (Volume 1) of the CBRA Draft Report to Congress, referred to on pages 17 - 19 of the Draft Executive Summary? Or, if you have knowledge of an on-island source where we can examine Volume 1, that would be a satisfactory alternative.

We would also appreciate receipt of larger reproductions of the geodetic survey maps with the DOI units. Those that we have are very faintly reproduced and are only 8 1/2 by 11". It is not possible to make out exact delineations of the recommended units.

Sincerely yours,


LaVerne A. Ragster
President

p. 2. LWV-VI: CBRA Response

The St. John units proposed by the DOI Study Group are

<u>Eastern St. John</u>	<u>Western St. John</u>
VI-14 Newfound Bay ^c	VI-21 Reef Bay ^e
VI-15 Lagoon Point ^d	VI-22 Fish Bay
	VI-23 Chocolate Hole ^f

The LWV-VI endorses the proposed DOI additions to the CBRS and recommends the following areas of St. John and St. Thomas as well.

<u>St. Thomas, Western</u>	<u>St. Thomas, Central</u>
Botany/Sandy Bays	Santa Maria/Ilendrik Bays
Fortuna Bay	Caret Bay
	Mail Bay
<u>St. Thomas, Eastern</u>	Inner Brass Is.
Stalley Bay	Outer Brass Is.
Great St. James Is.	Neltjeberg Bay
Little St. James Is.	Hull Bay ^g
Thatch Cay	Magens Bay ^h
Lovango Bay	Tutu Bay
	Druif Bay, Water Is.
	Hans Lollick Is.
	Little Hans Lollick Is.
	Frenchman Bay
<u>St. John, Eastern</u>	<u>St. John, Western</u>
Pond Bay	Rendezvous Bay
East End Bay	
Privateer Bay	
Johnson Bay	

- c The map of the Eastern St. John Quadrangle shows both Pond Bay and Newfound Bay with the same VI-14 unit code, whereas they are on opposite sides of the east end.
d Misdesignated as Western St. John.
e Part of St. John National Park.
f Includes the pond behind the Bay? It should be included.
g Eastern end out to Tropaco Point.
h Tropaco Point to Picaro Point, including Zufriedenheit.

BOX 638, ST. THOMAS, U.S. VIRGIN ISLANDS 00801 • (808) 774-1400

LWV The League of Women Voters of the Virgin Islands

Committee on Planning and Environmental Quality

20 June 1987

Response to

THE 1987 DEPARTMENT OF INTERIOR RECOMMENDATIONS FOR THE COASTAL BARRIERS RESOURCES SYSTEM

The League of Women Voters of the United States Virgin Islands (LWV-VI, League) applauds the efforts of the Department of Interior's Coastal Barriers Study Group for its recommendations to expand the definition of the term "barrier" so that associated aquatic areas can become part of the Coastal Barriers Resources System (CBRS).

The LWV-VI is particularly pleased with the proposed inclusion of certain undeveloped areas of the United States Virgin Islands (USVI, VI). In this respect, the League endorses the recommendations for additional areas on the Island of St. Croix by the St. Croix Environmental Association and Dr. Tobias, Division of Fish and Wildlife, V. I. Department of Conservation and Cultural Affairs. Our recommendations, which follow, are concerned with the bays and cays of St. Thomas and St. John.

The Department of Interior proposes to add the following St. Thomas units to the CBRS.

<u>Central St. Thomas</u>	
VI-25 Sprat Point, Water Island	VI-27 Perseverance Bay
VI-26 Limestone Bay, Water Is.	VI-28 Zufriedenheit ^a

<u>Eastern St. Thomas</u>	
VI-29 Mandal Bay	VI-33 Great Bay
VI-31 Smith Bay	VI-34 Jersey Bay ^b
VI-32 Vessup Bay	

- a Misnamed Enighed, perhaps because that is the designation given to this area on the geological survey maps.
b Includes Cas Cay? If not, it should be included.

p. 3. LWV-VI: CBRA Response

The LWV-VI further wishes to take this opportunity to support DOI recommendations to incorporate the Florida Keys, the coastal ecosystems of Puerto Rico, and the embayment barriers of Maryland, Long Island Sound, Delaware and Massachusetts into the CBRS.

We are in complete agreement with the DOI proposal to include private inholdings in already protected areas within the System, with the provision to automatically include land held for conservation purposes by private organizations should the land in question be later sold for development.

The League is pleased to note that Interior also proposes that disposal of dredged material must be consistent with the conservation goals of CBRA. We have some questions, however, with Section 6 of the Act, specifically as it might relate to federal funding of repair, replacement, or construction of facilities such as wastewater treatment or solid waste/resource recovery plants. The League wants to be assured that the proposed new wastewater and solid waste disposal facilities for the Virgin Islands will be considered as consistent with the Act. The existing facilities are, without question, threats to wetlands (such as the Mangrove Lagoon St. Thomas) and other coastal environments. Proposed replacements would remove much of this threat, but the new facilities could not possibly be built without federal funding.

As mentioned above, we support the broadened definition of "undeveloped coastal barriers" to include all associated aquatic wetlands. Along with the examples of tidal swamps, mangroves, and marshes listed as wetlands, LWV-VI recommends the addition of coastal ponds. A large number of Virgin Islands watersheds have (or once had) a freshwater, brackish, or saltwater pond immediately behind the shore. These coastal ponds retain water and sediment washed from the watersheds during heavy storms. They provide sheltered and rich wildlife habitats where fowl can feed and marine or freshwater fauna can breed and develop. In addition, closed or partially closed coastal ponds protect the viable grass and coral communities in the shallow shoreline areas adjacent to them from being destroyed by periodic and sudden flooding with fresh water and silt. Unfortunately, their intrinsic value has not been widely recognized. Many of them have been filled in or opened up for marinas, contributing to increased flooding of developed lowland areas and high turbidity levels in

p. 4. LWV-VI; CBRA Response

adjacent bays. Surely coastal ponds are worthy of specific mention as coastal barrier resources.

The LWV-VI is not in favor of the deletion of military and Coast Guard lands from existing units in the system. Why should defense dollars be spent for construction of officer's beach clubs and the like on military bases?

In addition, DOI proposes to delete developed units in the existing Systems which DOI claims were mistakenly included in CBRS boundaries but were developed before the passage of the Act in October, 1982. In at least one case, the National Wildlife Federation has evidence that the development occurred after the Act was passed. Thus it appears that DOI and Congress should be very cautious about deleting such areas unless there is absolute proof of development prior to October, 1982. Otherwise it would be a signal that using non-federal funds to develop in a protected unit will assure removal from the System afterwards, becoming eligible for federal funds at a later date.

In regard to the recommended deletion of annual certification by the Office of Management and Budget (OMB), we agree that perhaps OMB is not the best choice to certify compliance with the Act by federal agencies. However, we believe that certification is necessary, and recommend that Congress authorize the General Accounting Office to satisfy this important oversight function.

The 1985 draft Report recommended incorporation of 88 Great Lakes units and 181 Pacific Coast units into the CBRS, but the Secretary of Interior has dropped these two regions from the final report. We believe this to be a grave error. The sandy shores of both the Great Lakes and the Pacific Coasts protect mainland areas from storm damage, flooding, and wind-driven wave action, but are highly vulnerable to erosion. In addition, their coastal ecosystems harbor varied fish and wildlife populations that are of significant economic value. We urge further and more complete studies of these regions, so that they might be included in the CBRS by 1991.

Although the LWV-VI agrees that privately owned coastal areas are generally in greater need of protection than federal, state, or local lands,

p. 5. LWV-VI, CBRA Response

we are not in favor of excluding government lands from the System. Under the pressures of recreational interests and other perceived needs associated with growth, governments are often the initiators of construction or earth changes that have extremely adverse effects on coastal and associated ecosystems. We can think of several local examples: 1) continual urging to the National Park Service to construct roads into St. John Park coastal areas now accessible only on foot or by boat; 2) dredging by the U. S. Army Corps of Engineers (at the request of the V. I. Department of Conservation and Cultural Affairs) in Jersey Bay so that larger boats can reach a boat repair yard located in Benner Bay accompanied by a refusal to reveal the location of dredge material disposal; 3) construction of a racetrack on the shore of the Mangrove Lagoon (west Jersey Bay) in spite of warnings that flood damage was certain to occur as a result of the next big rainstorm (which it did, ruining the racetrack, but more important, destroying mangroves and seagrass beds in the lagoon); and 4) the tendency of the St. Thomas Coastal Zone Management (CZM) Committee to approve government as well as private applications for opening ponds located behind bay shores in order to construct marinas.

If Virgin Islands Government holdings were made part of the CBRS, we would include the following St. Thomas areas: Bordeaux Bay, Stumpy Bay and Saba Island in the western sector; Grass, Mingo and Congo Cays in the eastern sector.

In the United States Virgin Islands, the CZM Act of 1979 has done much to preserve the islands' beautiful bays and clear waters. However, very few shoreline development applications have been denied outright, reefs and grass beds have been destroyed, and mangroves greatly diminished in size so that wildlife habitats have significantly narrowed. The League of Women Voters of the Virgin Islands therefore heartily supports the additional protection of coastal environments that can be afforded by inclusion into the CBRS. It would permit the utilization of technical information in a more positive way, encouraging the kinds of economic development that would result in the least possible damage to our threatened ecosystems.

p. 6. LWV-VI; CBRA Response

The League of Women Voters of the Virgin Islands appreciates this opportunity to respond to the DOI Coastal Barrier Resources Study and urges the expansion of the Virgin Islands list to include the units recommended by our organization and other concerned citizens of the Territory.

Helen W. Gjessing
Helen W. Gjessing, Chair, Committee
on Planning and Environmental Quality

LaVerne E. Ragster
LaVerne E. Ragster, President

1510

THE VIRGIN ISLANDS
CONSERVATION
SOCIETY, INC. P.O. BOX 5187, CHARLOTTE AMALIE
ST. THOMAS, VIRGIN ISLANDS 00001

June 23, 1987

Response to: The 1987 Department of Interior Recommendations
for Coastal Barrier Resources System

The Virgin Islands Conservation Society (VICS) enthusiastically endorses the proposed inclusion of certain areas of the United States Virgin Islands (CBRS units VI-1 through VI-35) into the Coastal Barrier Resources System.

VICS recommends the additional inclusion of the following undeveloped, unprotected areas:

- | | |
|----------------------------|----------------------------|
| <u>St. Thomas: western</u> | <u>St. Thomas: Central</u> |
| Fortuna Bay | Santa Maria Bay |
| Botany-Sandy Bay | Henri Bay |
| | Carrot Bay |
| | Mail Bay |
| <u>St. Thomas: Eastern</u> | Inner Brass Island |
| Lovango Cay | Outer Brass Island |
| Thatch Cay | Neitjeborg Bay |
| Muller Bay | Hull Bay |
| Staley Bay | Tutu Bay |
| Great St. James Island | Druid Bay, water isl. |
| Little St. James Island | mans Lollipop Island |
| | Little Hans Lollipop Is. |
| | Smith Bay |
| | Frenchman's Bay |
| <u>St. John: Eastern</u> | <u>St. John: western</u> |
| Fond Bay | Rendezvous Bay |
| East End Bay | |
| Privateer Bay | |
| Johnson Bay | |

VICS approves of the proposed definition of an "undeveloped coastal barrier" to include all associated aquatic habitats.

We are in fully agreement with the DOI proposal to incorporate private inholdings in already protected areas within the CBRS.

VICS opposes the proposed deletion of military and Coast Guard lands from existing units in the system.

While it seems fair that provision should be made to remove from the existing system developed units that were mistakenly included in 1982, we urge that great care be taken to positively establish that the development did occur prior to 1982.

With respect to the proposal to delete annual certification by the Office of Management and Budget, we believe that such certification is essential, and therefore recommend that Congress authorize the General Accounting Office to assume this critical oversight responsibility.

We agree with the National Wildlife Federation that undeveloped areas of the Great Lakes and Pacific Coast should be included in the system.

VICS is grateful for this opportunity to comment on DOI's Report to Congress on the CBRS.



Leonard Reed, President



Working for the Nature of Tomorrow

1282

NATIONAL WILDLIFE FEDERATION
1412 Sixteenth Street, N.W., Washington, D.C. 20036-2266 (202) 797-6800

Coastal Barriers Study Group
Department of the Interior
National Park Service
P.O. Box 37127
Washington, D.C. 20013-7127

RE: Comments on the Coastal Barrier Resources Act--Section 10 Draft Report to Congress, 52 Federal Register 9618-9619

Dear Sir or Madam:

The National Wildlife Federation, the Natural Resources Defense Council, the Coast Alliance, and the Oceanic Society are writing in response to the Department of the Interior's Federal Register Notice of March 23, 1987 soliciting comments on the Draft Report to Congress: Coastal Barrier Resources System--Executive Summary.

Our organizations have a longtime interest in the conservation of coastal barriers. The Natural Resources Defense Council was the founding organization of the Barrier Islands Coalition in 1978. Likewise, the National Wildlife Federation, the Coast Alliance, and the Oceanic Society became members of that coalition in 1979 to help seek protection of coastal barriers.

Our organizations have led efforts to pass legislation which would conserve the natural resources of coastal barriers--first, the flood insurance prohibition in the Omnibus Reconciliation Act in 1981 and then, the Federal financial prohibition in the Coastal Barrier Resources Act (CBRA) in 1982. We continue to support the goals of CBRA and expansion of the Coastal Barrier Resources System (CBRS) throughout the United States and its territories. The federal government should not be subsidizing development in hazardous areas which destroys productive coastal ecosystems, endangers the lives and properties of shoreline residents, and costs federal taxpayers millions of dollars each year in flood insurance claims and disaster relief.

The need for an expanded Coastal Barrier Resources System in which federal development subsidies are prohibited is becoming increasingly critical in light of the projected rise in sea levels due to global warming. As water levels rise, so will the costs of protecting existing structures, the damages from erosion and flooding, and the risk to human life and property. Unfortunately, however, development in these unstable coastal areas continues to grow at a frightening pace. We feel strongly, therefore, that it is essential that the Department recommend maximum expansion of the System to include the eligible areas on all of America's coasts.

before these sites are irrevocably committed to development. An appendix of specific comments on additions to and deletions from the System follow our general comments.

PROPOSED RECOMMENDATIONS FOR ADDITIONS TO OR DELETIONS FROM THE CBRS

We support the Department's recommendation to expand the definition of a "coastal barrier" to include landforms which function as coastal barriers in protecting the mainland and adjacent aquatic habitats, even if they are not composed of unconsolidated sediments as are barriers in the traditional definition. Use of this expanded definition in delineating CBRS units is consistent with the conservation goals of CBRA and would allow for the inclusion of such new geological formations as undeveloped beach rock, cemented dunes, fringing mangroves and associated coral reefs, cheniers, discontinuous outcrops of bedrock, and coarse glacial deposits. Since these areas serve the same function as coastal barriers and are as vulnerable to development pressure, sea level rise, and storm damage as traditionally-defined coastal barriers, it is appropriate that they also be protected within the System.

A. Geographic Scope

We commend the Department on the excellent job of inventorying potential units and recommending additions to the System, and are very pleased with its recommendations to expand the area of the System by 323% on the Atlantic and Gulf coasts. We also strongly support the Department's recommendation to include, for the first time, the undeveloped coastal barriers of the Florida Keys, Puerto Rico and the U.S. Virgin Islands. As these areas all boast valuable and unique environmental resources and, at the same time, are subject to intense development pressure, protection of their undeveloped barriers within the System is essential.

We believe the Department has erred, however, in deciding not to recommend the inclusion of Great Lakes and Pacific coastal barriers within the System. The barriers of these coasts, like those protected in the System along the Atlantic and Gulf coasts, are primarily composed of unconsolidated sedimentary materials, provide protection to the mainland and adjacent coastal wetlands, and are vulnerable to erosion, water level rise, flooding, and storm damage. Inclusion of the Great Lakes and Pacific coasts would be consistent with the Act's goal of preventing the destruction of fragile coastal ecosystems, as well as the Interior's proposed expanded definition of a "coastal barrier" to include landforms that function as coastal barriers. If landforms as different from a traditionally-defined Atlantic or Gulf coastal barrier as a coral reef is to be included within the System, then the minor geological differences between the coastal barriers of the Great Lakes or Pacific coasts and those of the Atlantic or Gulf coasts should not be an obstacle to including the Great Lakes and Pacific coasts within the System.

APPENDIX

COMMENTS ON SPECIFIC COASTAL BARRIER AREAS

The National Wildlife Federation, the Natural Resources Defense Council, the Coast Alliance, and the Oceanic Society endorse the inclusion of all undeveloped coastal barriers identified by the Department of Interior in the March 1985 inventory, as well as some additional areas mentioned below. Following are our comments on some of the specific areas.

The Virgin Islands

We strongly support the inclusion of the Virgin Islands within the CBRS. This territory has highly productive coastal ecosystems of mangroves, seagrass beds, and coral reefs which serve as important feeding and breeding grounds for a diversity of wildlife, including commercially valuable fish and shellfish species. The development demands from a growing population and tourist industry makes protection of these fragile areas within the System essential. In addition to the areas recommended by the Department, we propose the following additions:

1. The many coastal mangrove strips along impounded bays and ponds which qualify for inclusion under the Department's proposed expanded definition of a "coastal barrier" because of the significant protection they provide the mainland. A good example of this is the Manning Bay along the southern shore of St. Croix.
2. Salt River bay along the northern shore of St. Croix. This area contains an offshore barrier reef which protects the bay from damaging waves and storms and one of the finest examples of zonation between white, red, and black mangroves in North America and the Caribbean.

19 June 1987

Mr. Frank McGilvrey
 Coastal Barriers Study Group
 National Park Service
 Department of Interior
 P.O. Box 37127
 Washington, D.C. 20013-7127

Dear Mr. McGilvrey:

This letter is written in response to the solicitation of comments on the 1987 report and proposed recommendations to Congress on Coastal Barriers Resource System (CBRS) prepared by the Coastal Barriers Study Group. In my capacity as Sea Grant Marine Advisor in the Virgin Islands, I recognize the importance of the Coastal Barriers Resources Act (CBRA) to both the nation and to the territory and I appreciate the opportunity to make comments. I hope these comments will assist you in making the strongest and wisest recommendations to Congress.

What follows are a series of general comments; comments on various specific recommendations in the Executive Summary; and finally, suggestions as to areas in the Virgin Islands which should be considered for inclusion as CBRS units.

First, as a general comment, I am pleased to see that the Coastal Barrier Study Group has decided to recommend to Congress that it not only maintain nearly all of the current CBRS units, but that it also seek to expand the System geographically and ecologically. Given the insupportable public costs of certain federal programs, the loss of and damage to human lives and property, and the fragility of coastal living and nonliving resources, the federal role in coastal planning and development must be carefully scrutinized through mechanisms such as the CBRA.

I am fully in support of the Study Group's recommendation that the

COLLEGE OF THE VIRGIN ISLANDS, CHARLOTTE AMALIE, ST. THOMAS, U.S. VIRGIN ISLANDS 00820 TEL (809) 776-9200 ext. 1242

geographic scope of the CBRS be expanded to include areas in the Florida Keys, Puerto Rico, and especially the Virgin Islands. In the case of the Virgin Islands, inclusion of specific areas in the CBRS may help provide the territory with additional criteria to protect against poorly conceived coastal development.

I am also in support of the inclusion of associated aquatic habitats, especially the inclusion of fringing mangroves and coral reef areas. There are still important wetlands in the Virgin Islands which need this type of protection. I recommend that salt ponds be added to the enumeration of habitats designated as "associated aquatic habitats."

The Executive Summary states, "[c]onservation without the creation of a new Federal regulatory program was one of the major tenets of CBRA." If this is the case, then I recommend that guidelines on the CRSA conservation and safety goals be provided to other regulatory agencies in order that they may incorporate these into their regulatory structure for the protection of coastal barrier areas (as it is broadly defined) outside the ambit of the CBRA. For example, this should be done for those agencies which regulate "otherwise protected" coastal barriers in order that these excluded areas can receive protections from unwise development similar to those provided to CBRS areas. (Frankly, it is not at all clear to me from the Executive Summary why "otherwise protected" coastal barriers are excluded from the unique form of protection provided by the CBRA).

The Study Group finds that national security reasons dictate that military and Coast Guard lands currently under the CBRS be deleted from the System. If outright deletion is truly necessary, here again I recommend that a formal set of guidelines be developed (1) to safeguard the goals of the CRSA and (2) to bolster existing NEPA and controlling environmental measures.

Similarly, if there is to be no CBRS regulatory mechanism in cases of federal permits issued for activities within or adjacent to CBRS units, the Department of Interior should make certain that offices such as the Office of Coastal Resource Management, the Environmental Protection Agency, the Corps of Engineers, the Soil Conservation Service, and Fish and Wildlife incorporate the purposes of CBRS into their regulations and administrative procedures.

On the subject of tax policy, I question whether the Internal Revenue

Service ruling procedure is "sufficient for determining what level of development is possible without jeopardizing the 'qualified' status of the conservation restriction for charitable deduction purposes." Given the fragile and mutable nature of coastal barriers and associated habitats, I again recommend that CBRS guidelines be developed for the IRS in order that it can take these into account in cases where a taxpayer makes a charitable contribution of an undeveloped coastal barrier and its associated aquatic habitat for conservation purposes.

Lastly, I would like to comment on the proposed CBRS units in the Virgin Islands. A few corrections should be made in the list compiled by the Study Group.

- (1) The St. Thomas unit labeled VI-28 is "Magen's Bay" and not Enghed.
- (2) Both Newfound Bay and Pond Bay on St. John are labeled VI-14. Because they are not adjacent, I recommend that Pond Bay be designated as a separate CBRS unit.
- (3) VI-21 Reef Bay on St. John is part of the VI National Park.

Otherwise, I would recommend that all 34 areas, other than those which are already protected, be included in your final report to Congress.

Additionally, I recommend that you give full consideration to the units on St. Croix recommended by Dr. Toby Tobias of the VI Division of Fish and Wildlife:

Salt River Bay	Robin Bay
Mannings Bay	Cane Garden Bay
Manchianil Bay	Long Reef
Coral reef systems in Salt River	Teague Bay
Isaac's Bay	Jack's Bay
Grapetree Bay	Turner Hole
Rod Bay	Great Pond Bay
Krause Lagoon	

Among these, I believe Salt River is the area of most significant and urgent concern.

On St. Thomas, in addition to the units named in your report, I would also include:

Botany Bay/Sandy Bay	Fortuna Bay
Stumpy Bay	Sta. Maria Bay/Hendrik Bay
Eastern Hull Bay to Tropaco Point	Caret Bay
Mall Bay	Dorothea Bay
Neltjeberg Bay	Frenchman Bay
Stalley Bay	
Magen's Bay from Tropaco Point to Picara Point	

I would also include the following offshore cays which surround St. Thomas, primarily for their barrier protection and valuable coral reefs:

Thatch Cay	Lovongo Cay
the southeast portion of Hans Lollick	Great St. James
Little St. James	

On St. John, I would include:

Pond Bay	East End Bay
Privateer Bay	Johnson Bay
Great Cruz Bay	Rendezvous Bay

I hope these comments will be useful to you in your final recommendations to Congress. If I can provide any further information or clarification, you can write or telephone me at (809) 776-9200 ext. 1242.

Sincerely,

 Nathalie Peter,
 Marine Advisor

1184

P.O. Box 321
St. Thomas, Virgin Islands
June 19, 1987 00801

Coastal Barriers Study Group
National Park Service
U.S. Department of Interior
P.O. Box 37127
Washington, D.C. 20013-7127

Dear Group Members:

Although this opportunity to comment on the proposed recommendations of the Department of Interior on the Coastal Barrier Resources System (CBRS) comes at a time when I am unable to prepare a full response, I appreciate the opportunity and ask that my support be registered behind the comments of the League of Women Voters, the V.I. Department of Conservation and Cultural Affairs, the Chapters of the Virgin Islands Conservation Society, and the Sea Grant V.I. Marine Advisor. In addition, I would like to add the following comments of my own, not representing either the Virgin Islands Conservation Society, of which I am a director, or the University of the Virgin Islands, my employer.

1. I wholeheartedly support the Group's recommendation to expand the CBRS inventory, especially the inclusion of the Virgin Islands and Puerto Rico.
2. I urge that you set aside and specifically include salt ponds, such as Flamingo Pond (VI-27), Red Hook Pond (at VI 32), and the pond on Little Saba Island (South of central St. Thomas), as well as the several large ponds on St. Croix and St. John for the value they have as both aquatic habitats and protection of marine life from land-based siltation during heavy rainfall over eroded surfaces.
3. I encourage you to continue your consideration of the effects of rising sea level over the next several decades for their impact on coastal areas. In the case of the Virgin Islands, many current development activities -- especially coastal dredging and filling -- are proceeding oblivious to the gradual but significant changes taking place in nature.
4. Similarly, with the Puerto-Virgin Islands platform near the margin of the Caribbean tectonic plate, active offshore faults give these islands considerable potential for severe earthquakes. (See the DOI Geological Survey Open File Report, 84-762, "A Workshop on 'Earthquake Hazards in the Virgin Islands Region'.") Tsunami waves from such earthquakes have devastated coastal regions here before, the event of 1867 being the best documented. Consequently, along with hurricanes, tsunami must be considered real hazards that can have even greater damaging effect by the destruction of coastal barriers, fringing reefs, wetlands, and other natural structures present on the Virgin Islands' coasts.
5. Finally, I would urge that you place special emphasis on the Mangrove Lagoon (located within VI-34, "Jersey Bay"), on Krause Lagoon on St. Croix, and on the major cays around St. Thomas and St. Croix (Thatch Cay, Protestant Cay, et al) for their value in protecting both human settlement and aquatic habitats on the coasts.

Sincerely,
Roy A. Watlington
Roy A. Watlington
Professor of Physics

Coastal Barriers Study Group

19 June 1987
Page -2-

A point of land, Shoy Point, lies to the east, helping to minimize the impact of the predominant wave energy from the Northeast.

Southgate Pond (VI-03), Coakley Bay (-04), Robin Bay (-05) and Great Pond (-06) all have off-lying protective barriers in the form of reefs. Green Cay and Buck Island and associated reefs provide added protection to -03 and -04.

One area of the island that falls within the definition of "typical" barriers was not included in the recommended additions for St. Croix:

The beach berm at Canegarden Bay on the South central shore of St. Croix (64° 44' 20" W, 17° 42' 10" N). This area is exposed to southerly wave energy and the sea, during storms, has breached the berm and spilled into an interior salt pond.

While I recommend inclusion of Canegarden Bay in the CBRS, it is likely that this area will soon be established as an ecological research center and nature preserve by the University of the Virgin Islands, who owns the property.

The majority of the Virgin Islands' stands of mangroves are of two types: 1) coastal barrier fringes and 2) pond or lagoon borders. None of these mangrove stands are extensive. On St. Croix, for example, the largest stand covers an area of about 20 ha., and all such stands are relatively limited in depth (typically extending < 100 m inland from the high water line). Two examples of this coastal fringe type on St. Croix are 1) the remnant coastal mangroves at Krause Lagoon (VI-07), and 2) the coastal mangroves at Manning Bay.

The first of these (-07) was not recommended for inclusion due to the industrial character of that part of St. Croix's south shore. It should be included, however, for several good reasons:

- 1) Above the high water line the land is owned by Martin Marietta Alumina Properties. This corporation is in the process of either selling these properties or converting the refinery into an industrial

1329

19 June 1987

Coastal Barriers Study Group
National Park Service
U. S. Department of the Interior
P. O. Box 37127
Washington, D.C. 20013-7127

Dear Sirs:

Thank you for permitting us the opportunity to express our opinions in the matter of the proposed recommendations regarding the Coastal Barriers Resources Act.

I would like to make comments on two aspects of the Coastal Barrier System as it relates to St. Croix, namely, 1) the need to include additional areas under the CBR System and, 2) the conservation of fish, wildlife resources.

In the Virgin Islands, most of our "typical" barriers are in the form of sand berms which have formed through natural causes at the mouths of watercourse terminations or embayments. Most of these have existed for sufficient periods to allow the establishment of substantial littoral forest vegetation, which in turn has stabilized these berms to some degree.

On St. Croix, such "typical" barriers are found in areas which have already been included as recommended additions, viz. VI-01 through -06, -08. Of these, only -01 and -08 are subjected to the unbuffered effects of open sea. The first, -01, has a paved road (route 80) which runs the length of the berm, and has a mature forest of manchenil, palm and sea grape, all of which provide relatively good stabilization. The second, -08, has a mature stand of mangroves, mostly red and white, which provides adequate stabilization under most normal weather conditions. This berm, however, is in a state of change, especially at its eastern end, as the sea has recently breached the berm and has killed or carried away most of the mangroves in that eastern 1/4.

A wide, shallow reef (Scotch Bank) lies up to 2 km offshore, from Altona Lagoon (VI-02), effectively buffering seas from the North.

Coastal Barriers Study Group

19 June 1987
Page -3-

park for possible sale later. Neither case precludes the possibility of this mangrove barrier being developed.

2) If commercially developed, the risks are the same relative to storm damage, soil instability and flooding as any other barrier on the island.

3) The fish and wildlife value of this area is highly significant, as will be explained further.

The second of these two, Manning Bay, is presently owned by the V.I. Government. Generally three types of use are possible for this area: 1) port or marine/marina facilities, 2) nature preserve or 3) commercial tourist-related development, such as a hotel-resort (this latter presumes sale by the V.I. Government). This area is quite similar to -07. It is mainly a coastal fringe of red mangroves associated with sand bars and beaches, inlets and pools, and bordered inland by a fine littoral forest of mixed deciduous trees (Due to the extent of disturbance caused by industrial development at Krause Lagoon, that mangrove system lacks the littoral forest element found at Manning Bay).

Another type of system, less clearly defined as "barrier", yet performing many of the same functions as "typical" barriers, is the quasi-estuarine system found at Salt River Bay on the north central coast of St. Croix. Although no river flows today (except during heavy rains), this is a large and complex bay, whose mouth is protected by an extensive coral reef and whose shores are lined with a mature growth of red mangroves. The western arm at the head of the Bay contains perhaps the finest example of red-black-white mangrove zonation in the Virgin Islands, and definitely one of the finest and most extensive black mangrove forest in the V.I. This forest of red, white and black mangroves forms a barrier between an extensive alluvial flood plain and the waters of the Bay. It provides an important sediment filtering function and at the same time a critically important fisheries nursery. Along the eastern shore of the Bay lies an area of soil deposition which is characteristically unstable and is not recommended for use as a building site (there is presently a 500 unit hotel/condo complex and a 157 slip marina proposed for this location) by the U. S. Soil Conservation Service.

There is one more area on St. Croix which should be included in the CBR System - Manchenil Bay. This bay contains one of the islands' most extensive beach and dune ecosystems. There is a degree of shoreline protection afforded by the patches of offlying reefs; however a large gap between these patches allows intrusion of heavy wave energy to the beach during severe southerly winds. This long beach (long by V.I. standards), about 1.5 km., is backed by a dense growth of sea grape along most of its length and in part by a littoral forest, all of which provides significant stabilization of the beach and dunes.

A very large commercial tourist-oriented development (hotels, condos, home sites, restaurants) is proposed for this area (about 120 ha.). The current plans call for a set-back of all building to avoid disturbance of the beach, dunes and associated vegetation.

So far, I have described the types of "barriers" found on St. Croix and recommended for inclusion in the CBR system except the coral reef system. This reef system is already somewhat protected from damage or development by existing local and federal laws. Because of the extreme importance of these coral systems to the shoreline protection of the island, and because continuing economic growth and development will, of necessity, eventually cause the reefs to be viewed as potential foundations for building structures, and because of the vital importance of these reefs to the marine floral and faunal resources of the V.I., it is recommended that the coral reef system be included in the CBR system.

It is important to note that, of the seven (-01 through -06, and -08) already proposed, five (-02 through -06) are involved in plans, either currently in work or in the near future, for commercial developments (hotel and condominiums plus a marina type development in two instances).

St. Croix's remaining wetlands (possibly as much as 70% of the islands' original wetlands have been destroyed) occupy only about 2.5% of the land area. Yet, over 50% of the resident and regular migrant bird species found on St. Croix are wetland-dependent. Furthermore, 71% of the bird species now extinct or extirpated from St. Croix were wetland-dependent. Of the bird species considered threatened or endangered in the Virgin Islands, 94% are wetland-dependent.

This is not so surprising, considering the previous loss of wetlands and the damage or stress currently being experienced by the remaining wetlands. Of the 9 major wetlands containing about 93% of the islands mangroves, salt ponds and lagoons (remember that the largest mangrove stand is only about 20 ha., so some major wetlands are less than 10 ha.) only one is partly protected. Seven of the remaining eight are threatened by some kind of development activity, which may result in the total destruction of the wetland as vital wildlife habitat in four of the cases.

Salt River Bay is the islands' most important nursery for marine fishes and shellfish. Following in probable order of importance are Manning Bay, Krause Lagoon remnant, Great Pond and Altona Lagoon.

The most important wetland to wintering waterfowl is Southgate Pond, with as many as 300 + ducks of up to 12 species. Up to 15 species of shorebirds use this pond during fall migration, and 9 species of herons and egrets feed there throughout the year. Over 100 bird species have been recorded at this 16 ha. wetland over the past 10 years and 25 of these are considered endangered or threatened in the Virgin Islands.

A recent application for CZM permits to construct 39 home sites in the pond in a Florida-type canal design and 30 condominiums on the berm between the pond and the sea was denied by the St. Croix CZM Committee in April this year. It is expected that the applicant may file an appeal.

All of the St. Croix areas recommended for inclusion to the CBR system are wetlands and, as such, are vital to the preservation of species diversity on this island. Therefore, the withholding of federal monies and insurance from development projects in these areas will emphatically discourage such development and thereby further the protection of critical habitat for wildlife.

I thank you again for allowing these comments.

Sincerely,

Fred W. Sladen
Fred W. Sladen, President
St. Croix Environmental Association
P.O. Box 2247, Kingahill
St. Croix, V.I. 00850
(809) 773-7493

1572

DUDLEY, TOPPER AND FEUERZEIG

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**MEMBER CALIFORNIA BAR ONLY
**MEMBER NEW YORK BAR ONLY

29 July 1987

Coastal Act Barrier Study Group
National Park Service
United States Department of the Interior
P.O. Box 37127
Washington, D. C. 20013 - 7127

RE: Our File: First American Development Group Caribe, Ltd
1951-1(B)

Dear Members:

I represent First American Development Group Caribe, Limited Partnership, the owners of parcels number 125 and 272, Estate Chocolate Hole, St. John, U. S. Virgin Islands. This property encompasses the beach at Chocolate Hole, St. John.

We understand that a recommendation to Congress may soon be made to include Chocolate Hole in the Coastal Barrier Resource System pursuant to the proposed system expansion, 16 U.S.C. § 3501 et seq.

The purpose of this letter is to register our objection to the designation of this site as part of the system. My clients are in the process of constructing a seventy unit town home project called the Pond Bay Club on the Chocolate Hole site. To date, First American Development Group Caribe, Limited Partnership has expended over \$2,000,000 in furtherance of this development in addition to the cost of the site itself which exceeds \$1,200,000. The site engineering is completed, the roads have been cut in and partially paved; the design work and building plans have been completed, required permits have been obtained, the financing is essentially in place, and approximately one-third of the units have been presold.

The project was reviewed by the Coastal Zone Management Committee of the Department of Conservation and Cultural Affairs of the Government of the Virgin Islands and found to be "designed sensitively" and to have "addressed all potential impacts on the

DUDLEY, TOPPER AND FEUERZEIG

U.S. Dept. of the Interior
re: First American Development Group Caribe
07/29/87

-2-

terrestrial resources". The project is likewise designed and will be constructed in such a manner as to protect and preserve valuable marine related resources including the beach front and the coral reef present within the Chocolate Hole Bay.

Moreover, the development was deemed by the the Virgin Islands Government to have a strong positive social impact upon the island of St. John. The committee of CZM reported "in view of the fact that tourism is the most important source of revenue of the Virgin Islands, there can be no doubt that this project is to be socially and economically desirable. Generated tax monies will be beneficial to the community, the short term benefits of increased construction and long term benefits are a plus." Moreover, it is expected that approximately forty people will be employed full time by the project.

By the time your group's final recommendations regarding the Coastal Barrier Resource System are submitted to Congress at the end of 1987, construction of the project will be in advanced stages. Certainly, due to the positive impact our government feels this project will have on the island of St. John, it should be allowed to go forward unimpeded by inclusion in the Coastal Barrier Resource System.

For your convenience, I have enclosed a copy of the site map for the Pond Bay Club at Chocolate Hole, a photograph of the site and some literature. I have a substantial amount of additional supporting documentation and information for your review if the committee is desirous of further information concerning this project. At any time I am available to you to answer any questions you might have.

As you know, I am interested in monitoring the progress of your committee's recommendations, and the proposed legislation through Congress. Can you suggest how I can do so most efficiently? Thank you for your time and attention to this matter.

Kindest regards,

Carol G. Hurst
Carol G. Hurst

CGH/dja

Enclosures - 3

1552

Coral Bay, St. John
U.S.V.I. 00830
June 20, 1987

William Horn, Assistant Secretary
Fish Wildlife and Parks
Washington, D.C.

Re: CBRS
Additional areas
for St. John, V.I.

Dear Sir:

In addition to the recommendations of V.I. areas to be included in the CBRS system on St. John, we would like to add Nanny Cay, Drunk Bay (that part now privately held), and Salt Pond Bay.

Although Salt Pond Bay is part of the National Park System, only a narrow margin of Park land separates it from privately owned land rising above the bay.

Recently, (February, 1987) the owner of the land above Salt Pond Bay, Drunk Bay, and Nanny Cay was granted a permit by Coastal Zone Management to construct an one hundred and twenty unit condominium resort, administration center, commercial buildings and convention buildings, a restaurant, five swimming pools, tennis courts, roads and walkways above Salt Pond Bay, Drunk Bay, and Nanny Cay.

In times of heavy rains, Salt Pond Bay Beach suffers erosion from runoff in a discreet area about 100 yards wide. When proposed construction of the above mentioned buildings is completed, it can be expected that much greater damage will be suffered by the beach from runoff.

There are endangered species Hawksbill Turtle nesting sites on Salt Pond Bay Beach. Increased flood runoff would eradicate nesting sites of the Federally listed endangered species Hawksbill Turtle.

The Local St. John Audubon Society has written letters of protest to the Commissioner of Conservation and Cultural Affairs, the Director of Coastal Zone Management, and the Chairman of the Senate Committee on Conservation,

Page 2

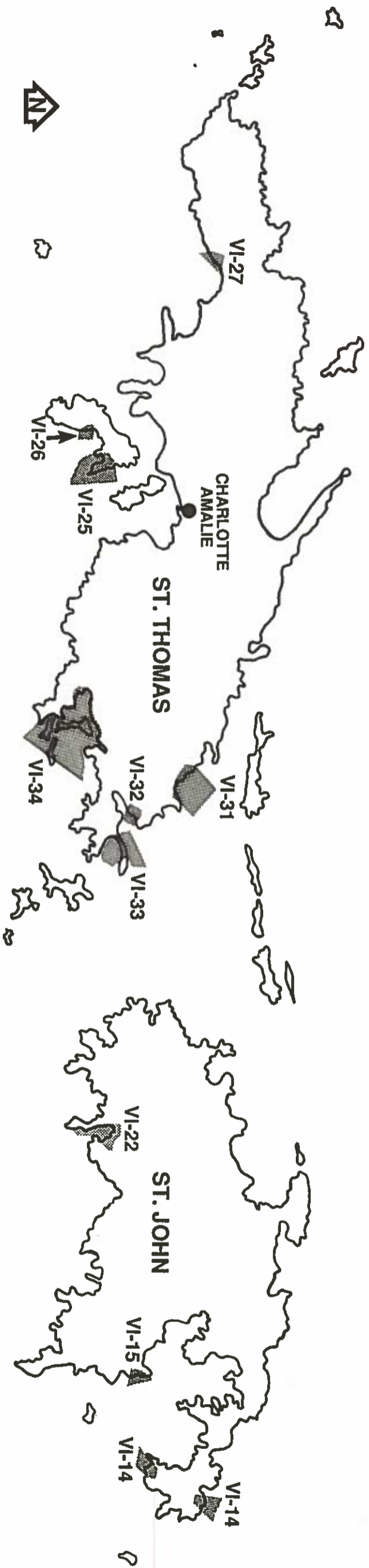
Recreation, and Cultural Affairs.

Hopefully, you will deem it appropriate to add Drunk Bay, Nanny Cay, and Salt Pond Bay to the Coastal Barrier Resources System.

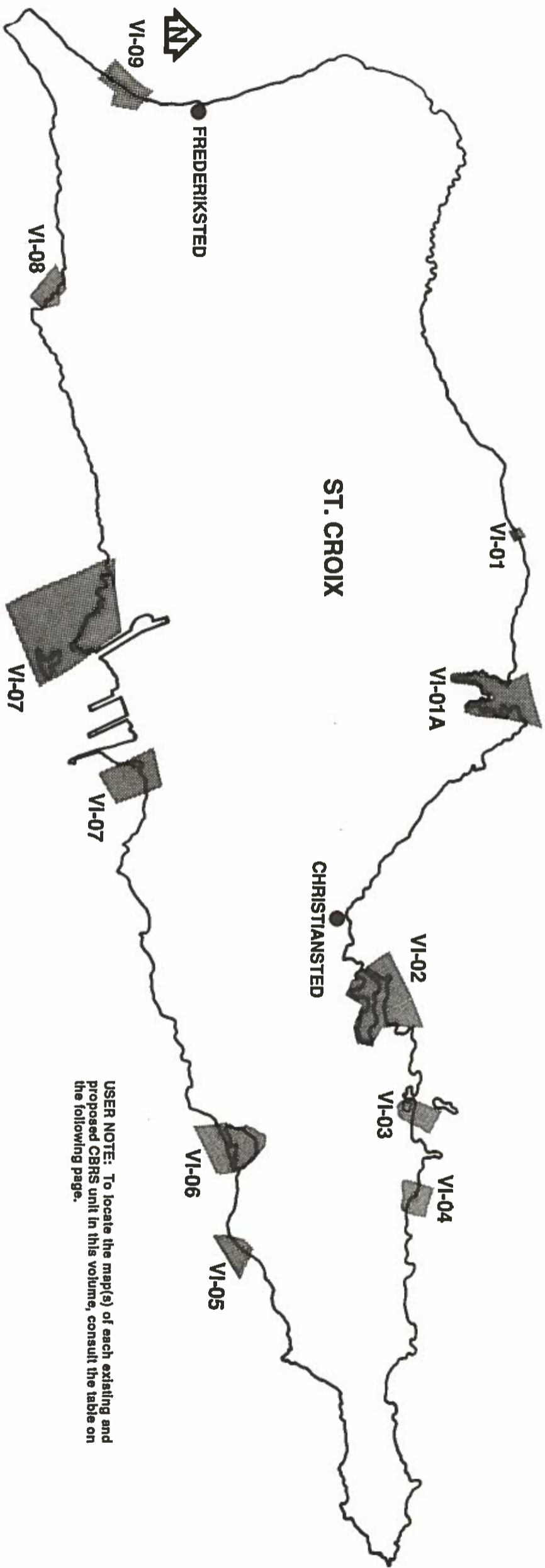
Very sincerely,

Charles Savage
Ethel Savage
Charles Savage
Ethel Savage
Appointed Committee on Conservation members, Virgin Islands
Audubon Society

Copy to: Mr. James Beets, Acting Chief of Fisheries
Mr. David Nellis, Chief of Wildlife
United States Virgin Islands



INDEX TO PROPOSED CBRS UNITS IN THE U.S. VIRGIN ISLANDS



USER NOTE: To locate the map(s) of each existing and proposed CBRS unit in this volume, consult the table on the following page.

MAPS DEPICTING PROPOSED CBRS UNITS

Unit ID Code	Unit Name	USGS Topographic Map or Map Composite	Page
VI-01	Rust Up Twist	Christiansted	17
VI-01A	Salt River Bay	Christiansted	17
VI-02	Altona Lagoon	Christiansted	17
VI-03	Southgate Pond	East Point	19
VI-04	Coakley Bay	East Point	19
VI-05	Robin Bay	East Point	19
VI-06	Great Pond	East Point	19
VI-07*	Krause Lagoon	Christiansted	17
VI-08	Long Point	Frederiksted	20
VI-09	Westend Saltpond	Frederiksted	20
VI-14	Newfound Bay	Eastern St. John	21
VI-15	Lagoon Point	Western St. John	22
VI-22	Fish Bay	Western St. John	22
VI-25	Sprat Point	Central St. Thomas	23
VI-26	Limestone Bay	Central St. Thomas	23
VI-27	Perseverance Bay	Central St. Thomas	23
VI-31	Smith Bay	Eastern St. Thomas	24
VI-32*	Vessup Bay	Eastern St. Thomas	24
VI-33	Great Bay	Eastern St. Thomas	24
VI-34	Jersey Bay	Eastern St. Thomas	24

*Public comment summaries and DOI responses follow unit maps.

MAPS DEPICTING OTHERWISE PROTECTED, MILITARY, AND COAST GUARD LANDS ON UNDEVELOPED COASTAL BARRIERS*

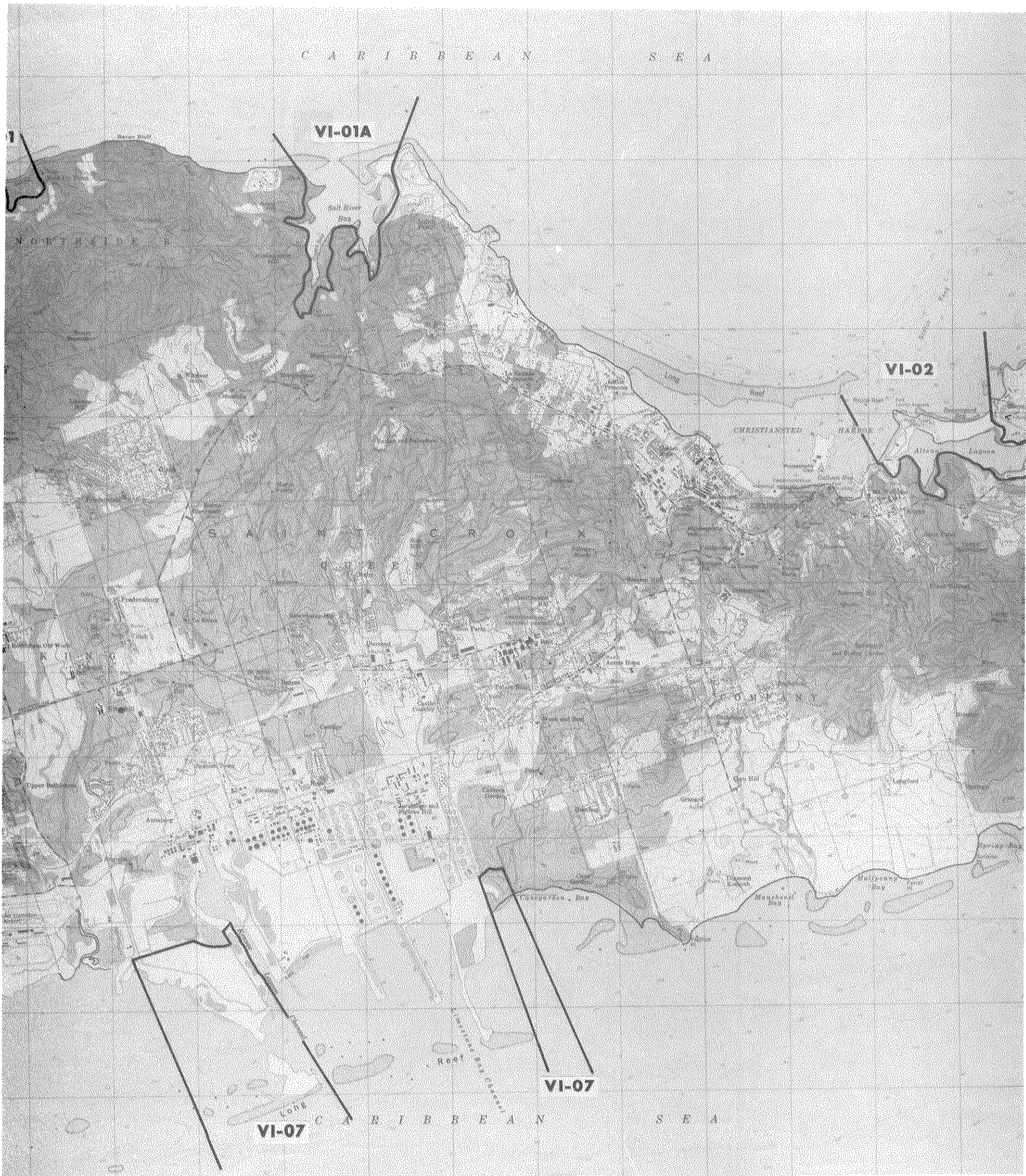
USGS Topographic Map or Map Composite	Coastal Barrier Status	Page
East Point	Federal	19
Frederiksted	Federal	20
Western St. John	Federal	22
Central St. Thomas	Private	23
Eastern St. Thomas	Federal	24

*These maps are provided for information purposes only. DOI is not recommending the addition of these areas to the CBRS unless they are made available for development that is inconsistent with the CBRA purposes.

MAP KEY

—————	Proposed CBRS unit boundary
.....	Military, Coast Guard, or otherwise protected, undeveloped coastal barrier
EXCLUDED	Area excluded from a proposed CBRS unit because it is developed
FEDERAL	Federally protected, undeveloped coastal barrier; for information only
STATE	State protected, undeveloped coastal barrier; for information only
LOCAL	Locally protected, undeveloped coastal barrier; for information only
PRIVATE	Privately protected, undeveloped coastal barrier; for information only
MILITARY	Undeveloped coastal barrier owned by the military; for information only
COAST GUARD	Undeveloped coastal barrier owned by the Coast Guard; for information only

Maps are arranged in geographic order from east to west.



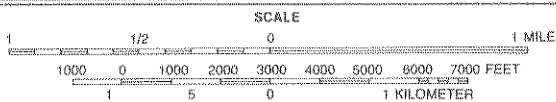
Report to Congress on the Coastal Barrier Resources System

**UNITED STATES
DEPARTMENT OF THE INTERIOR**



Mapped, edited and published
by the Coastal Barriers Study Group
U.S. Department of the Interior
Washington, D.C. 20240

QUADRANGLE
CHRISTIANSTED
VIRGIN ISLANDS



- Solid lines depict recommendations for additions to or deletions from the Coastal Barrier Resources System. (Section 10 of P.L. 97 - 348.)
- - - - Dash lines depict approximate boundaries of existing units in the Coastal Barrier Resources System, for reference purposes only.
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Base Map is the U.S. Geological Survey 1:24,000 scale quadrangle.

VI-07 - KRAUSE LAGOON

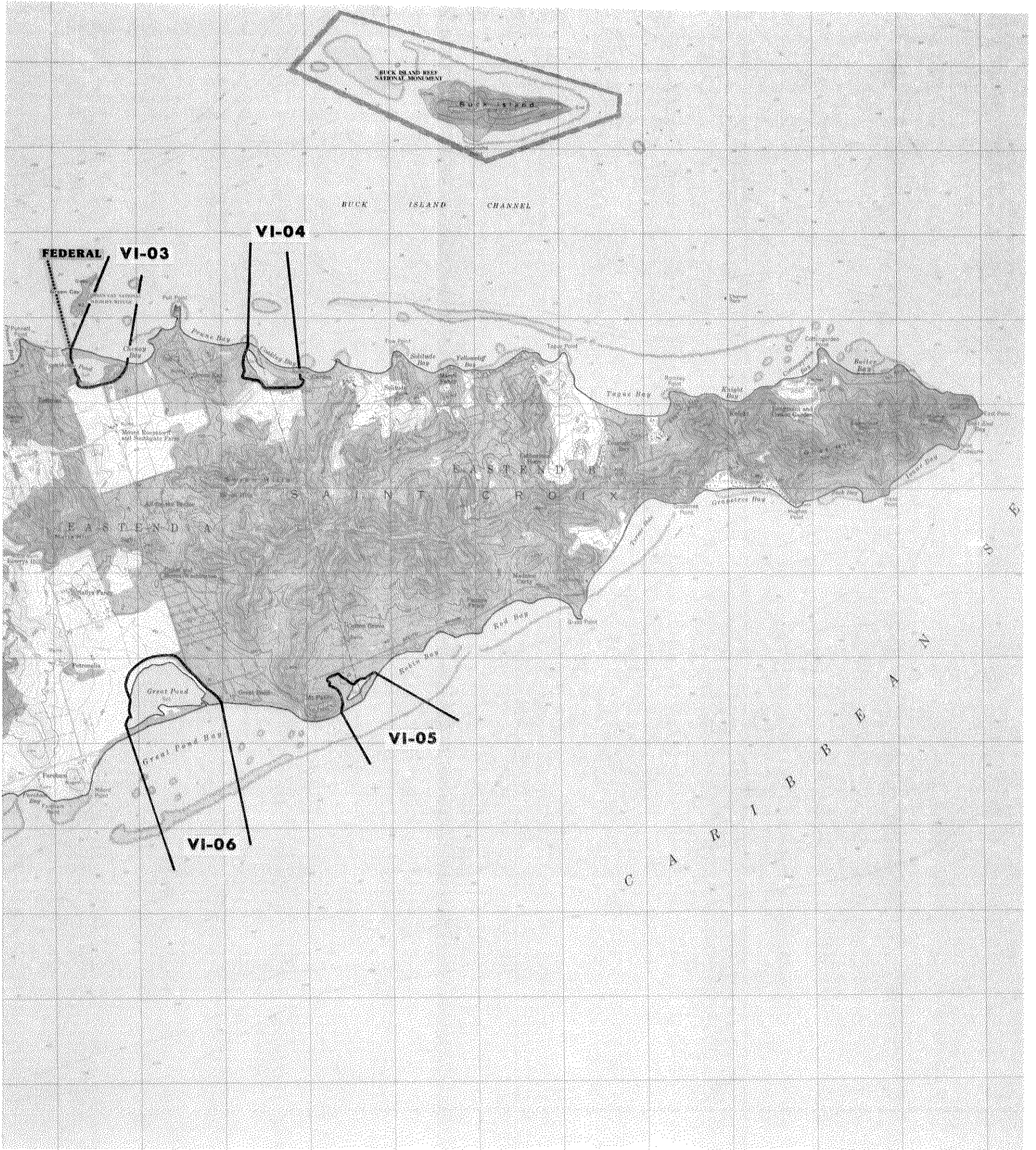
Territory Position: The Territory of the Virgin Islands requested that the qualified portions of Manning Bay, Canegarden Bay, and Krause Lagoon be added to the CBRS.

Other Comments: Four other comment letters were also received requesting that the qualified portions of Manning Bay, Canegarden Bay, and Krause Lagoon be added to the CBRS. They are all reprinted in the General Comment Letters section (letters number 1183, 1184, 1282, and 1329).

Response: Although VI-07 was included in the 1985 National inventory of coastal

barriers, it was not included in the 1987 Draft Report because DOI thought the entire area was developed. A site visit in 1988, however, revealed undeveloped barrier segments and fringing mangroves east of Limestone Bay Channel and west of Krause Lagoon Channel, including portions of Manning Bay, Canegarden Bay, and Krause Lagoon.

DOI Recommendation: The DOI recommends adding VI-07 to the CBRS as delineated here.



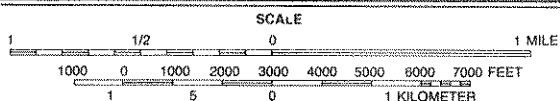
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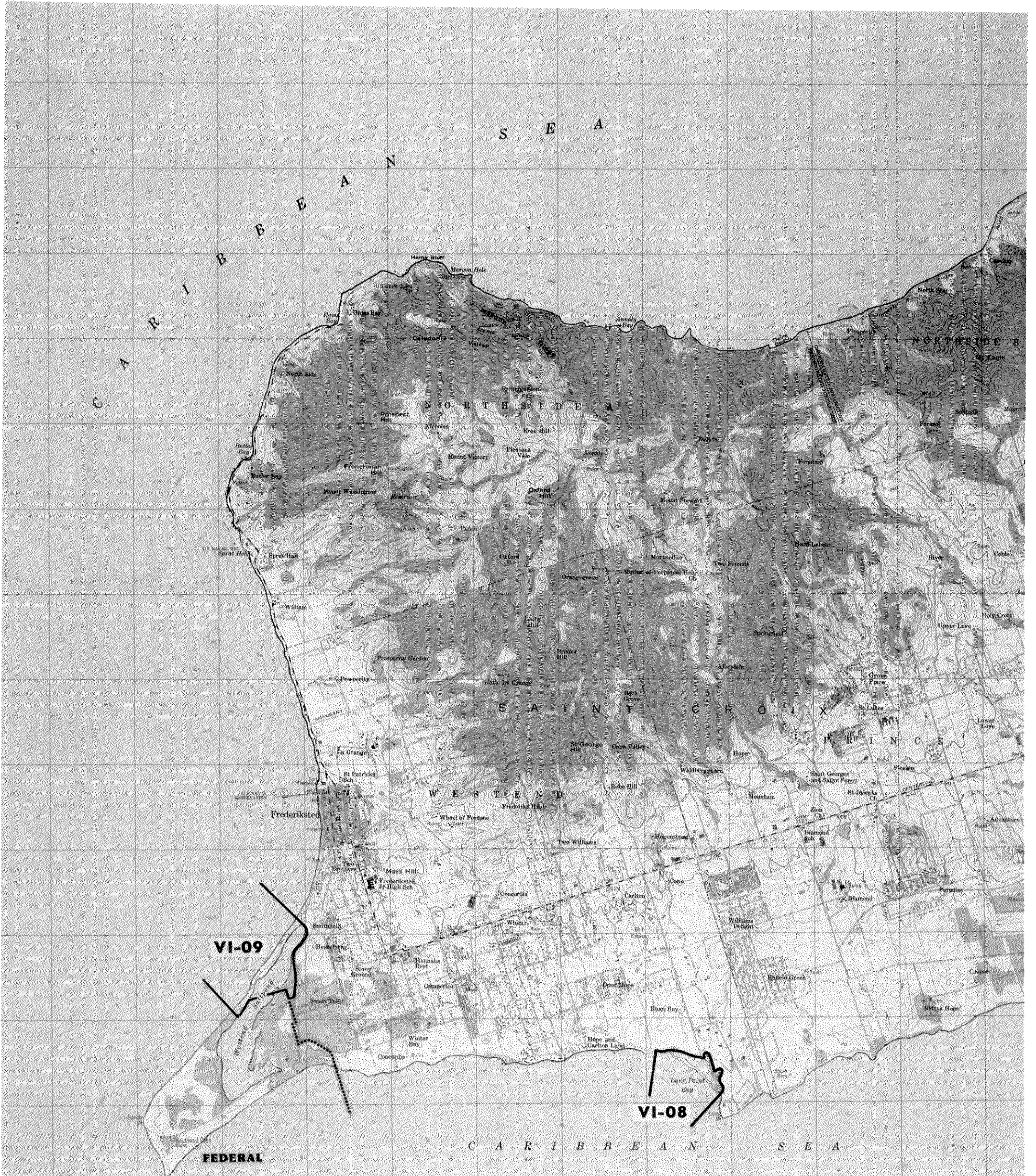
QUADRANGLE
EAST POINT
VIRGIN ISLANDS



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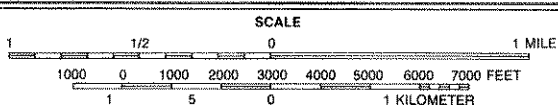
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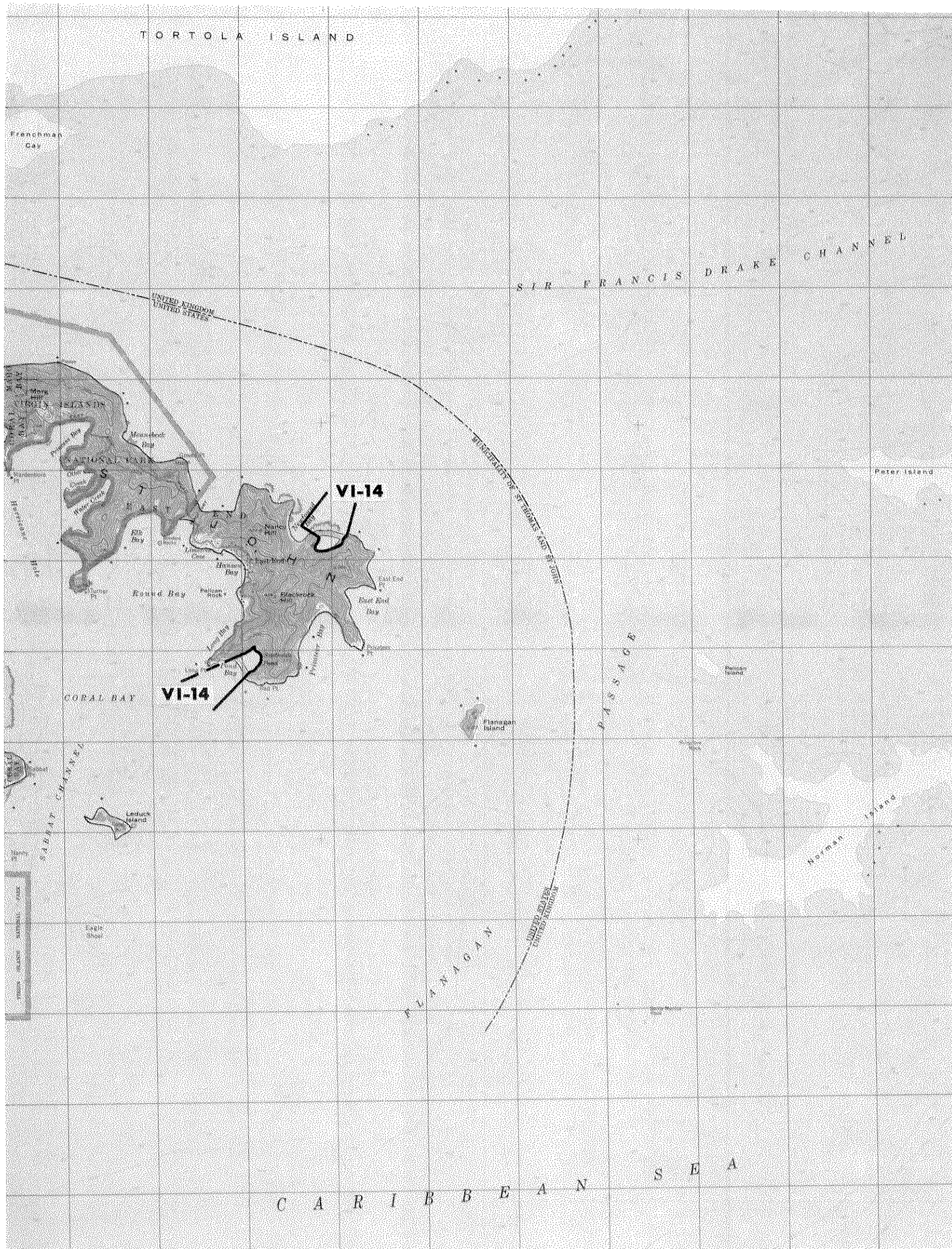
QUADRANGLE
FREDERIKSTED
VIRGIN ISLANDS



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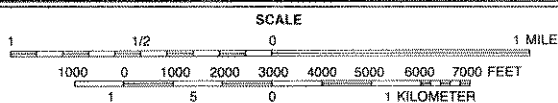
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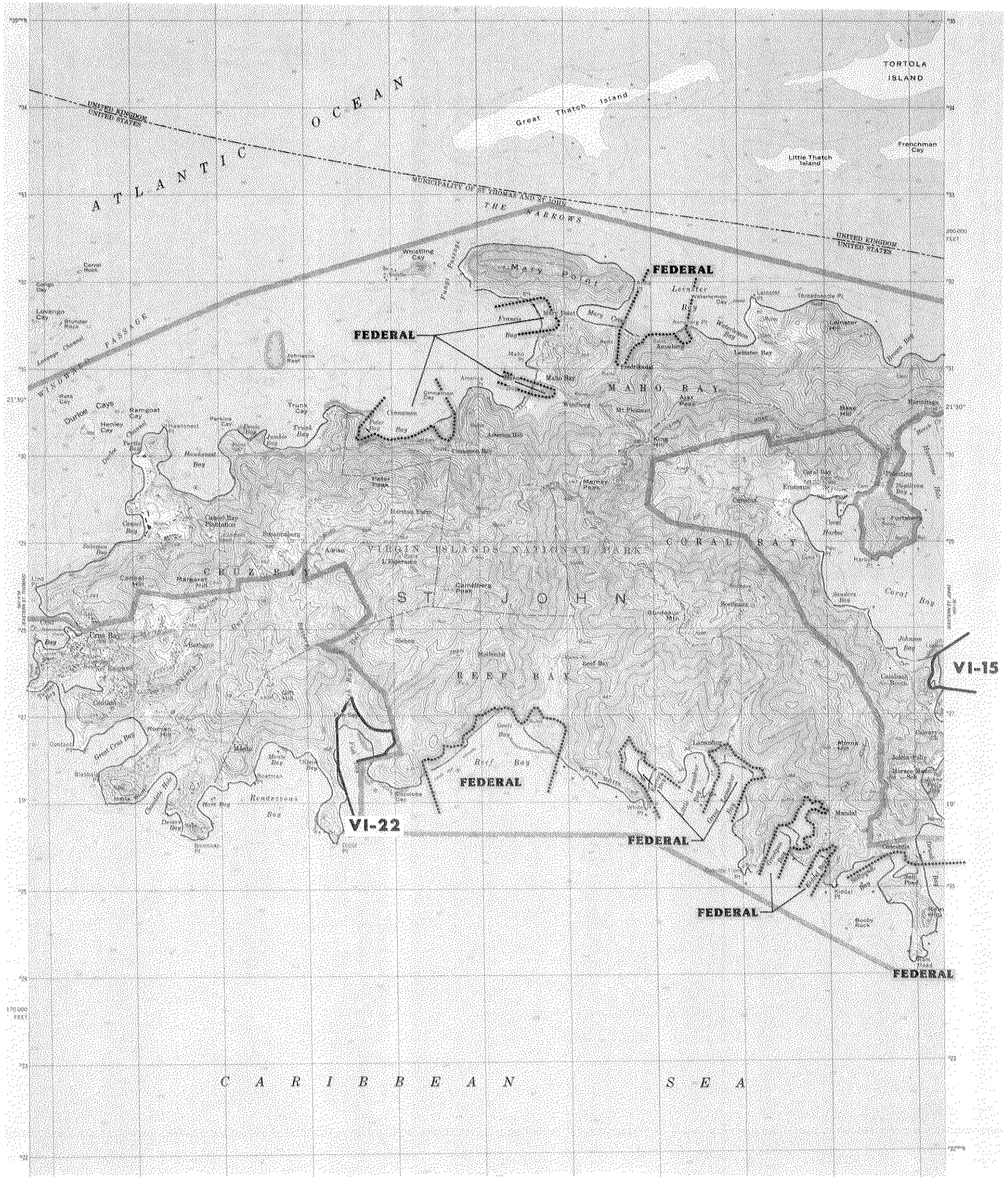
QUADRANGLE
EASTERN ST. JOHN
VIRGIN ISLANDS



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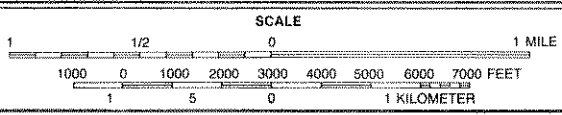
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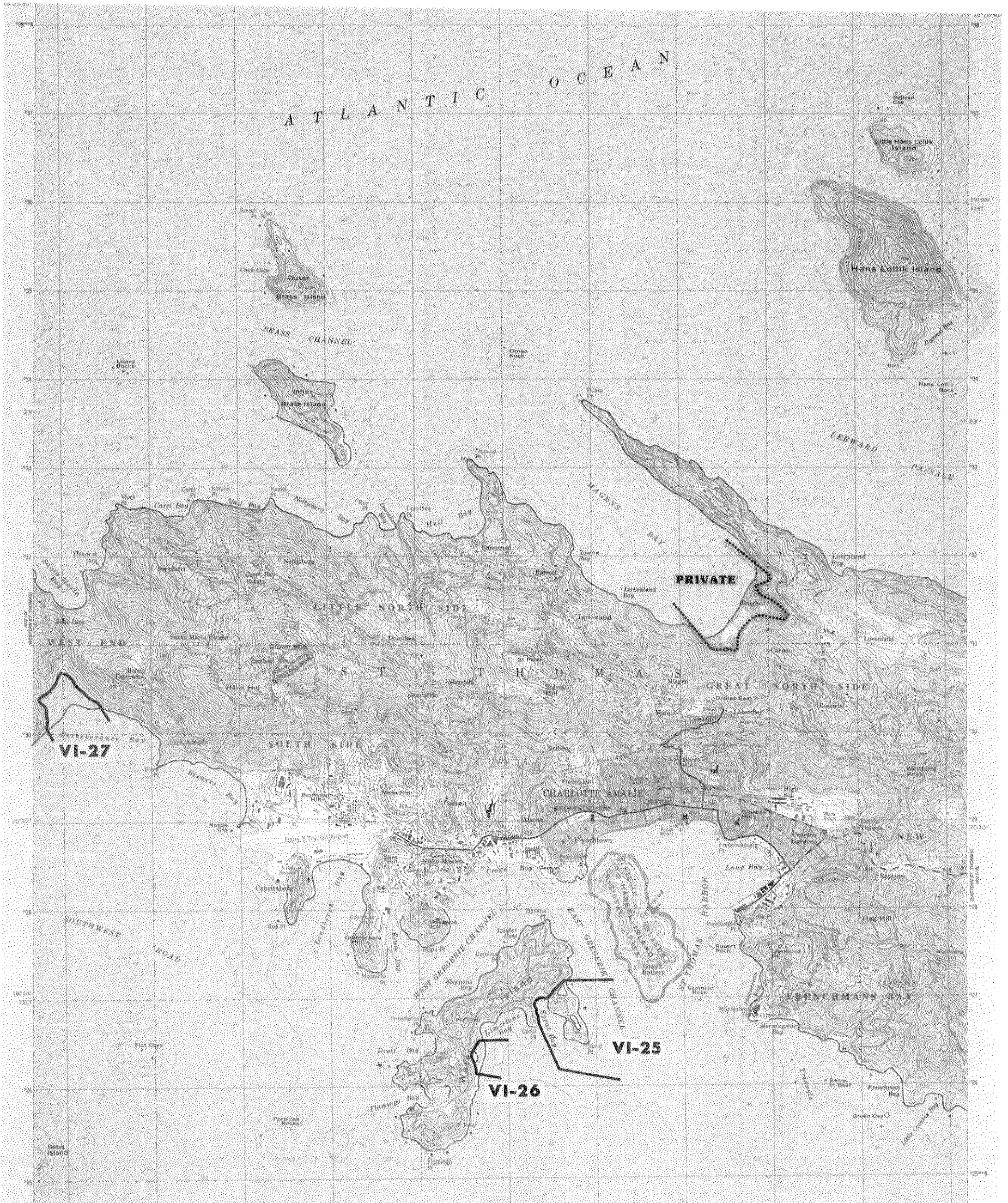
QUADRANGLE
WESTERN ST. JOHN
VIRGIN ISLANDS



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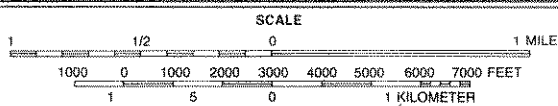
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UNITED STATES
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U.S. Department of the Interior
Washington, D.C. 20240

QUADRANGLE
CENTRAL ST. THOMAS
VIRGIN ISLANDS



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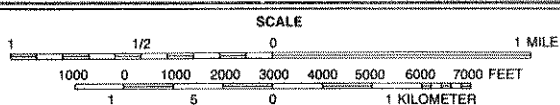
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VI-32 - VESSUP BAY

Territory Position: The Territory of the Virgin Islands supports the addition of VI-32 to the CBRS.

Other Comments: One letter from the Virgin Islands Port Authority was received opposing the addition of VI-32 to the CBRS because development plans have been made for a marina on the site. The letter is reprinted below.

Response: Planning is not a criterion for exclusion from the CBRS; it does not constitute development. VI-32 is currently undeveloped and fully qualifies for addition to the CBRS.

DOI Recommendation: The DOI recommends adding VI-32 to the CBRS.



Office of the
Executive Director

VIRGIN ISLANDS PORT AUTHORITY
Post Office Box 1707
ST. THOMAS, VIRGIN ISLANDS U.S.A. 00801

1508

774-7320
Telephones 774-1629

July 9, 1987

Coastal Barriers Study Group
U. S. Department of the Interior
National Park Service 498
P.O. Box 37127
Washington, D. C. 20013-7127

Gentlemen:

This agency has become aware of your intent to recommend the designation of areas in the Virgin Islands to Congress as an addition to the Coastal Barrier Resources System, in accordance with the Coastal Barrier Resources Act of 1982 (Public Law 97-348). We are particularly concerned with the designation of two (2) areas listed which are under the jurisdiction of this agency. These areas include Enighed Pond on the island of St. John and Vessup Bay (Red Hook Pond), which is officially Estate Smith Bay, on the island of St. Thomas.

Development plans have been prepared and submitted by the Port Authority to the appropriate territorial and federal agencies for the construction of marine port facilities and marinas at both sites. There is a major passenger and freight terminal at Red Hook which serves the island of St. John. The adjacent pond has been slated for development which would allow for expansion and improvement of the existing facilities. Enighed Pond on the island of St. John is the only potential site available for port expansion that is not within the National Park boundary. Presently, the passenger and freight facilities on that island are inadequate. Plans have been prepared and funds made available for its development.

It is felt that these areas should not be included in the system for conservation purposes since there are similar resource areas throughout the islands which are recommended for designation which are of a higher quality and not adjacent to areas already developed. Because of the limited shoreline areas suitable for the development of marine terminals, resource areas such as ponds must be developed to meet the needs of the community and visitors. We feel this is a fair trade off in light of their location, quality and public need. Attached you will find excerpts from the Virgin Islands Coastal Zone Management Program relative to these two areas which were identified as areas of Particular Concern.

Page 2-

It is hoped that you will consider the deletion of both areas which are vital to the development of these islands. Although these areas are slated for development, they will be subject to review by the V.I. Coastal Zone Management Commission, U. S. Army Corps of Engineers, and other federal agencies. They, therefore, will not be totally lost as a part of the coastal ecosystem of the Virgin Islands.

Sincerely,


John E. Harding
Executive Director

JEH/DB/eb
cc: Ron De Largo