



GOVERNMENT OF THE VIRGIN ISLANDS OF THE UNITED STATES

DEPARTMENT OF PLANNING AND NATURAL RESOURCES

DIVISION OF ENVIRONMENTAL PROTECTION

45 MARS HILL

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COASTAL ZONE PERMIT APPLICATION
WATER QUALITY REVIEW AND CERTIFICATION

1. **CZM PERMIT APPLICATION N^o: CZX-04-08 (L&W)**
DPNR, DEP WATER QUALITY CERTIFICATE N^o: WQC-09-002 (L&W)
2. **Date of Final Application:** February 28, 2008
Date of Final Review: January 14, 2009
3. **SHORT TITLE OF WORK:**
The William and Punch, LLC proposes to relocate Route 63; construct a hotel, casino, condominiums, fractional units, retail stores, spa villas, golf course villas, swimming pools, restaurants, tennis courts, service areas; and install emergency generators, subdivision and water storage tanks on 594 Acres on the west end of St. Croix, U.S. Virgin Islands.
4. **APPLICANT:** William and Punch, LLC
2111 Company Street
Suite #3
Christiansted
St. Croix, VI 00820
5. **SUB-WATERSHED:** Prosperity and Creque Dam/Butler HUC- 21020001010010
6. **WATER QUALITY CERTIFICATION:**
Approved; There is currently reasonable assurance that the proposed project can be executed without violations of the Water Quality Standards cited in Annotated (Ann.) Title (Tit.) 12 Virgin Islands Code Chapter 7, Section 186. The permittee shall comply with all Territorial Rules and Regulations, Federal Statutes, Orders, and permits issued by Territorial and/or Federal departments or agencies.
7. **COMMENTS OR SPECIAL RESTRICTIONS:**
 - A. Work shall be performed in a manner that will not adversely impact existing water quality. Existing water quality conditions will be determined in the baseline water quality monitoring survey, conducted by the applicant, and submitted to DPNR – Division of Environmental Protection (DEP) for review prior to the commencement of construction activities. In no case shall

work be performed in a manner that causes any exceedence of the Virgin Islands Water Quality Standards found in Title 12, Chapter 7, Section 186 of the Virgin Islands Rules and Regulations.

- B. The DEP reserves the right to temporarily suspend any activity which may cause any adverse environmental impact or results in any noncompliance with Title 12 of the Virgin Islands Rules and Regulations.
- C. The DEP reserves the right to require additional sampling/monitoring as promulgated in Title 12 of the Virgin Islands Code, Section 189.
- D. No oil or debris may be discharged from any vessel into the Frederiksted Harbor (Sprat Bay Beach) during construction.
- E. Prior to excavation/construction, an appropriate turbidity curtain must be installed from surface to sea floor, and maintained at an appropriate distance in order to enclose the active excavation/construction site. This curtain shall be inspected daily to verify its structural integrity.
- F. In determining the water quality baseline for this site, fifteen (15) samples will be collected for three non-consecutive days for two months and analyzed for turbidity in (NTU) using an EPA approved field meter. In addition, Secchi disk measurements must be taken for all fifteen sites. A report containing all baseline data must be submitted to DPNR-DEP prior to the start of construction activities (on land or in-water). During land based construction, turbidity (NTU) and secchi depth readings must be taken once daily. The date, time, location (including GPS coordinates), sea conditions, person recording measurements, the time construction was started and stopped for the day, are required to be recorded in indelible ink, kept in a bound log book with pre-numbered pages and be maintained on the premises at all times to ensure availability for periodic inspections by DEP. This bound logbook shall include the water quality measurements for the construction phase, as well as the baseline determination measurements. Weekly report of all water quality data must be submitted to DEP, including the corresponding location of the measurement, the time, date and person recording the measurement. All samples collected must be sent to a DPNR certified laboratory for analysis.
- G. Prior to the start of any in-water activities, turbidity curtains or other appropriate mitigation measures should be installed and properly maintained around the disposal barge to restrict the dispersal of turbid runoff generated by dewatering.
- H. During dredging, water quality data will be collected at the perimeter of the mixing zone. The mixing zone for this project will be 45 meters from the location of the dredge bucket, but not less than 10 meters from the spoils barge. Depending upon configuration of the dredging operation, this may result in a "keyhole-shaped" mixing zone perimeter rather than a uniform circular perimeter.
- I. During dredging, water quality data for Secchi depth and turbidity will be collected three times per day, and three samples for the analysis of TSS will be collected once per day. Water quality sampling sites are to be distributed radially at the perimeter of the mixing zone. Water quality data for Secchi depth and turbidity will be collected at two control sites on the same sampling

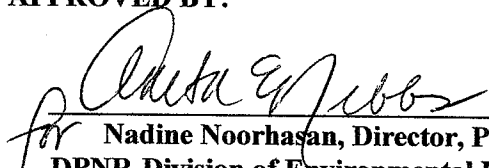
schedule. Water samples for analysis of TSS will be collected one per station at the control sites on the same sampling schedule. Intervals between water quality sampling events will be separated by no less than two (2) hours and in accordance with the dredging schedule. If dredging is shut down due to elevated turbidity, additional sampling sets shall be taken until the turbidity returns to allowable limits. The date, time, location (including GPS coordinates), sea conditions, person recording measurements, the time activities were started and stopped for the day, are required to be recorded in indelible ink, kept in a bound log book with pre-numbered pages and be maintained on the premises at all times to ensure availability for periodic inspections by DEP.

- J. The applicant is required to retain an independent Environmental Monitor (EM) that meets DPNR's approval. The EM shall be present at the site during all dredging and in-water activities. The EM should document water quality and submit weekly reports to DPNR-DEP containing all water quality monitoring data. The EM shall require immediate corrective action when degradation or potential degradation is observed as a result of dredging or dewatering activities. The Environmental Monitor must notify the contractor, William & Punch, LLC and the Division of Environmental Protection as soon as possible, but within 24 hours of exceedence, if at any time during construction water quality does not comply with the Virgin Islands Water Quality Standards. Methods to reduce the impact must be implemented, including temporarily terminating construction and allowing the water quality to return to normal conditions.
- K. A series of silt fences must be installed at various points surrounding the de-watering area in order to prevent sediments from entering the marine environment. Also, in the event of inclement weather, the dredged material must be contained and secured in order to prevent the re-suspension and run-off of the dredged material into the water body.
- L. Spill containment materials as well as a copy of the Spill Prevention Control and Countermeasures (SPCC) Plan must be kept on the premises at all times.
- M. William & Punch, LLC must obtain and maintain a current Terminal Facility License on site at all times, for storage and transfer of petroleum products. This license expires on December 31st **annually**.
- N. William & Punch, LLC is hereby encouraged to reserve space at its dockage facility for government vessels.
- O. William & Punch, LLC must obtain a Groundwater Appropriation and other permits required for the wells onsite.
- P. William & Punch, LLC must have Certified Pesticide Applicators onsite for all pesticide application.
- Q. William & Punch, LLC must obtain Underground Storage Tanks Permits for underground storage tanks permits.
- R. Any device that emits or is used to control air pollution emissions may require Air Pollution Control Permit(s), i.e. generators. As well as, the Dust Control Plan required to describe the

applicant's means of mitigating dust during construction/road paving activities must be approved by DEP-Air Pollution Control Program.

- S. The general working area should remain clean at all times. All waste materials generated during the execution of the project should be disposed of in properly labeled containers. In addition, at the completion of work, all construction debris must be removed from the site.
- T. William & Punch, LLC must obtain and maintain coverage under the VI Construction General Permit prior to commencement and for the duration of earthwork. Once coverage is obtained, the November 2008 SWPPP and any future amendments, once approved, must be complied with to ensure compliance with VI Water Quality Standards.
- U. Territorial Pollutant Discharge Elimination Systems Permits will be required for the wastewater discharges from the wastewater plants and the reverse osmosis plants if they will required for any discharges to the Waters of the Virgin Islands, i.e. irrigation systems.
- V. Unless specifically stated, the Applicant shall adhere to all provisions set forth in the approved Environmental Assessment Report which outlined the related construction/excavation/demolition and dredging work.
- W. DPNR/DEP reserves the right to revise/amend this Water Quality Certificate.
- X. The Applicant shall notify DEP ten (10) business days before the commencement of the project. In addition, a letter of project completion must be submitted to DPNR-DEP no later than ten (10) business days after the project has been completed.
- Y. Eight weeks after project completion, a final report will be due to DPNR which provides a critical review of observed water quality degradation and any biological impacts from the project.

8. **APPROVED BY:**


for Nadine Noorhasan, Director, Ph.D.
DPNR-Division of Environmental Protection

1/14/08
Date