

FEDERAL CONSISTENCY DETERMINATION

Rehabilitation of Lameshur Road, Virgin Islands National Park
FHWA Project Number: VI NP VIIS 100(3)

Project Location: The proposed project is a linear transportation project located in Virgin Islands National Park along Lameshur Road on the island of St. John. Proposed work begins at approximately Latitude: 18.315612, Longitude: -64.713926 and ends near the trailhead to Yawzi Point at approximately Latitude: 18.320220, Longitude: -64.725743.

Anticipated Environmental Permits and Clearances - FHWA anticipates the following permits will be needed to construct the project: Coastal Zone Management Act (CZMA) Federal Consistency Determination Concurrence from the VI Department of Planning and Natural Resources (DPNR), Territorial Pollutant Discharge Elimination System (TPDES) Construction General Permit (CGP) coverage, Building Permit, Clean Water Act Section 404 Nationwide Permit 3 Authorization from the U.S. Army Corps of Engineers, Clean Water Act Section 401 Water Quality Certification (WQC) or waiver, and a Flood Hazard Permit.

Project Description and Background: The Eastern Federal Lands Highway Division of the Federal Highway Administration (FHWA), in cooperation with the National Park Service (NPS), is proposing to repair and rehabilitate Lameshur Road in Virgin Islands National Park (VIIS) located on the island of St. John, U.S. Virgin Islands. Lameshur Road provides access to the Lameshur Bay area, including NPS buildings, housing, and public recreational areas. After multiple active hurricane seasons, the road has washed out in places, leaving the roadway unlevel and untraversable by most vehicles without four-wheel drive capability or high clearance. The proposed project will rehabilitate approximately 1 mile of the roadway ensuring park visitors can continue to access recreational areas within the Lameshur Bay area.

Proposed repair and rehabilitation work will include the following: rehabilitation of roadway subgrade and base as needed; roadway grading; aggregate surface course; installation of cellular confinement system (CCS) adjacent to low water crossings; drainage improvements, including installation of new low water crossings where needed; ditch reconditioning; construction of a new parking area with rockery retaining wall; and other miscellaneous work. The new parking area will be constructed adjacent to a recently constructed toilet facility and will alleviate roadside parking which has resulted in damage to vegetation in the area.

The proposed project is located outside the tier 1 coastal zone entirely within VIIS “excluded federal lands”. However, the proposed project aims to rehabilitate an existing roadway within VIIS that provides the only roadway access to the Lameshur Bay area and associated recreational opportunities. Rehabilitating the roadway will ensure the public continues to have access to the Lameshur Bay area and its associated recreational opportunities.

The NPS, acting as the lead federal agency for compliance under the National Environmental Policy Act (NEPA), Categorically Excluded the project from preparing either an Environmental Assessment or Environmental Impact Statement in a Categorical Exclusion (CE) Documentation Form under PEPC Project Number 125111. FHWA issued its own CE Documentation Form adopting the NPS’s findings and determinations on June 18, 2025. Both CE Documentation Forms are enclosed in this Federal Consistency package.

Federal Consistency Determination Statement: In accordance with Section 307 of the Federal CZMA of 1972, and the Virgin Islands Coastal Zone Management Act of 1978, FHWA, in coordination with the NPS, has determined that the rehabilitation of Lameshur Road in VIIS is consistent to the maximum extent practicable with the enforceable policies of the U.S. Virgin Islands federally approved Coastal Zone Management Program. The following is documentation of the determination.

Relevant Enforceable Policies: The project meets each of the basic goals of the USVI for its coastal zone as set forth in the Virgin Islands Code Title 12, Conservation Chapter 21, Virgin Islands Coastal Zone Management [V.I. Code tit. 12, § 903(b)]. Additional details as follows:

USVI Code Tide Twelve Conservation, Chapter 21 § 903 (b)

1. *Protect, maintain, preserve and, where feasible, enhance and restore, the overall quality of the environment in the coastal zone, the natural and man-made resources therein, and the scenic and historic resources of the coastal zone for the benefit of residents of and visitors of the United States Virgin Islands.*

The project area is owned and managed by the NPS. The purpose of the park is to “preserve and protect for public benefit and inspiration outstanding scenic features, Caribbean tropical marine and terrestrial ecosystems in their natural conditions, and cultural heritage from pre-Columbian through Danish colonial times.” The NPS determined that the proposed project conforms to the NPS *Management Policies and Cultural Resource Management Guidelines* and would have **no adverse effect** on historic properties. The Virgin Islands State Historic Preservation Office (VI SHPO) concurred with this determination in a letter dated June 11, 2025. Refer to the enclosed National Historic Preservation Act and NEPA documentation for details.

2. *Promote economic development and growth in the coastal zone and consider the need for development of greater than territorial concern by managing: (1) the Impacts of human activity and (2) the use and development of renewable and nonrenewable resources so as to maintain and enhance the long-term productivity of the coastal environment.*

The project area is owned and managed by the NPS. The purpose of the park is to “preserve and protect for public benefit and inspiration outstanding scenic features, Caribbean tropical marine and terrestrial ecosystems in their natural conditions, and cultural heritage from pre-Columbian through Danish colonial times.” The proposed project would not result in additional development within VIIS and all work would remain within the existing roadway footprint. Rehabilitation of the roadway will ensure park and St. John visitors continue to have access to recreational uses and cultural landscapes within the Lameshur Bay area.

3. *Assure priority for coastal-dependent development over other development in the coastal zone by reserving areas suitable for commercial uses Including hotels and related facilities, industrial uses including port and marine facilities, and recreation uses.*

The proposed project will not promote development within the coastal zone. The project area is owned and managed by the NPS for the purpose of “preserving and protecting for public benefit and inspiration outstanding scenic features, Caribbean tropical marine and terrestrial ecosystems

in their natural conditions, and cultural heritage from pre-Columbian through Danish colonial times.” No hotels or industrial uses are located in the project vicinity.

4. *Assure the orderly, balanced utilization and conservation of the resources of the coastal zone, taking into account the social and economic needs of the residents of the United States Virgin Islands.*

The proposed project will remain within the existing roadway footprint and will not impact natural or cultural resources within the coastal zone or VIIS. Appropriate erosion and sediment control Best Management Practices would be implemented during project construction to avoid or minimize construction stormwater runoff from entering the Bay.

5. *Preserve, protect and maintain the trust lands and other submerged and filled lands of the United States Virgin Islands so as to promote the general welfare of the people of the United States Virgin Islands.*

The proposed project would repair and rehabilitate the only roadway access to the Lameshur Bay area. Multiple drainages and ghuts cross the roadway within the project area. The proposed project will maintain existing concrete low water crossings and add new concrete low water crossings in areas where needed. The new low water crossings will improve water quality by reducing downstream sedimentation caused by vehicles driving through standing and flowing water on the unimproved gravel roadway. These new concrete low water crossings are expected to meet the terms and conditions of a Clean Water Act Section 404 Nationwide Permit 3.

6. *Preserve what has been a tradition and protect what has become a right of the public by ensuring that the public, Individually and collectively, has and shall continue to have the right to use and enjoy the shorelines and to maximize public access to and along the shoreline consistent with constitutionally protected rights of private property owners.*

The proposed project will not result in a restriction of public access to, or use of the shoreline. The roadway will be temporarily closed during project construction.

7. *Promote and provide affordable and diverse public recreational opportunities in the coastal zone for all residents of the United States Virgin Islands through acquisition, development and restoration of areas consistent with sound resource conservation principles.*

The proposed project will preserve public access to the Lameshur Bay area for recreational use.

8. *Conserve ecologically significant resource areas for their contribution to marine productivity and value as wildlife habitats, and preserve the function and integrity of reefs, marine meadows, salt ponds, mangroves and other significant natural areas.*

The proposed project and surrounding area is owned and managed by the NPS for the purpose of “preserving and protecting for public benefit and inspiration outstanding scenic features, Caribbean tropical marine and terrestrial ecosystems in their natural conditions, and cultural heritage from pre-Columbian through Danish colonial times.” Rehabilitation of the roadway will not impact the preservation and protection of these lands. Proposed work would occur within the existing disturbed footprint of the roadway and existing unimproved parking areas.

9. *Maintain or increase coastal water quality through control of erosion, sedimentation, runoff, siltation, and sewage discharge.*

Appropriate erosion and sediment control Best Management Practices would be implemented during project construction to avoid or minimize construction stormwater runoff from entering the Bay. Construction of new concrete low water crossings are expected to improve water quality by reducing the amount of suspended sediment from entering adjacent wetlands and waterbodies caused by vehicles driving across existing gravel drainages.

Coastal Zone Consistency Certification

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Date