



DEPARTMENT OF THE ARMY
JACKSONVILLE DISTRICT CORPS OF ENGINEERS
ANTILLES OFFICE
400 FERNANDEZ JUNCOS AVENUE
SAN JUAN, PR 00901-3299

REPLY TO
ATTENTION OF

June 22, 2015

Antilles Regulatory Section
SAJ-1982-05019 (SP-JMS)

Mr. Rory Calhoun
T-Rex St. John, LLC
45 Maple Street
Garden City, New York 11530

Dear Mr. Calhoun:

Reference is made to the Department of the Army permit application submitted on behalf of the T-Rex St. John, LLC and received June 16, 2015. The proposed project would involve the construction of the 92 boat slip Sirius Marina development with a 30 boat dry stack, a concrete apron and a boat ramp. The project is located at Coral Bay, St. John, USVI. Please refer to case number SAJ-1982-05019 (SP-JMS) in future correspondence regarding this project.

While this application originated through the Joint Permit Application with the USVI Department of Planning and Natural Resources, insufficient information was received by the U.S. Army Corps of Engineers (Corps). No further action will be taken until the information requested on pages 3 to 5, enclosed, is received for Items 1.0, 2.0 and 3.0. Other information listed as additional or beneficial information on pages 3 to 5 could be addressed at this time and would benefit you by helping us to expedite the review of your application.

Please clarify the information on the structures that are being requested to be authorized under this permit application. Be specific on the description of each structure and fill on Waters of the United States in relation to the mean high tide. Also, please describe any possible temporary and permanent impacts and how you will avoid, minimize, and mitigate them. Provide the requested area in square feet and volume in cubic yards of fill material being proposed to be placed within jurisdictional areas. Submitted drawings contradict the final layout of the proposed dock structures. Impacts to sea grasses are proposed but no mitigation is provided to compensate for direct, indirect, permanent and temporary impacts associated with the installation and construction of the marina or dredge. Indicate the proposed staging area and the method of unloading the dredge material from the barge.

As the application is considered incomplete, no action will be taken on it until the required information and drawings have been received. We request you provide this information within 30 days. If no response is received, we will assume you have no further interest in obtaining a

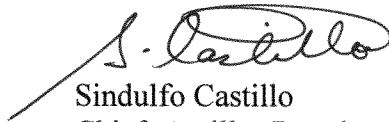
Department of the Army permit and the application will be withdrawn. Such action will constitute final action by the Department of the Army.

You are cautioned that work performed below the mean high waterline or ordinary high waterline in waters of the United States, or the discharge of dredged or fill material into adjacent wetlands, without a Department of the Army permit could subject you to enforcement action. Receipt of a U.S. Territory permit does not obviate the requirement for obtaining a Department of the Army permit for the work described above prior to commencing work.

If you have any questions concerning this application, you may contact Johann M. Sasso at the letterhead address, by electronic mail at johann.m.sasso@usace.army.mil, or by telephone at 787-729-6905 extension 3053.

Thank you for your cooperation with our permit program.

Sincerely,

A handwritten signature in black ink, appearing to read 'S. Castillo', with a long horizontal line extending to the left.

Sindulfo Castillo
Chief, Antilles Regulatory Section

Enclosed

Copy furnished: Mr. William F. McComb, P.O. Box 303408, St. Thomas VI 00803

1.0. Figures and Exhibits:

- 1.1. Submit drawings, sketches, or plans sufficient for issuing a Public Notice. The preferred size format of the figures and exhibits is black and white on 8.5-inch by 11-inch, paper, ready for copying (color photos and very dark images will be unreadable when copies and scans are made for the Public Notice). The figures and exhibits should be scaled and show a north arrow on the plan view and be legible. For larger projects, where multiple figures are needed to show the entire site, each figure should be numbered and shown on an inset index with match lines. Where necessary, please provide a legend on the figure, rather than a separate page. Specifically, include the following items:
 - a. Provide a Vicinity/Location map. The Vicinity/Location Map should provide sufficient detail to allow one to find the subject parcel. Please include the names of major streets and roadways, the Section/Township/Range of the project, the Latitude and Longitude (WGS84 projection) of the project, and street address of the project (if available).
 - b. Provide a figure that clearly shows the proposed site plan and adjacent site features, including specific locations and dimensions of existing and proposed structures or activities. Show the total plan of development including existing and future phased depicting the location, and the existing vs. proposed conditions where work would be conducted in waters of the United States. The drawings must illustrate the dimensions of the area of waters of the United States that would be affected by fill discharge activities and the volume of fill material. The drawings must be relative to the mean high tide.
 - c. Provide a drawing that shows the cross-sectional (elevation) view of the project and impact areas to indicate the relationship to the affected waters. The drawings must be relative to the ordinary high water mark.
 - d. Provide a figure clearly indicating the location and extent of pre-development wetlands and proposed dredge/fill impacts.

2.0. Description and Narratives:

- 2.1. Provide a description of the project or proposed activity, the purpose of the project or activity, and the need for the project or activity. Please include the extent of proposed impacts, describe the proposed impacts (both temporary and permanent) to the jurisdictional areas. In that regard, we request a breakdown of the acreage and linear impacts proposed on waters of the United States, itemized for impacts. The type of impact (fill, dredge, etc.) for each project component must also be specified. For the current site plan, please quantify the extent of impact associated with each of these post-development land use types.
- 2.2. Provide a proposed schedule for the project or activity.
- 2.3. Provide a description of the location and dimensions of any adjacent structures to the project site or activity location.

- 2.4. Provide a list of adjacent (contiguous) property owners, including the names and correct mailing addresses, for the distribution of the Public Notice. If there are over ten names (when the applicant and any authorized agent are included), please provide self-adhesive mailing labels for each name/address.
- 2.5. Provide a listing of all other government authorizations obtained or requested for the work, including required certifications relative to water quality, coastal zone management, or marine sanctuaries.
- 2.6. Since your permit application proposes the discharge of dredged or fill material into waters of the United States, you must provide the Corps with a statement describing how impacts to waters of the United States are to be avoided and minimized in order to complete your application. The application must also include either a statement describing how impacts to waters of the United States are to be compensated for or a statement explaining why compensatory mitigation should not be required for the proposed impacts. This information is required for a public notice to be issued.
- 3.0. Additional information not needed for issuance of a public notice that could be addressed at this time and would benefit you by helping us to expedite the review of your application are as follows:
 - 3.1. Provide a delineation of affected special aquatic sites. Wetland delineations must be prepared in accordance with the 1987 Wetland Delineation Manual and 2008 Caribbean Regional Supplement. Information concerning wetland delineations and jurisdictional data forms can be found at the following internet address:

<http://www.saj.usace.army.mil/Missions/Regulatory/SourceBook.aspx>
 - 3.2. Provide the names of federally listed endangered or threatened species that may be affected by the proposed work or utilize designated critical habitat that may be affected by the proposed work. Please include any work performed (i.e., transect type and coverage, survey date[s] and time[s]) to identify occurrence, or potential occurrence, of potentially affected species or critical habitat. Furthermore, any maps that depict this information can also be included.
 - 3.3. State any historic properties listed in or eligible for listing in, the National Register of Historic Places and state which historic property may be affected by the proposed work. If necessary, please provide a vicinity map that indicates the location of the historic property in relation to the project site.
 - 3.4. Provide any information in reference to the presence or absence of submerged aquatic vegetation or resources, which could be adversely affected by this project. Please include the dates and times of any survey or site review work, and any maps that depict the locations of any submerged aquatic vegetation or resources.
 - 3.5. Provide a description of vegetation cover types and/or land uses on the subject property.
 - 3.6. Provide a discussion of existing site features, hydrologic conditions, and overall wetland conditions, which help define the overall hydrological regime of the project site. Include any information that may illustrate any hydrological dynamics (both positive and/or negative) that may affect the watershed, and how they relate to the

project site (i.e. *major drainage canal through a wetland system that falls on the project site, and the affect the canal has on the wetland system and watershed*).

- 3.7. Forward digital files (via email or compact disk) of the requested text information to expedite processing.
- 3.8. The proposed impacts must also meet the 404(b)(1) guidelines of the Clean Water Act. Although only a statement concerning avoidance, minimization, and compensatory mitigation is necessary for the issuance of the public notice, the following detailed information will be needed to assist us in fully evaluating the project. It often expedites the permitting process if this information is submitted at this time.
 - a. Avoidance: Your project is considered to be a non-water dependent proposal because it does not have to be located in a wetland to achieve the basic project purpose. For non-water dependent projects there is a presumption that alternative upland sites exist which are available to the applicant. There is also a presumption that fill placed elsewhere, other than wetlands or other aquatic sites will have less adverse impact. The applicant must rebut these presumptions. Please provide a discussion of alternative sites and why this particular site was selected for your project.
 - b. Minimization: After the least damaging alternative site is selected or after the applicant successfully rebuts the above avoidance presumptions, the project must be shown to be the least damaging practicable alternative that meets the basic project purpose. Minimization includes alternate site plans and other steps (e.g., site access options) which would reduce impacts to on site wetlands. Please describe other site plans and steps you can take to minimize the impact of your project on wetland resources.
 - c. Compensatory Mitigation: You may be required to provide compensatory mitigation for resource losses which are specifically identifiable and reasonably likely to occur. All mitigation proposals cannot be fully evaluated until successfully completing the above avoidance and minimization steps.