



Key Areas of Concern for Save Salt River Bay

Salt River Bay is a designated National Historic Landmark AND a National Natural Landmark – both mandated to be protected and preserved for its cultural, historical, ecological, archaeological, and natural resource significance.

We ask that the National Park Service adhere to its mission to preserve unimpaired the natural and cultural resources and values of the national park system for the enjoyment, education, and inspiration of this and future generations...respecting the natural wonder of bioluminescence and broadening appreciation and access to the BL experience and Salt River Bay, and that it cooperates with partners to extend the benefits of natural and cultural resource conservation and outdoor recreation throughout this country and the world.

National Park Service Mission:

- **NPS Organic Act of 1916 (16U.S.C. 1-4, et seq.)** – Created the NPS to promote and regulate the use of national parks, monuments, and reservations, by such means and measures as to conserve the scenery and the natural and historic objects and the wildlife therein and to provide for the enjoyment of the land in such manner as would leave them unimpaired for the enjoyment of future generations.
- **National Historic Preservation Act of 1966** as amended (16 U.S.C. 470) – To protect and preserve historic districts, sites and structures, and archeological, architectural and cultural resources. Section 106 and Section 110 (36 CFR 800), respectively, require consultation with the State Historic Preservation Office and that NPS nominate all eligible resources under its jurisdiction to the National Register of Historic Places.
- **National Environmental Policy Act of 1969** – Public Law 91-190 established a broad national policy to improve the relationship between humans and their environment and sets out policies and goals to ensure that environmental considerations are given careful attention and appropriate weight in all decisions of the Federal government. This legislation requires and guides the preparation of the Environmental Assessment.

Unfortunately, the mission of protecting and preserving is being abandoned for development and advancement of research and science, to the detriment of the historic park and natural resources. Is the location of the facility more important than the actual research and the very resources that should be protected, studied and preserved?

Our key concerns are as follows:

- 1. Violating a designated National Historical Park and Ecological Preserve and Natural Landmark** by building over 150,000 sf. of a research campus, lab, housing and auditorium. Salt River Bay was identified by the National Trust for Historical Preservation as one of the eleven most endangered sites in the US and Territories. In addition to the archaeological and historical implications, the topography changes, runoff and erosion due to building on this land will impact the very coral the MREC is seeking to study and protect.

2. **Dredging Salt River Bay and Bio Bay to accommodate a research marina will destroy the delicate ecosystem currently in place.** Studying and experiencing Bioluminescent Bay's remarkable creatures will be lost....there are currently less than eight bays like this in the world!

- Construction and operation of a huge adjacent "campus" creates risks to water quality from runoff of sediment and toxic substances entering the lagoon.
- Retention of lagoon water is one of the factors that contribute to large numbers of luminescent organisms. Dredging for motorized vessels will drastically increase the volume and flushing of sea water in Bio Bay, factors that can lead to lower organism abundance and less bioluminescence.
- Water quality is threatened by motorized vessels leaking toxic petroleum products into Bio Bay. As part of the management plan for healthy Puerto Rico bioluminescent bays, combustion engine motorized vessels are prohibited there.
- Nearby development can create nighttime 'light pollution' due to light sources that increase the background illumination and diminish the aesthetic and commercial value of observing the bioluminescence.

3. In 1990, the NPS stated that the area currently being considered for the MREC project was where an **archeological discovery of an Amerindian burial ground (AD 660 – 1015), located adjacent to Cabo de las Flechas, “may be the most significant find of the nature in the Caribbean”.** How can we let history and culture be destroyed? Instead of continuing to study this area for historical and cultural significance, the plan is to bulldoze and cover it in the name of science.

4. **Salt River Bay houses over 25 endangered and threatened animals, species and plants.** Building on this site will disturb, displace and in some cases destroy many of these treasures we should be fighting to protect and appreciate. DPNR called this area “The Biological lifeboat of the Virgin Islands.”

5. **The planned site is located in an unprotected area, ripe for destruction by hurricanes and tropical winds, and in the 100 year floodplain and should be protected by the Federal Coastal Barriers Resource Act.**

6. **Public access to the park will be severely limited and controlled by the MREC.** This includes the land and the bays, so as not to disturb their research and for their own security reasons. **This will severely impact our rights to enjoy the PUBLIC park, kayak in the bays, and hike the area. We feel this will be a detriment to the Tourism commerce and the attraction this Historic Park and Bioluminescent Bay currently has in St Croix.**

Historical Facts, Policies and Protection Laws being violated in Salt River Bay:

Relevant federal laws which must guide the protection and planning for the Salt River National Park should coordinate with a comprehensive review of proposed developments with the Salt River watershed. These laws include:

1. National Historic Preservation act (P.L. 899-665 80 stat. 915, 15 Oct. 1966). The concept of eligibility is a powerful tool for cultural resource protection; that is, if the State Historic Preservation Officer (SHPO) recognizes the eligibility of a site for either Section 106 (National Register of Historic Places) or Section 110 (National Historic Landmark Program) status, he/she must perform a proper analysis of the site.;
2. Preservation of Historic Properties Act (P.L.89-665, 80 Stat 915);
3. Archaeological Resources Protection Act (16 USC 470 aa);
4. Archaeological and Historical Preservation Act (P.L. 93-291, 88 Stat. 174);
5. Abandoned Shipwreck Act
6. Abandoned Shipwreck Act Guidelines (55 F.R. 50116)
7. Endangered Species Act (16 USC Sec. 1531)
8. National Environmental Policy Act;
9. Protection of Wetlands (Executive Order 11990)
10. River and Harbors Act, as amended (33 USC 401-403);
11. Clean Water Act (P.L. 92-500, P.L. 100-433, and 1987 Federal Water Quality Act); and
12. Floodplain Management (Executive Order 11988).

NATIONAL HISTORIC LANDMARK STATUS was given in 1961 to the five-acre Columbus Landing Site under Section 110 of the National Historic Preservation Act (P .L . 899-665)

TRITON BAY WILDLIFE SANCTUARY, comprising the 12.5 acre southeast arm of Salt River Bay, was established in 1971 by The Nature Conservatory. The land was a gift from John B. Faile of St Croix, and consists of approximately 4.5 acres of mangrove forest and salt flat, plus about 8 acres of dry forest. It is also known as the **Triton Bay Rookery Preserve**. Part of the planned haul road to the MREC site would have to pass through this sanctuary. In addition, **the haul road would also be passing over a confirmed archaeological site** (noted in the FONSI)

SALT RIVER BAY DESIGNATED AS ONE OF FIVE NATIONAL NATURAL LANDMARKS FOR THE U.S.V.I. INCLUDED IN THE NATIONAL REGISTRY OF NATURAL LANDMARKS, February 1980.

National Natural Landmarks are areas determined to possess national significance illustrating the natural heritage of the United States and Territories. Candidate sites must be approved by the Secretary of the Department of Interior. Formal designation of a National Natural Landmark does not affect ownership, but is intended to encourage owner to employ sound conservation practices in the use, management, and protection of the designated area.

PUBLIC LAW 102-247 Feb. 24, 1992 – the establishment of the Salt River Bay National Historical Park and Ecological Preserve at St. Croix, Virgin Islands

In Section 103(b) of the Act, Congress established the Park and **required that the Park be managed** to preserve, protect, and interpret terrestrial and marine resources, for the benefit of present and future generations, certain nationally significant historical, cultural and natural sites and resources in the Virgin Islands. Section 105(a) of the Act stipulates that the Park **is required** to be managed in accordance with all laws applicable to units of the National Park Service, and the Park including without limitation, the National

Historic Preservation Act, the Archaeological Resources Protection Act and the National Park Service Organic Act (see <http://www.nps.gov/legal/index.htm> for copies of the specifically referenced laws).

Any proposed construction within line of sight of Columbus Landing National Historic Landmark would impact the vistas and landscapes (Section 104(b), PL 102-247). Inconsistent statutory enforcement degrades the integrity of the cultural and natural (including marine) resources. The Ceremonial Ball Court, village sites and burial grounds are sensitive and sacred religious areas. Visitors cannot be inspired if they are disturbed by a background of cluttered vistas and landscapes. The size of the proposed complex will destroy the viewshed forever, and the visitors' experiences will be immeasurably diminished.

SECTION 102 - FINDINGS

Congress finds that Salt River Bay.....

1. has been inhabited, possibly as far as 2000 BC, and encompasses all major cultural periods in the USVI;
2. contains the only ceremonial ball court ever discovered in the Lesser Antilles, village middens, and burial grounds which can provide evidence for the interpretation of Caribbean life prior to Columbus;
3. is the only known site where members of Columbus expeditions set foot on what is now US territory;
4. was a focal point of various European attempts to colonize the area during the post-Columbian period and contains sites of Spanish, French, Dutch, English and Danish settlements, including Fort Sale, one of the few remaining earthwork fortifications in the Western Hemisphere;
5. presents an outstanding opportunity to preserve and interpret Caribbean history and culture, including the impact of European exploration and settlement;
6. has been a national natural landmark since February 1980 and has been nominated for acquisition as a nationally significant wildlife habitat;
7. contains the largest remaining mangrove forest in the USVI and a variety of tropical marine and terrestrial ecosystems which should be preserved and kept unimpaired for the benefit of present and future generations; and
8. is worthy of a comprehensive preservation effort that should be carried out in partnership between the Federal Government and the Government of the USVI.

National Parks and Conservation Association President Paul C Pritchard said of setting aside the 912 acre park, "There could be no better way of marking the 500th anniversary of the Columbian expeditions than preserving one of the last unspoiled areas in the West Indies."

In addition to the above, Salt River Bay: has been the focus of much discussion concerning

- its **significance and eligibility for nomination as a World Heritage Site** (section 4 .1);
- was identified by the U.S. Fish and Wildlife Service as a **potential National Wildlife Refuge**;
- was identified by the **National Trust for Historic Preservation as one of the II most endangered sites in the United States and Territories (1990)**;
- was included in the **Department of the Interior's National Inventory of Critical Wetlands**;
- was included in the **Directory of Neotropical Wetlands, and identified as a "priority area for protection"**;
- was proposed by the National Oceanic and Atmospheric Administration as a **National Marine Sanctuary (along with the submarine canyon)**; and
- **is the only one of over 2300 landmarks nationwide that carries the joint designation of National Natural Landmark and National Historic Landmark.**

Violations of Protection of Land Use, Historical and Archaeological Findings

LAND PROTECTION PLAN, Salt River Bay National Historical Park and Ecological Preserve, signed in 1994, National Park Service

The 1994 Land Protection Plan for Salt River Bay National Historical Park and Ecological Preserve states that the area is required to be managed for the purpose of preserving, protecting and interpreting terrestrial and marine historical, cultural and natural sites and resources. Further, **it stipulated that the concerns and suggestions from US Virgin Island residents are solicited and fully considered in the development and management of the park. Land protection issues also concerned determining what, if any, private uses are compatible with the plans for public use and protection of the resources** (Land Protection Plan, Salt River Bay National Historical Park and Ecological Preserve, National Park Service, 1994, p. 5).

The law does not provide for a third party “co-manager” including NOAA, the Joint Institute for Caribbean Studies, or the University of VI (2006 National Park Service Management Policy, Section 2.2 and PL 102-247)

A prior ruling had determined that the hotel development group, Sugar Bay Land Development, Ltd, could not use the waterway/lagoon for its intended marina, which would've required dredging “The Government of the United States has title to 10.75 acres, formerly owned by The Nature Conservancy and used by them as a bird sanctuary. Implementation of any or all phases of the development proposed by Sugar Bay Land Development, Inc., could adversely affect Salt River Bay’s water quality, foraging habitat for endangered species, and coral reef ecosystem; disrupt the habitat for threatened and endangered resident and migratory birds in the tract owned by the US Government; destroy prehistoric archaeological deposits (including burials); and pose a very significant visual intrusion on the natural and historic scene.” (Land Protection Plan., et al, p. 7) **Why is it now acceptable for the NPS and MREC to build on this land?**

In reference to the Virgin Grand Hotel development: “this represents one of the most significant “use conflicts” for Salt River Bay APC. While the project proponents appear to have taken reasonable steps to ensure that the development is minimally disruptive of natural processes, the fact remains that a development of this type and scale is *incompatible with the expressed public desire to maintain large portions of the area as open space and to protect the visual and historic integrity of the estuary and its shores.*” (Salt River Bay and Watershed (APR) Area of Particular Concern (APC) And Area For Preservation And Restoration (APR): A Comprehensive Analytic Study, V.I. Department of Planning and Natural Resources Coastal Zone Management Program, 1993, p 27)

On the bay's east side, an Amerindian burial ground, in use between A .D . 66 and 1015, is located adjacent to Cabo de las Flechas, and "may be the most significant find this nature in the Caribbean" (NPS, 1990). p.26. **“Due to the highly attractive resource potential at Salt River Bay, it would not be an unfair supposition that pre-ceramic peoples made use of the area, and that a pre-ceramic settlement is yet to be discovered within the APC”,** (Salt River Bay and Watershed APC/APR, et al, p 23)

“The first bloody encounter between Amerindians and Europeans occurred at the same time off of Cabo de las Flechas. An excursion party from the Columbus fleet engaged in a skirmish with Amerindians while returning to their ships anchored off the western half of the entrance to Salt River. Thus, the skirmish site itself, although not a geographically defined site, is an **historic site of educational interest.**” (Salt River Bay and Watershed APC/APR, et al, p 27)

“Pre-Columbian sites and burials are known to occur within the area of the proposed Virgin Grand hotel (NPS, 1988). The burial site in question has been estimated to date back to A .D. 1150 and is a highly significant site (NPS, 1990). In addition, the proposed construction of condominiums as part of the same development threatens a 17th-century English village site.” (Salt River Bay and Watershed APC/APR, et al, p 35)

The following site “should be given priority status for acquisition or conservation easement : (1) the Amerindian archaeological site on plot 326 of Estate Judith's Fancy” This site was “discovered during archaeological work in the latter half of the 1980's by the National Park Service as part of the Alternatives Study and Environmental Assessment for the Park, and should be considered as especially significant archaeological sites in need of protection. The purchase of land for scenic vista points or for open/green space should be seen as an additional early goal.” (Salt River Bay and Watershed APC/APR, et al, p 33)

Archeological Investigations at Salt River Bay National Historical Park and Ecological Preserve St. Croix, U.S. Virgin Islands, Meredith D. Hardy 2007 <http://www.nps.gov/seac/research/pub/seacreports/SEAC-01953.pdf>

“The upland and inland areas of Estate Judith’s Fancy have been, comparatively speaking, little disturbed; bulldozers were used to remove trees, and today the area is composed of dense scrub vegetation. Push piles are evident, but exposed profiles from archeological excavations conducted in the mid 1980’s reveal that much of the original subsurface remains intact.” p8-9.

“The only site encountered during this survey that is potentially eligible for nomination to the National Register of Historic Places is the Lignum Vitae site (Judith’s Fancy, 12VAm1-5). . . . The Lignum Vitae/Judith’s Fancy site can be listed individually under Criterion D, as it has yielded and is likely to continue to yield important information on the prehistory of St. Croix. Through the site has been partially excavated, it still retains intact archeological deposits that contain critical information on the lifeways of St. Croix’s prehistoric populations” p.50

“Site 12VAm1-5 (the Lignum Vitae site) is fairly intact and has the potential to reveal much information about the lives of prehistoric communities in the Salt River watershed. Radiometric testing of wood, shell, and a human tooth obtained during the 2005 excavations have dated the site to cal A.D. 540-890. The site contains intact remains of prehistoric human settlement, including carbonized wooden posts and both primary and secondary human burials.”p.49

ENDANGERED SPECIES

“The US Endangered Species Act of 1973 (16 USC Sec. 1531) defines “endangered species” to mean a species or subspecies that is in imminent danger of extinction throughout all or a significant portion of its range. “Threatened species” are those likely to become endangered in the foreseeable future unless current trends are reversed. Such species are protected by Federal law; neither the whole animal or any products from it may be taken, sold, or possessed. **Alteration of the habitat in which any of these species occurs may be, in certain cases, prohibited or constrained.**” (Salt River Bay and Watershed APC/APR, et al, p 20)

The Indigenous and Endangered Species Act of 1990, the bill (Act 5665) signed into law in December 1990, authorized the **Commissioner of DPNR to develop a list of endangered and threatened species in the USVI. Over 25 species in the Salt River Bay environment have been listed.** (Salt River Bay and Watershed APC/APR, et al, p20)

Protection of the watershed, coastal barriers, bays and estuary

THE “SALT RIVER BAY COMPLEX”, was identified as a potential Significant Natural Area (SNA), with the adoption of the Coastal Zone Management (CZM) Program in 1979 [Teytaud, 1980]

The Coastal Zone Management Act (CZMA) makes frequent references to SNAs which it defines as “...**land and/or water areas within the coastal zone of major environmental value, including fish or wildlife habitat areas, valuable biological or natural productivity areas, and unique or fragile coastal ecological units of ecosystems which require special treatment and protection.**” The territorial CZM Program further elaborates the concept by adding the categories of:

1. Natural areas that provide scientific and educational value;
2. Areas necessary for nesting, spawning, rearing of young, or resting during migration’ and
3. Areas needed to protect, maintain, or replenish coastal lands and resource (Teytaud, 1980).

The Bioluminescent Bay certainly qualifies for the above protection.

“The mangroves at Salt River Bay provide substrate and habitat for a wide variety of marine organisms (section 2.4.2), and have been identified as the best example of a mangrove ecosystem in the US Virgin Islands by Gilberto Cintron, a renowned mangrove specialist of the Puerto Rico Department of Natural Resources (NPS, 1990) The Salt River mangroves also comprise the largest remaining mangrove area in the Territory, ...USVI Govt/DPNR, 1992).” (Salt River Bay and Watershed (APR) Area of Particular Concern (APC) And Area For Preservation And Restoration (APR): A Comprehensive Analytic Study, V.I. Department of Planning and Natural Resources Coastal Zone Management Program, 1993, p17) http://www.aoml.noaa.gov/general/lib/CREWS/Cleo/St.%20Croix/salt_river87.pdf

“Salt River Bay has been described as the most productive nursery area for commercially and recreationally important fish and crustacean on St. Croix, and perhaps in the Territory (Slade, 1988)...The large size of the estuary and close association of mangroves, seagrass beds and coral reefs are the central reasons why Salt River Bay exhibits such high biological diversity and productivity compared to most other coastal environments in the Territory.” (Salt River Bay and Watershed APC/APR, et al, p18)

“**The marine environment contains a number of significant natural and cultural resources.** Salt River Bay is fringed with mangrove forests, which serve to filter sedimentation from soil erosion and provide nurseries for fish and shellfish. The bed of the bay provides foraging material for species of endangered mammals. The submarine canyon and wall benefit from deep nutrient upwelling to foster the growth of a dynamic and diverse coral reef ecosystem, which in turn attracts a variety of fish and marine mammals ordinarily found offshore. **All of these factors are very sensitive to change. While natural processes and cycles are to be expected, man-made alterations or intrusions to the above referenced and adjacent environments can and must be regulated to minimize, if not entirely avoid, adverse impacts.**” (Land Protection Plan, Salt River Bay National Historical Park and Ecological Preserve, National Park Service, 1994, p. 9)

WATER QUALITY

“The water of Salt River estuary has been given a Class ‘B’ use designation pursuant to Title 12, Sections 186-3 (V.I. Code). The designated use for these waters is thus “...for the propagation of desirable species of marine life and for primary contact recreation”. **Activities which threaten the attainment of this use are inconsistent with Title 12, Section 186 and the policy and goals of the federal Clean Water Act (33 USC 1250 *et seq.*). Thus, the designated use is protected by both local (Title 12, Section 186-7) and federal (40 CFR Section 131.12) anti-degradation regulations which state that:**

Where high quality waters constitute an outstanding National resource, such as waters of National and State parks and Wildlife Refuges and waters of exceptional recreational or ecological significance, that water quality shall be maintained and protected.

...the maintenance of the highest possible water quality within Salt River estuary should be a central aspect of the review of existing and proposed developments.” (Salt River Bay and Watershed APC/APR, et al, p 40)

“Dredging, filling, or any further such alteration of the shoreline of the bay should be prohibited. No alteration of sediment still should be permitted, as such would disrupt natural sediment transport and deposition processes, as well as diminish the still’s contribution to wave energy diffusion,” (Salt River Bay and Watershed APC/APR, et al, p 43, 47)

“The dredge and fill projects which have been carried out in Salt River Bay over the past three decades have impacted several acres of habitat, some of which are irreparably altered. When dredging deepened the bay to 8 ft or more the bottom has remained largely devoid of seagrass and algae. The continual resuspension of fine particles into the water column from such adds to the high turbidity levels.” (Salt River Bay and Watershed APC/APR, et al, p 30)

FEDERAL COASTAL BARRIERS RESOURCES ACT AND 100-YEAR FLOOD PLAN

Salt River Bay, its entire shoreline, and a major portion of the Salt River channel, are situated within a designated 100 year flood plain (section 2 .3 .3) [Figure 4] . A-zones, B-zones, and V-zones are identified. (Source: SALT RIVER BAY WATERSHED APC/APR COMPREHENSIVE ANALYTIC STUDY, 1993)

One site within the APC is included in the Federal Coastal Barrier Resources System (CBRS): Salt River Bay (site VI-01A) [Figure 5] . The Federal Coastal Barrier Improvement Act of 1990 established areas in the USVI as part of the CBRS . The purpose of the system is threefold (Island Resources Foundation, 1986):

- 1 . To **halt development in low-lying areas subject to natural disasters (i.e., flooding, hurricanes, etc.);**
- 2 . To **stop wasteful federal expenditures in these areas;** and
- 3 . To **protect valuable natural resources from being destroyed by unwise economic development.**

NATURAL HAZARDS MITIGATION

“There is a need in the Territory for an effective coastal storm hazard mitigation policy and plan. **The siting of facilities along the coast increases cumulative threat potential with respect to three types of coastal storm impacts:** (1) threats to public health, safety, and welfare; (2) costs to tax payers for disaster relief and protection; and (3) losses of irreplaceable natural resources (Godshalk, et al., 1989). Compounding the potential for catastrophic losses due to coastal storms is the possibility of significant sea level rise (SLR) in the decades ahead. ...coastal development can be directed or redirected away from high hazard areas through the use of shoreline setback standards and/or re-zoning of high hazard areas to achieve simultaneous risk reduction and other objectives such as open space preservation or wildlife management.” (Salt River Bay and Watershed APC/APR, et al, p 39)

“The construction of additional marinas, or an expansion of existing marina space, should not be permitted activity in Salt River Bay. . . [Moreover] dredging should be a prohibited activity” as would be required in the building of a pier. “. . .In conjunction with the coastal storm hazard mitigation policies discussed...adequate shoreline setback standards, with no allowable bulk heading in mangrove areas, should be implemented to allow for future landward migration of wetlands in the event the sea level rises”. (Salt River Bay and Watershed APC/APR, et al, p 41, 45)

Hurricane Hugo destroyed the last marine research center on the island. The remains still exist, unrepaired or removed. The Virgin Islands are classified as “Zone 4” for earthquake vulnerability, the highest damage zone and the same classification given to parts of California (Brower and Beatley, 1988).

“...the waterfront areas of Charlotte Amalie and Christiansted, are vulnerable to impacts from earthquakes due to substantial construction on recently filled (reclaimed) land. Presumably this would be the case as well for construction on reclaimed lands in the Salt River Bay area. It is these areas where liquefaction and ground settling are likely to be the greatest. Buildings constructed on loose alluvial or man-made fill soils along the waterfront are at risk of destruction should an earthquake occur (Geosciences Associates, 1984b). (Salt River Bay and Watershed APC/APR, et al, p 13)

“Appropriate attention should be given the design of major facilities, especially those which will house large assemblies of people, so that injury and damage from seismic activity are minimized to the maximum. Channelization for flood control should be avoided wherever possible, and new developments directed away from floodplain hazard areas. Cumulative impacts from the increased use of non-porous surface materials should be assessed, and guidelines established for the use of “grassphalt” and other porous surface materials on access roads, parking lots, and other suitable areas.” (Salt River Bay and Watershed APC/APR, et al, p 40)

Current MREC plans state that the development will “be passively survivable (includes storm surge and climate change) with a 49 year lifespan”..... Given its location, this statement is even more incredulous.

ENVIRONMENTAL ASSESSMENT, Proposed Marine Research and Education Center and Abandoned Hotel Demolition 2008

“The marine facilities would include:

- Docks with spare for two medium-sized vessels (25-45ft) and four small boats (outboards), equipped with 110/220v power.
- Mooring space for 4 to 6 small boats.
- Space for a diving boat (45ft) equipped with HP compressor, diving ladder and emergency oxygen, and two smaller dive boats.
- Two-lock decompression chamber 60 inches in diameter in a closed building.
- Full dive locker with 20 sets of gear and two Hp/HV compressors and dressing area.
- Small boat and diving gear maintenance shop.
- Two small boat trailers and vehicles to reach other regions of study on the island.” p.35

“This discussion does not include impacts to submerged lands based upon impacts from proposed maintenance dredging activities. It is currently unknown if maintenance dredging would be required, exactly where dredging would occur, and how large of an area would be dredged/impacted. If future studies reveal that current water depths are too shallow for appropriately sized MREC boats to access the sites, then the areas directly south of the East Site and within the Mangrove Lagoon, directly east and northeast of the South Site, and in and around the marina at the West Site are the most likely locations for maintenance dredging. The placement of dredged material would be addressed in future studies. The impacts associated with dredging and installation of the seawater supply pipeline and associated impacts would be analyzed in detail if a Section 10/404 Permit application and other permits or assessments are required.” P.114

“A maximum of approximately 0.38 acres of open water in the Mangrove Lagoon, mapped as an estuarine wetland by NWI would be impacted from the construction of the boat dock; this is a conservative estimate based upon the footprint from conceptual drawings, even though piers (which would decrease the footprint) will be used in the final design document for the boat dock. Therefore, approximately 1.07 total acres of NPS-defined wetlands would be impacted by the MREC and associated structures, including the boat dock.”p.258

“Using the site of the Former West Indies Laboratory was considered as an alternative for the MREC. This site previously conducted extensive marine research and has adequate docking facilities for boats. This privately owned alternative was dismissed when NPS property became available.” EA p.45

The MREC plan goes so far as to map out the dividing line that would delineate the “public” areas from the “private” area of the park. The vast majority of the park lies on the “private” side of that line. p.29

Public access is merely something to which “consideration should be given” p.70

“Current activities (i.e., scuba diving, snorkeling, kayaking and hiking) will continue at SARI **if the MREC is not constructed.**” (Finding of No Significant Impact – Proposed Marine Research and Education Center and Abandoned Hotel Demolition, US Dept. of Interior, dated Feb 2009, p 5) (FONSI) In other words, if the facility is built at this historic site, **public access and these activities will be limited or eliminated. The park is a PUBLIC park. We question the logic that allows a private development to be built and managed on national park land, with limited use for all. This logic is significantly compounded considering the significance of the historical, archaeological, environmental and ecological significance of this particular park.**

“60,000 sf of buildings, 40,000 sf of water tanks and equipment, 50, 000 sf of roads and walkways.” Pp. 26, 41.

According to the first requirement of the International Living Building Institute, which the MREC plan claims to be in accordance with, “projects may only be built on greyfields or brownfields that are not: wetlands, primary dunes, old-growth forest, virgin prairie, prime farmland or within the 100-year flood plain.” P. 105

- The proposal does include development on both nationally recognized wetlands and the 100-year flood plain.
- The MREC proposal classifies the entire site as greyfield due to the presence of 26,000 square feet of an unfinished and abandoned structure. The rationale being, that because this area has already been tainted by former construction, the current bid to develop it “will be a restorative act and not a destructive one.” P. 22 However, the area of ruins in question lies at the end of a small peninsula, completely within the 100-year flood plain. So effectively, 26,000 square feet of tainted land on the flood plain is paving the way to build over 150,000 square feet of new construction on a hillside of virgin soil above the flood plain.

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The FINDINGS OF NO SIGNIFICANT IMPACT study for the proposed MREC project sites infractions on all of the above laws or principles which the NPS is to uphold. In this study, they note that the recommended haul road to be developed will actually be crossing some of the archaeological burial sites which are to be protected. In addition, **they admit that practically everything they will be doing with have an adverse impact**, but then counter with statements like "we expect it to be “short term with moderate adverse effect” or “long term with minor adverse effect”" Where are the assurances or scientific proof to back those claims? When there are other viable alternative sources for site development, why is this site targeted?

Everything proposed is counter to the laws in place to protect this treasured park – on land and sea. An adverse effect is an adverse effect. In a protected environment, how can any violations be justified?

- ...On the grasses for turtle nesting
- ...on the lighting for turtle nesting
- ...on the water quality, run off, silt and damage to Mangrove trees and coral
- ...to the fish and other marine wildlife who rely on the current balance of nature
- ...the bioluminescence in the bay
- ...the coastal barriers and coral reef
- ...to the natural landscape, resources and viewshed of this historic park

...to the archaeological artifacts and areas **BOTH above ground and under water**. In the area of the lagoon and part of the Salt River Bay, they have found archaeological evidence that needs to be protected... they mention the water pipes that will need to be run through the bay will also adversely impact underwater archaeological sites.

This study makes no mention of the Bioluminescent Bay's existence or the detrimental effects building a marina, dredging, and land development will have on this natural wonder.

Since the scope of the project has grown, and other factors have come into play, we are recommending that new studies we put in place and serious consideration to alternative sites be given.

THANK YOU FOR YOUR CONSIDERATION!