

*Save Coral Bay Inc.
9901 Emmaus, Coral Bay
St John, US Virgin Islands*

14 February 2024

To: Ms. Samantha Burns, Section Chief, Miami Permit Section (by email and post)
U.S. Army Corps of Engineers
9900 S.W. 107th Avenue, Suite 203
Miami, FL 33176

Cc: Ms. Susan Kaynor, Chief, South Permits Branch, Regulatory Division (by email)
Ms. Jamie Howard, Deputy Chief, Regulatory, Jacksonville District (by email)
Mr. Shawn Zinszer, Chief, Regulatory Division, Jacksonville District (by email)

re: **2024 Public Opposition to the St John Marina by the Summers End Group LLC**
Army Corps Permit Application #SAJ-2004-12518

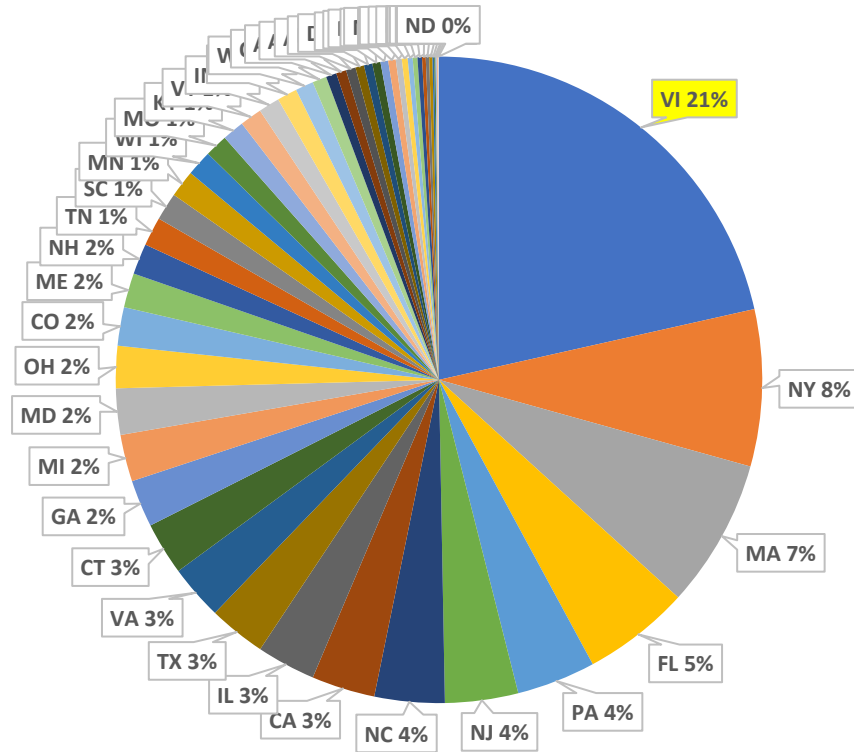
Dear Ms. Burns,

I am writing to you on behalf of the 10,651 individuals whose names appear as signers of the attached petition to the United States Army Corps of Engineers. This petition summarizes the adverse impacts to the public interest that would result from construction and operation of the “St John Marina” proposed by the “Summers End Group LLC” pursuant to Army Corps permit application number SAJ-2004-12518. The petition requests that USACE deny the subject permit application on the basis that the project is not in the public interest.

The public opposition to the Summers End Group project has been consistent and growing since the first Army Corps permit application for this project in 2014. Over the following ten years the failures of the applicant to adequately address any of the major concerns raised by the public and by multiple federal agencies have only served to increase the level of public opposition to the project. In fact, the over ten thousand names attached to the current petition exceeds the number of signers of any petition previously submitted to the Corps pertaining to this project. These names were collected during a brief 5-day public outreach in February 2024. It is an unprecedented level of public opposition for projects in the United States Virgin Islands.

Among the over 10,000 signers are 2,029 individuals (21% of those that identified a residence state) who identify their residence as the US Virgin Islands and therefore have a direct personal interest in the protection of the resources of Coral Bay, St John. The vast majority of other signers are either past residents, visitors, or other individuals with an interest in protecting the natural resources, culture and aesthetics of Coral Bay. The state breakdown of the 2024 petition signers is shown in the graphic below.

2024 Army Corps Petition - State of Residence



The 2024 petition enumerates twelve public interest factors among the 21 factors identified in 33 CFR Part 325 (“Processing of Department of the Army Permits”) which are directly impacted by the proposed Summers End Group project. The remaining 9 factors are not directly relevant to this project.

These twelve factors are summarized in the table below and further discussed in the appendices to this letter.

PUBLIC INTEREST REVIEW (“PIR”) FACTORS - SUMMARY		
PIR Factor	Brief Discussion	Project Impact
Conservation	The extensive and well documented impacts to protected resources, including sea grasses, essential fish habitat, protected corals, sea turtles and marine mammals are not compensated by any of the mitigation proposals offered by the applicant.	Serious adverse effect

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Economics	The conversion of Coral Harbor into a mega yacht marina will have adverse economic impacts to the existing economy of Coral Bay, which is based on low-impact eco-tourism. The economic benefits of the project accrue disproportionately to the project proponents, not to the residents of St John.	Adverse effect, partially neutralized by project economics
Aesthetics	Coral Bay is known for its historic setting and its low-key ambiance within the Virgin Islands National Park. The transformation of Coral Bay into the largest marina in the USVI would dramatically change the aesthetics, culture and character of the community depriving it of its unique value.	Serious adverse effect
General Environmental Concerns	The US EPA has designated Coral Bay as an "Aquatic Resource of National Importance" due to its unique habitats and ecosystems. The EPA has urged the Corps to deny the permit due to its unacceptable adverse impacts on the Coral Bay environment. A mega yacht marina generates sound, light and air pollution, toxic effluents, and extensive damage to the marine environment.	Adverse effect
Wetlands	The fringing mangroves are a documented nursery for shark species, native and migratory birds, and other valuable marine life. The mangroves will be impacted by turbidity, toxic marine effluents, and fuel spills, all well-documented and unavoidable consequences of marina construction and operation. The vegetated shallows are colonized by sea grasses which will not survive shading and turbidity impacts. No effective mitigation has been proposed to compensate for the severe impacts to Coral Bay wetlands.	Serious adverse effect
Historic Properties	The entire setting of Coral Bay is deeply rooted in historic events of St John. The viewshed over the harbor to Fortsberg, listed on the National Register of Historic Places, will be obscured by large yachts in the marina. The historic view from the listed Emmaus Moravian Church will be blocked by the marina. And most significantly, the oldest shipwreck ever discovered in the nearshore waters of St John is within the footprint of the proposed marina and would be severely impacted, if not destroyed by the construction and operation of the marina unless fully excavated and preserved.	Serious adverse effect

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Navigation	Traditional navigation by sail and wind power will be rendered impossible with the presence of a marina stretching more than half way across the entirety of the harbor. Sailboats are often incapable of straight line navigation in and out of the harbor due to the prevailing southeasterly winds.	Adverse effect
Recreation	While offering some recreational value to yacht owners, the vast majority of St John residents will not be the beneficiaries. The “Kids and the Sea” program which teaches young Virgin Islanders water safety and sailing skills will not be possible if the harbor becomes a mega yacht marina. Existing pleasure craft will be displaced within the marina footprint. The mooring field initially proposed has been removed from the plan	Adverse effect
Water Quality	The accumulated sediments on the seabed of Coral Harbor will be released and resuspended due to the die-off of sea grasses from shading, the propeller wash from large maneuvering yachts, and the installation of over 900 pilings. This will likely result in chronic turbidity with impacts on healthy corals at Penn Point and Marina Point. The federally sponsored projects over the past decade to reduce storm water impacts and runoff into Coral Harbor will be rendered useless by this project.	Serious adverse effect
Safety	Coral Harbor is the primary means of ingress and egress for the community of Coral Bay at times when the single roadway from Cruz Bay is not passable. After the hurricanes of 2017 emergency relief arrived by water, which would likely have been impossible if the harbor had been blocked with marina wreckage. The potential for massive fuel spills and wrecked marina structures in the harbor renders this a deeply flawed plan during an era of climate change with increasing tropical storm frequency and intensity. The marina is not even designed to withstand minor hurricanes.	Serious adverse effects
Considerations of Property Ownership	The common law littoral rights of shoreline property owners have been infringed by the expansive size of the proposed marina. The Summers End Group does not own any property in Coral Bay. Other shoreline property owners have been unable to progress their own plans due to the excessive size of the Summers End marina project.	Adverse effect

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The Needs and Welfare of the People	Although there is a recognized need to address boating infrastructure in Coral Harbor, this project does not meet that need. It is designed for large yacht owners, few, if any, of whom are residents of St John. It adversely impacts public safety, climate resilience, and the local economy, in favor of the economic benefits to the project proponents. The small number of jobs that may be created do not offset the employment losses that would result in the current ecotourism based economy.	Adverse effect
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In addition to the names, residence state and email identifier for the over ten thousand petition signers, we provided signers an opportunity to add personal comments with their submission. We have included the personal comments submitted by each signer in this petition, as well as comments they submitted with prior petitions in the attached documentation. For ease of summarization, we have selected approximately 100 comments characteristic of the concerns of individuals and highlighted them in a separate appendix.

It is truly difficult to imagine a project which would have less public benefit and more harm to the interests of the Coral Bay public than the marina envisioned by the Summers End Group. For decades people living in Coral Bay have been asking for appropriate marine infrastructure to manage the permanent and transient boating population of Coral Harbor. Residents and boaters have asked for enforcement of marine regulations and facilities for proper handling of marine waste, but due to the remote location of Coral Bay and other priorities of local government, these facilities have not been made available.

The current project proponents have made baseless claims, with no supporting evidence, that boaters in Coral Harbor are disrespectful of the environment. The project proponents have made claims that the turbidity observed in the water is due to the dumping of marine waste whereas in fact most turbidity is of terrestrial origin. The proponents have claimed that the water is unsafe with high enterococci bacterial counts, whereas in fact the water samples documented by the applicant all demonstrate bacterial levels indicative of safe recreational water. These and other false statements have been made in an effort by the applicant to prove that the Summers End marina would solve all of the problems in Coral Harbor.

The studies submitted by the applicant have, in many cases, been highly flawed, incomplete, and lacking in scientific rigor. The marine archeologists retained by Summers End repeatedly failed to identify, or misidentified, a shipwreck of great antiquity and significance. The marine biologists claimed to have conducted resource surveys without providing the evidence required to support the conclusions of the survey. Marine engineers performed modeling studies that neglected to account for the effect of persistent trade winds, which are the most significant

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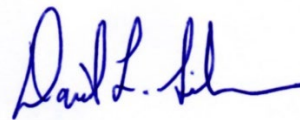
force responsible for water circulation in Coral Harbor. The same modeling studies failed to calibrate or validate the conclusions reached by the engineers.

The residents of Coral Bay with decades of experience watching wind, waves, sediment plumes, seasonal variations in marine flora and fauna, and the other natural phenomena which characterize this small embayment, have all commented on the absurdity of a mega yacht marina in this location. It is not a calm anchorage, which the applicant's own experts agree is not ideal. The slips are arranged broadside to the incoming waves. The entire structure is located on the lee shore of Coral Bay where the impact of tropical weather is often the most severe. Facilities required by large yachts, including inexpensive fuel, high-end provisioning, and easy access by air travel will never be found in the remote location of Coral Bay. This is simply an inappropriate location for a marina of this design.

Finally, we must note that the ten-year pendency of this permit review has subjected the small community of Coral Bay to unnecessary economic and social stresses. Properties located directly on the shoreline of Coral Harbor, under control of the Summers End Group, have been left in a derelict and abandoned state for more than six years following the hurricanes of September 2017. This creates an extremely negative impression on tourists, and a painful reminder to residents. The uncertainty surrounding the end of the permit review has made it difficult for business owners to secure long term leases, needed to support their business plans. All in all, it has been a severe strain and dark cloud over the community which deserves to be resolved by denial of the marina permit.

On behalf of the 10,651 individuals whose names appear on the attached "2024 Petition to the United States Army Corps of Engineers" we respectfully request that Permit Application #SAJ-2004-12518 by the Summers End Group LLC, be DENIED by the Corps on the basis that the reasonably foreseeable detriments to the public interest vastly exceed any benefits which could be expected.

Sincerely,



David L Silverman, President
Save Coral Bay Inc., a 501(c)3 public charity

cc: Mr. Robert Fox, Esq., Manko-Gold-Katcher-Fox
Ms. Alyssa Arcaya, EPA, Deputy Administrator, Region 2
Ms. Carmen Guerrero, EPA, Director, Caribbean Division, Region 2
Mr. Marco Finochiarro, EPA, Supervisor, Wetlands Protection, Region 2
Mr. Jaview Laureano, EPA, Director, Water Division, Region 2