



GOVERNMENT OF THE VIRGIN ISLANDS OF THE UNITED STATES

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DEPARTMENT OF PLANNING AND NATURAL RESOURCES

Coastal Zone Management Program

8100 Lindberg Bay, Ste. #61
Cyril E. King Airport, Terminal Building Second Floor
St. Thomas, Virgin Islands 00802

Tel.: (340) 774-3320

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June 22, 2015

Mr. Sindulfo Castillo
Chief, Regulatory Section
Corps of Engineers
San Juan Area Office
400 Fernandez Juncos Avenue
San Juan, Puerto Rico 00901-3299

**SUBJECT: MAJOR CZM PERMIT NOS. CZJ-3-14(L) & CZJ-4-14(W)
THE SUMMER'S END GROUP, LLC
PROPOSED MARINA & ASSOCIATED FACILITIES
ST. JOHN, VIRGIN ISLANDS**

Dear Mr. Castillo:

Enclosed are the Joint Application and Environmental Assessment Reports for the subject CZM permits. The Joint Application is forwarded to your office for an Army Corps of Engineers (ACOE) permit.

Questions or concerns regarding this application are to be referred to Anthony Richards, Permits Coordinator, at (340) 774-3320, or via email to Anthony.richards@dpnr.gov.vi.

Cordially,

Jean-Pierre L. Oriol
Director of CZM

enclosure

U.S. ARMY CORPS OF ENGINEERS
APPLICATION FOR DEPARTMENT OF THE ARMY PERMIT
33 CFR 325. The proponent agency is CECW-CO-R.

Form Approved -
OMB No. 0710-0003
Expires: 30-SEPTEMBER-2015

Public reporting for this collection of information is estimated to average 11 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of the collection of information, including suggestions for reducing this burden, to Department of Defense, Washington Headquarters, Executive Services and Communications Directorate, Information Management Division and to the Office of Management and Budget, Paperwork Reduction Project (0710-0003). Respondents should be aware that notwithstanding any other provision of law, no person shall be subject to any penalty for failing to comply with a collection of information if it does not display a currently valid OMB control number. Please DO NOT RETURN your form to either of those addresses. Completed applications must be submitted to the District Engineer having jurisdiction over the location of the proposed activity.

PRIVACY ACT STATEMENT

Authorities: Rivers and Harbors Act, Section 10, 33 USC 403; Clean Water Act, Section 404, 33 USC 1344; Marine Protection, Research, and Sanctuaries Act, Section 103, 33 USC 1413; Regulatory Programs of the Corps of Engineers; Final Rule 33 CFR 320-332. Principal Purpose: Information provided on this form will be used in evaluating the application for a permit. Routine Uses: This information may be shared with the Department of Justice and other federal, state, and local government agencies, and the public and may be made available as part of a public notice as required by Federal law. Submission of requested information is voluntary, however, if information is not provided the permit application cannot be evaluated nor can a permit be issued. One set of original drawings or good reproducible copies which show the location and character of the proposed activity must be attached to this application (see sample drawings and/or instructions) and be submitted to the District Engineer having jurisdiction over the location of the proposed activity. An application that is not completed in full will be returned.

(ITEMS 1 THRU 4 TO BE FILLED BY THE CORPS)

1. APPLICATION NO.	2. FIELD OFFICE CODE	3. DATE RECEIVED	4. DATE APPLICATION COMPLETE
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(ITEMS BELOW TO BE FILLED BY APPLICANT)

5. APPLICANT'S NAME First - Chaliess Middle - Last - Summers Company - The Summer's End Group, LLC. E-mail Address - chaliessummers@gmail.com		8. AUTHORIZED AGENT'S NAME AND TITLE (agent is not required) First - Amy Middle - Claire Last - Dempsey Company - Bioimpact, Inc. E-mail Address - bioimpact@islands.vi	
6. APPLICANT'S ADDRESS: Address- 5000 Estate Enighed, Suite 63 City - St. John State - VI Zip - 00830 Country - USA		9. AGENT'S ADDRESS: Address- P.O. 132 Kingshill City - St. Croix State - VI Zip - 00851 Country - USA	
7. APPLICANT'S PHONE NOS. w/AREA CODE a. Residence b. Business c. Fax (340) 777-9075		10. AGENTS PHONE NOS. w/AREA CODE a. Residence b. Business c. Fax 340 690-8445 340 718-3800	

STATEMENT OF AUTHORIZATION

11. I hereby authorize, Amy Claire Dempsey to act in my behalf as my agent in the processing of this application and to furnish, upon request, supplemental information in support of this permit application.


SIGNATURE OF APPLICANT

May 30, 2015
DATE

NAME, LOCATION, AND DESCRIPTION OF PROJECT OR ACTIVITY

12. PROJECT NAME OR TITLE (see instructions) St. John Marina, Yacht Club at Summer's End	
13. NAME OF WATERBODY, IF KNOWN (if applicable) Coral Harbor	14. PROJECT STREET ADDRESS (if applicable) Address 10-17, 10-18, 10-91, 10-41 (Rem), 13A, 13B & 13(Rem) City - St. John State - VI Zip - 00830
15. LOCATION OF PROJECT Latitude: -N 18° 20.36' Longitude: -W 64° 42.50'	
16. OTHER LOCATION DESCRIPTIONS, IF KNOWN (see instructions) State Tax Parcel ID 3064020706 Municipality Section - Estate Coralina Township - Coral Bay Range -	

17. DIRECTIONS TO THE SITE

From the town of Cruz Bay take Hwy 10 east to Coral Bay. Turn to the right at the interception of HWY 10 and Route 107. The project is located on both sides of the roadway on the eastern side of the site. The project includes and is to the south of Cocoloba Commercial Complex.

18. Nature of Activity (Description of project, include all features)

This project consists of construction of fixed docks to accommodate up to 145 vessels of varying length. Most of the vessels are expected to be transient, occupying a slip for a limited period of time. There is no dredging associated with this project. Dock construction will consist primarily of 15-inch coated-steel piles tied together with pre-cast concrete pile caps supporting a grated decking to allow light penetration to the seabed below. Mooring piles will be either 12-inch or 15-inch diameter. Access to the marina will be via a single controlled walkway to the fixed docks. A public dinghy dock will be located midway between the shoreline and the first slip at the marina. This 20-foot by 40-foot dinghy dock will provide a safe docking area and allow ample public access to utilize adjacent businesses in the Coral Bay area. The Zone 1 docks will be a total of about 21,100 square feet (ft²), Zone 2 will be about 40,800 ft² and the main walkway will be a total of about 12,900 ft². There is an existing rip-rap revetment along the southern shoreline of the property, no alteration of the riprap will be required. The upland redevelopment project consists of primarily utilizing existing buildings (continued on attached page)

19. Project Purpose (Describe the reason or purpose of the project, see instructions)

The primary purpose is to create a premier marina development to serve local needs and to attract private and charter yachts from around the world.

USE BLOCKS 20-23 IF DREDGED AND/OR FILL MATERIAL IS TO BE DISCHARGED**20. Reason(s) for Discharge**

The existing drainage way through the property has bed and bank characteristics and therefore is jurisdictional. The drainage way will be altered through the placement of 2 culverts to allow for a driveway crossing and re-contoured to create a stormwater management area to improve storm water quality from both on and off site.

21. Type(s) of Material Being Discharged and the Amount of Each Type in Cubic Yards:

Type Amount in Cubic Yards	Type Amount in Cubic Yards	Type Amount in Cubic Yards
17 cubic yards riprap culvert outlets	7 cubic yards gravel culvert base	7 cubic yards clean fill around culverts

22. Surface Area in Acres of Wetlands or Other Waters Filled (see instructions)

Acres
or

Linear Feet 265 linear feet of the drainage way will be altered through the placement of culverts, driveways and sideways, and retention

23. Description of Avoidance, Minimization, and Compensation (see instructions)

The marina has been positioned so that all dredging can be avoided. The docks have been located to avoid the scattered coral heads found with in the shallows. The project will be directly impacting approximately 2500 sq. ft. (0.06 acres) due to the placement of 1333 piles ranging from 12-17" in diameters. Due to wave turbulence seagrass will also be lost surrounding the piles. The dock itself occupies 1.42 acres of which 181 sq. ft. (0.004 acres) will be over areas with seagrass and coral rubble, 1567 sq. ft. (0.013 acres) over area of sparse seagrass, 41,546.37 sq. ft. (0.95 acres) over areas with 30%-100% seagrass coverage, 27,072 sq. ft. (0.62 acres) (continued)

24. Is Any Portion of the Work Already Complete? ☐ Yes ☒ No IF YES, DESCRIBE THE COMPLETED WORK

25. Addresses of Adjoining Property Owners, Lessees, Etc., Whose Property Adjoins the Waterbody (if more than can be entered here, please attach a supplemental list).

a. Address- SEE ATTACHED SHEET

City - State - Zip -

b. Address-

City - State - Zip -

c. Address-

City - State - Zip -

d. Address-

City - State - Zip -

e. Address-

City - State - Zip -

26. List of Other Certificates or Approvals/Denials received from other Federal, State, or Local Agencies for Work Described in This Application.

AGENCY	TYPE APPROVAL*	IDENTIFICATION NUMBER	DATE APPLIED	DATE APPROVED	DATE DENIED
DPNR -CZM	Major Water Permit	CZJ-4-14(W)	June 7, 2012	October 24, 2014	
DPNR -CZM	Major Land Permit	CZJ-3-14(L)	April 4, 2014	October 24, 2014	
DPNR- DEP	Water Quality Cert.	WQT-15-002(L&W)	June 7, 2012	October 16, 2014	

* Would include but is not restricted to zoning, building, and flood plain permits

27. Application is hereby made for permit or permits to authorize the work described in this application. I certify that this information in this application is complete and accurate. I further certify that I possess the authority to undertake the work described herein or am acting as the duly authorized agent of the applicant.

 May 30, 2015
SIGNATURE OF APPLICANT DATE

SIGNATURE OF AGENT DATE

The Application must be signed by the person who desires to undertake the proposed activity (applicant) or it may be signed by a duly authorized agent if the statement in block 11 has been filled out and signed.

18 U.S.C. Section 1001 provides that: Whoever, in any manner within the jurisdiction of any department or agency of the United States knowingly and willfully falsifies, conceals, or covers up any trick, scheme, or disguises a material fact or makes any false, fictitious or fraudulent statements or representations or makes or uses any false writing or document knowing same to contain any false, fictitious or fraudulent statements or entry, shall be fined not more than \$10,000 or imprisoned not more than five years or both.

St. John Marina, The Yacht Club at Summer's End

Section 18 continued:

Redevelopment of the upland properties will occur in two phases. Phase I will enhance existing commercial building which make up the Coco Loba complex, Shoreline Inn and Island Blues and renovate the abandoned the abandoned "Voyages" restaurant building. These Phase I improvements for include 120 off street parking spaces, a new 56 seat restaurant, Customs and Border Protection office, a Marina Office, Marina Engineering, Marina Security, fish and farmers market, crew shower and locker facilities, apartments to support marina management, proper solid, hazardous and liquid waste management, proper storm water management and proper fueling. Phase II of the development will be implemented strictly on market demand. Phase II includes four buildings offering additional retail, restaurant, office space, commercial space and six short-term rental units. Fire suppression and potable water demands will be met with roof catchment and cistern storage. In periods of limited rainfall or heavy demand, supplemental water will be purchased from WAPA and Caneel Bay. All water will be stored in existing cisterns with a new transfer piping system installed to maximize the amount of stored water. Domestic wastewater generated from the project will be treated by onsite tertiary WWTPs with the treated effluent reclaimed for use as irrigation and toilet flushing. Irrigation will be supplemented with water from cisterns as necessary. The marina will be providing pumpout service for vessels. As most vessels use chemicals within their holding tanks that could upset the onsite WWTPs, this waste will be collected separately and stored in an underground storage tank that will be periodically pumped out by a private hauler and disposed of in the municipal system. Electrical power will be provided by WAPA via existing distribution lines. The projects includes an emergency generator will provide back up for emergency pumps and emergency lighting at the marina. Individual site-specific generators will supply emergency power for land-based businesses. All electrical distribution lines within the property limits or road right of way will be placed in underground conduit.

The topography of the site is limited with the lowest occupied level set at elevation 10 ft as per the FIRM maps Zone AE. The development is located at the base of the Bordeaux Mountain watershed and the developer has developed a storm water management system that partially treats and passes through this offsite storm water runoff. The storm water management system provides for onsite treatment of the first 1" of storm water runoff and manage onsite flows for storms up to the 24-hour/100-year storm event. The storm water management system is a combination of best management practices, including retention, bio-filtration, and rain gardens. Due to the placement of the storm water management facilities, there will be additional treatment of the storm water runoff from the entire upstream watershed to treat the first 1" of runoff while removing suspended solids, phosphorus and nitrogen.

The project will impact 265 linear foot of the existing altered drainage way for the installation of 2 culverts for a driveway crossing, re-contouring to create a storm water treatment area and the placement of 17 cubic yards of riprap culvert discharge protection.

Section 23 cont.

over areas with 5-30% seagrass and algae coverage and 4,717 ft² over areas with 5%seagrass/algae coverage. The dock will result in a shading impact of 1.42 acres and with the use of the graded decking we are assuming somewhere around a 46% survival rate based on NMFS studies or a 0.8 acre sea turtle foraging habitat loss due to shading.

To minimize the direct impact of pilings the seagrass within the piling footprints will be transplanted. The transplant plugs will be used to seed the area in the northwest corner of the bay that has been impacted by the deposition of sediment from years of uncontrolled storm water runoff.

The boats at the dock will shade another 5.7 acres at maximum occupancy. The slips will be occupied on average 47% of the year. As seagrasses are reported to be impacted after approximately two weeks of shading, this will result in some loss of seagrass within the marina due to vessel shading. This will probably manifest itself as a loss of density as well as denuding of some areas, especially around larger permanently moored boats (if any). It is estimated that as much as 2 acres of seagrass may be lost.

The project also has the potential of impacting SAV within the approximate 8 acres project area due to temporary shading by construction vessels and potential direct construction impact. The direct construction impact will be related to barge movements and spuds and will be minimized through monitoring and delineating spudding and anchoring areas. Barge shading will be mitigated through the periodic relocation of barges to prevent shading impacts. The surrounding SAV could also be impacted by construction related turbidity impacts. This will be abated by sediment and siltation control through detailed planning, training and stringent monitoring.

To minimize impacts the marina has been located far enough offshore to avoid dredging and to avoid the densest seagrass beds. Grated decking will be used to limit shading impacts and seagrass within the piling footprints will be transplanted.

To mitigate for impacts that cannot be avoided, red mangroves will be planted amid the riprap along the entire waterfront, watershed management will be undertaken both on site and in the surrounding watershed to improve runoff water quality, informational buoys will be placed to warn boaters of shallow reefs and seagrass beds, and an intensive cleanup of the bay removing derelict vessels from the seafloor that are impacting seagrass will be undertaken.