

BILL NO. 35-0422

Thirty-Fifth Legislature of the Virgin Islands

December 10, 2024

An Act ratifying Minor Coastal Zone Permit No. CZMIW0002-23 issued to 555 Madison Investors V, LLC for the installation of a 408 sq. ft. dock and a four inch reverse osmosis intake line on and seaward of Plot 7W Estate Nazareth, St. Thomas, Virgin Islands

PROPOSED BY: Senator Novelle E. Francis, Jr. by Request of the Governor

1 **WHEREAS**, on October 25, 2024, the Commissioner of the Department of Planning and
2 Natural Resources issued Minor Coastal Zone Permit No. CZMIW0002-23 to 555 Madison
3 Investors V, LLC for a term of 20 years;

4 **WHEREAS**, Minor Coastal Zone Permit No. CZMIW0002-23 authorizes the installation
5 of a dock 21'x4' section and a 7' x 42'-6 long dock totaling 408 sq. ft., and a four inch reverse
6 osmosis intake line on and seaward of Plot 7W Estate Nazareth, St. Thomas;

7 **WHEREAS**, the term of the permit is 20 years and may be renewed within 90 days before
8 the permit expires;

9 **WHEREAS**, pursuant to 12 V.I.C. § 911(f), 555 Madison Investors V, LLC shall pay an
10 annual rental fee of \$9,000, payable annually in advance;

11 **WHEREAS**, on November 15, 2024, the Governor of the Virgin Islands approved Minor
12 Coastal Zone Permit No. CZMIW0002-23; and

1 **WHEREAS**, title 12, Virgin Islands Code, section 911(e) provides that the Governor's
2 approval of any coastal zone permit or lease must be ratified by the Legislature of the Virgin
3 Islands; Now, Therefore,

4 *Be it enacted by the Legislature of the Virgin Islands:*

5 **SECTION 1.** Pursuant to title 12 Virgin Islands Code, chapter 21, section 911(e), the
6 Legislature of the Virgin Islands ratifies the Minor Coastal Zone Permit No. CZMIW0002-23
7 issued to 555 Madison Investors V, LLC by the Commissioner of the Department of Planning
8 and Natural Resources and approved by the Governor of the Virgin Islands on November 15,
9 2024, for the installation and the submerged lands occupancy of a dock consisting of a 21'x4'
10 section and a 7' x 42'-6 long dock totaling 408 sq. ft., and a four-inch reverse osmosis intake
11 line on and seaward of Plot 7W Estate Nazareth, St. Thomas, for a term of 20 years at an annual
12 rental fee of \$9,000, payable annually in advance, and with the following special conditions:

13 (a) The Division of Coastal Zone Management (CZM) shall be notified at least
14 72 hours prior to the commencement of the development activity authorized;

15 (b) All other federal and territorial permits required to build and operate the dock
16 structures must be obtained and maintained;

17 (c) The permittee's dock shall be for personal use only and no commercial craft
18 may use or be docked overnight, and the docking of vessels is limited to vessels under 40
19 feet in length;

20 (d) The permittee shall not allow any cleaning or fueling of vessels on the dock;

21 (e) No swim ladders shall be affixed to the dock, and the dock shall not be used
22 to provide access to swimmers;

23 (f) Monitoring, assessment, and maintenance of structures shall occur at least
24 semi-annually, and inspection records shall be submitted to DPNR upon request;

1 (g) A water quality certificate must be applied for and obtained from the Division
2 of Environmental Protection prior to construction;

3 (h) The permittee is required to submit a lighting plan for review that is consistent
4 with the Division of Fish and Wildlife’s specifications as it relates to turtle nesting
5 beaches within thirty days of the receipt of this permit;

6 (i) The Territorial Pollutant Discharge and Elimination Systems (TPDES)
7 permits must be applied, received, and must be maintained for the brine discharge from
8 the reverse osmosis system prior to occupancy and use of the dock;

9 (j) The permittee shall, in the event of the threat of any severe weather event,
10 remove the motor vessel to a different location for the duration of the event;

11 (k) The use of stationary continuous propelling for maintenance dredging is
12 prohibited; and

13 (l) No work other than the scope is allowed.

14 **BILL SUMMARY**

15 The bill ratifies Minor Coastal Zone Permit No. CZMIW0002-23, issued to 555 Madison
16 Investors V, LLC for the installation of a dock totaling 408 sq. ft., and a four inch reverse
17 osmosis intake line on and seaward of Plot 7W Estate Nazareth, St. Thomas, Virgin Islands.

18 **BR24-1406/December 9, 2024/LMW**
19 **G35-100**