



THE UNITED STATES VIRGIN ISLANDS
OFFICE OF THE GOVERNOR
GOVERNMENT HOUSE
Charlotte Amalie, V.I. 00802
340-774-0001

December 18, 2019

Ms. Chaliесе Summers
Managing Member
The Summer's End Goup, LLC
5000 Estate Enighed, PMB 63
St. Thomas, VI 00802

**MODIFICATION of Consolidated Major Coastal Zone Management Permit
Nos. CZJ-04-14(W) & CZJ-03-14(L); The Summers End Group, LLC**

Dear Ms. Summers:

By letter dated December 3, 2019 you requested a modification of the Consolidated Major Coastal Zone Management Permit Nos. CZJ-04-14(W) & CZJ-03-14(L) for The Summers End Group, LLC ("Permittee"). After review of the request by The Summers End Group LLC, I find that the requested modifications is in the public interest, that it is necessary to prevent significant environmental damage to coastal zone resources, and to protect the general welfare by minimizing the impact to the environment as follows:

- Virtually eliminate the current common practice of noncompliant boaters dumping their untreated wastewater and solid waste into the waters of the harbor. This will be accomplished through the St. John Marina providing both dockside and remote wastewater pumpout.
- The utilization of improved water quality with EPA approved fueling.
- Funding of a grant by the marina for the employment of a full-time DPNR enforcement officer for St. John to ensure compliance by boaters of regulations specifically designed to protect public health.
- Coordination through the Federal Emergency Management Administration (FEMA) for the receipt of emergency supplies and evacuation of injured, infirmed or elderly during natural disasters like hurricanes and earthquakes that cut off Coral Bay from Coral Bay.

The following modifications were requested by the Permittee:

- Consolidation of the Development – As originally proposed the development would have occurred in two phases. The second phase included conditional development (such as a potential 2nd restaurant) and would have extended the period of construction. By consolidation, any uncertainty as to the scope of the development is removed, and the overall period of construction is reduced. The consolidation of the development both reduces the total impacts and the time period in which such impacts will occur. Subsections 903(1), (2), (3), (4) (5) & (10).
- Removal of Parcels 13A & 13B: the options on these parcels expired due to the length of time it has taken to receive permitting. It was determined by the Permittee that it was not economically feasible to retain these parcels without permitting in place. Consequently, the first restaurant, which was on that parcel, is no longer part of the project; however, the second restaurant is now a committed part of the project with the consolidation of the development into a single phase. With the removal of these parcels, additional cisterns have been located on Parcel 13 Remainder West, to maintain the necessary water supply. This is a reduction in project impacts. Comprehensively, the removal of the restaurant and two apartments on 13A is a reduction overall in the size of the project and constitutes a significant reduction in parking requirements. The generator previously located on Parcel 13A has been relocated to the Fish and Farmer’s Market to be located on Parcel 10-41, of which the net effect is neutral. Subsections 903(2), (4) (9) & (10).
- Reduction of parking spaces from 120 to 110 is a result of the removal of Parcels 13A and 13B, and the overall reduction in the number of buildings within the project. The reduction in parking spaces reduces the amount of impermeable surface and will reduce the amount of runoff. Subsections 903(1), (5), (8), (9) & (10).
- Reduction of the Marina by one slip reduce the amount of seafloor that is disturbed. Removal of the one mega-yacht slip will reduce long-term effects from shading and decrease the total amount of space that the marina occupies. It also preserves any potential historical resources in the area. Subsections 903(1), (2), (3), (5), (7), (8), (9) & (10).
- Consolidation of Parcels 10-17 and 10-18 is a reflection of the ownership of those parcels. The effect of this change is net neutral. Subsections 903(2), (3), (4), (9) & (10).
- The inclusion of a community boardwalk referenced in on-going Federal permitting process.

Accordingly, pursuant to the authority granted to me by Title 12, Section 911, Subsection (g) of the Virgin Islands Code, the Consolidated Major Coastal Zone Management Permit Nos. CZJ-04-14(W) & CZJ-03-14(L) for The Summers End Group, LLC. is modified as follows:

- Removal of Parcels 13A & 13B
- Reduction of Parking Spaces from 120 to 110 Reduction of Impact
- Removal 56 Seat Restaurant
- Reduce Marina Slips from 145 to 144
- Inclusion of Shoreline Boardwalk
- Consolidation of Parcels 10-17 and 10-18
- Completion of land development in a single phase.

I find that with the above listed modifications to the Consolidated Major Coastal Zone Management Permit Nos. CZJ-04-14(W) & CZJ-03-14(L) for The Summers End Group, LLC both protects our environment, but also allows critical economic development.

APPROVED
Governor of the Virgin Islands



The Honorable, Albert Bryan Jr.
Governor

12-18-19

Date

RATIFIED
Legislature of the Virgin Islands

The Honorable
President, 33rd Legislature

Date