

FEDERAL EMERGENCY MANAGEMENT AGENCY  
FINDING OF NO SIGNIFICANT IMPACT  
ENVIRONMENTAL ASSESSMENT  
GOV. JUAN F. LUIS NORTH PARKING LOT AND  
ANCILLARY STRUCTURES,  
ST. CROIX, U.S. VIRGIN ISLANDS

## BACKGROUND

In September 2017, hurricanes Irma and Maria caused significant damage to the United States Virgin Islands (USVI). The President issued one disaster declaration (DR-4335-VI) for Irma on September 7, and another one (DR-4340-VI) for Maria on September 20 encompassing the entire territory. The declarations authorized federal assistance to affected communities and certain non-profit organizations per the Federal Emergency Management Agency (FEMA) and in accordance with the Robert T. Stafford Disaster Relief and Emergency Assistance Act of 1974 (42 United States Code [U.S.C.] § 5172) as amended; the Sandy Recovery Improvement Act of 2013; and the Bipartisan Budget Act of 2018 (Public Law 115- 123). The Virgin Islands Territorial Emergency Management Agency (VITEMA) is the recipient for FEMA grant actions and the Governor Juan F. Luis Hospital (JFL) is FEMA’s subrecipient.

FEMA prepared an Environmental Assessment (EA) in accordance with Section 102 of the National Environmental Policy Act (NEPA) of 1969, as amended; the Council on Environmental Quality (CEQ) Regulations for Implementation of the National Environmental Policy Act (40 Code of Federal Regulations [CFR] Parts 1500 to 1508); Department of Homeland Security (DHS) Instruction Manual 023-01-001-01, Revision 01, Implementation of the National Environmental Policy Act (DHS Directive); FEMA Directive 108-1: Environmental and Historic Preservation Responsibilities and Program requirements and FEMA Instruction 108-1-1: Instruction on Implementation of the Environmental Planning and Historic Preservation Responsibilities and Program Requirements. The EA analyzed the potential environmental impact of the proposed action and no action alternative.

The purpose of the proposed action is to complete additional construction activities to maintain access to quality, comprehensive health care and medical services at JFL, St. Croix’s only hospital, at a service level that meets post-disaster function, capacity, and needs of the island’s community. JFL North, was constructed as a temporary solution for hospital services on St. Croix. The need for the action is to support physical access (from both vehicles and residents on foot) to emergency health care operations, and to maintain emergency health services and their associated utilities lines, for the island’s residents and visitors during the period of USVI recovery from hurricanes Irma and Maria.

## ALTERNATIVES

FEMA evaluated two alternatives to fulfill the purpose and need to address the proposed action. The “No Action Alternative” refers to a scenario in which no FEMA funding is provided to support construction and complete the interim hospital that aligns with post-disaster needs.

The action alternative includes clearing and grubbing of land, construction of a 300-space parking lot, ancillary structures, fencing and backup utilities. The parking area will support the emergency room, physicians, employees, visitors, and American with Disabilities Act parking. The ancillary structures will also include a building to provide storage of bio-medical waste and medical records.

## SUMMARY OF POTENTIAL IMPACTS AND MITIGATION

FEMA anticipates the following impacts across the Action Alternative: No impact to Geology, Topography and Soils, Endangered Species, Cultural Resources, and Hazardous Materials. Minor adverse impact to Air Quality, Water Quality, Wetlands, Floodplains and Coastal Resources; and Minor to major beneficial impacts to Invasive Species, Heritage Trees, Environmental Justice and Socioeconomic resources.

FEMA anticipates the following impact across the No Action Alternative: No impact to Geology, Topography and Soils, Water Quality, Wetlands, Floodplains, Coastal Resources, Invasive Species, Heritage Trees, Cultural Resources, and Hazardous Materials; Minor adverse impact to Air Quality and Endangered Species; and Major adverse impact – Environmental Justice and Socioeconomic resources.

Mitigation measures to minimize potential impacts are identified in the Permits and Project Conditions section below.

## PERMITS AND PROJECT CONDITIONS

The subrecipient is responsible for obtaining and adhering to all applicable federal, state, and local permits, permit conditions, and regulatory compliance. The subrecipient must also adhere to the following condition during project implementation. Failure to comply with grant conditions may jeopardize federal funds:

1. **The Subrecipient:** Must comply with all applicable environmental and historic preservation laws. Federal funding is contingent upon acquiring all necessary federal, state, and local permits. Noncompliance with this requirement may jeopardize the receipt of federal funds.
2. **Stormwater and Soils:** Under the U.S. Environmental Protection Agency (USEPA) National Pollutant Discharge Elimination System (NPDES), and project disturbing more than one acre requires an USEPA Construction General Permit, an NPDES Permit, and a Stormwater Pollution Prevention Plan (SWPPP). The permits and plan require Best Management Practices (BMPs) which serve to protect soils, in addition to stormwater. Subrecipient is required to: manage any soil stockpiles or debris, minimize steep slope disturbance, preserve native topsoil unless infeasible; and minimize soil compaction and erosion.

3. **Erosion and Sediment Control:** The project will implement BMPs, and guidelines recommended by USVI state officials. The subrecipient must obtain all necessary permits such as NPDES and implement required plan such as SWPPP.
4. **Heritage Trees Act:** In accordance with the Community and Heritage Tree Law: V.I.C. Title q12, Chapter 3A, a permit is required prior to the start of work for the removal or pruning of any heritage trees over 5 inches in diameter. The pruning or removal of heritage trees must be supervised by a certified, professional arborist. The subrecipient is responsible for obtaining necessary permits from the USVI Department of Agriculture.
5. **Work Affecting Water:** U.S. Army Corps of Engineers will consult on any work that may affect waters of the United States. The subrecipient is responsible for obtaining and implementing all appropriate permit requirements, including pre-construction notification, prior to the beginning of work.
6. **Floodplain:** Projects must comply with USVI floodplain and flood risk regulations.
7. **Historic Preservation/Archaeological Resources:** If significant cultural resources (archaeological sites or historic properties) are discovered during implementation of this project, the subrecipient and recipient shall proceed as indicated in Stipulation III.B. of the Virgin Islands Programmatic Agreement executed June 20, 2023, and work shall be halted in the affected area until such time as FEMA, in consultation with the Virgin Islands State Historic Preservation Office, determines that appropriate measures have been taken to ensure that the project is in compliance with the National Historic Preservation Act.
8. **Construction Material and Debris:** The subrecipient is responsible for ensuring that final disposal of bituminous and any non-recyclable debris materials resulting from the construction activities must take place at a properly permitted landfill. If necessary, waste characterization may be required for certain waste types, such as oil, asbestos, oil-based paint, etc., to ensure proper disposal. The subrecipient is responsible for obtaining any permits associated with staging, transportation, and handling of construction debris.
9. **Solid and Hazardous Waste:** The subrecipient will handle, manage, and dispose of all solid and hazardous waste in accordance with the requirement of local, state, and federal laws, regulations, and ordinances.
10. **Clean Air Act:** The subrecipient is responsible for obtaining an “Authority to Construct Permit” and a “Permit to Operate” with the Air Pollution Control Program of the Division of Environmental Protection of the USVI Department of Planning and Natural Resources for any source that may cause air emissions, including diesel generators. The subrecipient is responsible for complying with applicable USEPA and USVI requirements for low sulfur fuels and fugitive dust suppression.
11. **Invasive Species:** It is recommended that the subrecipient restore disturbed soils by planting native, non-invasive species. Construction equipment should be power washed prior to initial transportation to the construction site and prior to changing locations to prevent spread of noxious weeds.

## PUBLIC ENGAGEMENT

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This EA was available for agency and public review and comment for a period of 30 days from July 7, 2023, concluding on August 7, 2023. The public information process included a public notice with information about the proposed action in the *Virgin Islands Daily News* newspaper. The public notice included addresses to locations where the documents were available for review. The public notice provided the location of three websites where the document was and is available to download and review: [Public Notice 06-30-2023 | Gov. Juan F. Luis Hospital \(jflusvi.org\)](#); and [Environmental Assessment Gov. Juan F. Luis North Parking Lot and Ancillary Structures - US Virgin Islands Office of Disaster Recovery : US Virgin Islands Office of Disaster Recovery \(usviodr.com\)](#) and on FEMA's website at: [https://www.fema.gov/sites/default/files/documents/fema\\_vi-jfl-north-dea\\_06162023.pdf](https://www.fema.gov/sites/default/files/documents/fema_vi-jfl-north-dea_06162023.pdf).

## FINDINGS

In accordance with NEPA and its implementing regulations at 40 CFR Parts 1500-1508, FEMA Directive 108-1 and FEMA Instruction 108-1-1, FEMA has determined that the proposed action will have no significant adverse impact on the quality of the human environment. As a result of this FONSI, an EIS will not be prepared, and the proposed project as described in the EA may proceed. This FONSI serves as the final public notice for the proposed project.

## APPROVED BY:

**JOHN J MCKEE** Digitally signed by JOHN J  
MCKEE  
Date: 2023.08.11 21:49:46 -04'00'

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John J. McKee

Date:

Regional Environmental Officer, FEMA Region 2

## PROGRAM ENDORSEMENT:

**KRISTEN A HODGE** Digitally signed by KRISTEN A HODGE  
Date: 2023.08.14 08:37:05 -04'00'

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Kristen A. Hodge

Date:

Recovery Director, USVI Recovery Office