

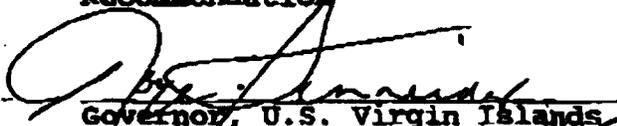
LAND PROTECTION PLAN

SALT RIVER BAY
NATIONAL HISTORICAL PARK
AND
ECOLOGICAL PRESERVE



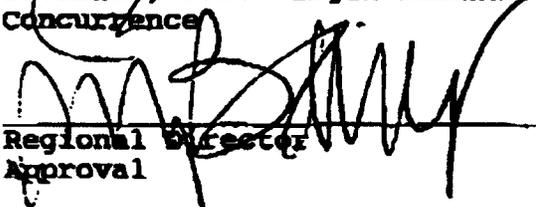
Superintendent
Recommendation

02/17/95
Date



Governor, U.S. Virgin Islands
Concurrence

2.15.95.
Date



Regional Director
Approval

2/24/00
Date

[Converted to electronic format by Damon J. Gomez (NOAA/RSMAS) in 2002. Copy available at the NOAA Miami Regional Library. Minor editorial changes were made.]

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LAND PROTECTION PLAN
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NATIONAL HISTORICAL PARK
AND ECOLOGICAL PRESERVE

1994

LAND PROTECTION PLAN

Area: Salt River Bay National Historical Park Ecological Preserve
Saint Croix, United States Virgin Islands

Acreage: Federal Fee (NPS) 10.75
(includes 0.33 acres road right-of-way outside the boundary)
Government of the Virgin Islands (fastlands) 58.03
Government of the Virgin Islands (water) 600.00
Private
(includes 4.11 acres road rights-of-way outside the boundary)

Funding: Authorized: Act of November 10, 1993, appropriated \$3,000,000 for land acquisition

Appropriated: (as of 12/31/93)	\$3,000,000
Obligated:	0
Unobligated Balance:	\$3,000,000

INTRODUCTION

In May 1982, the Department of the Interior published a policy statement in the Federal Register, for use of the Federal portion of the Land and Water Conservation Fund, which requires each agency responsible for land protection in federally administered areas to:

- Identify what lands or interests in land need to be in Federal ownership to achieve management purposes consistent with public objectives in the unit.
- To the maximum extent practical, use cost-effective alternatives to direct Federal purchase of private lands and, when acquisition is necessary, acquire or retain only the minimum interests necessary to meet management objectives.
- Cooperate with landowners, other Federal agencies, State and local governments, and the private sector to manage land for public use or protect it for resource conservation.

– Formulate, or revise as necessary, plans for land acquisition and resource use or protection to assure that sociocultural impacts are considered and that the most outstanding areas are adequately managed.

In response to this policy, the National Park Service (NPS) has prepared a Land Protection Plan (LPP) for Salt River Bay National Historical Park and Ecological Preserve to identify land protection alternatives to assure the protection of historic, scenic, cultural, or other significant resources, and to provide for adequate visitor use. The plan has been prepared in compliance with relevant legislation, other Congressional guidelines, executive orders, and Departmental and NPS policies. It does not constitute an offer to purchase land or interests in land and does not diminish any rights of landowners. It will guide future actions by the NPS and the Government of the Virgin Islands, subject to the availability of funds.

AREA PURPOSE

The purpose of Salt River Bay National Historical Park and Ecological Preserve is to preserve, protect, manage, and interpret the nationally significant resources of the Salt River Bay relative to: cultural resources, including the prehistoric inhabitation, the Columbus contact, European colonization; and, natural ecosystems including mangroves and the dynamics of the estuary and offshore marine complexes. The scenic vistas of Salt River Bay encompass the remains of thousands of years of human habitation set within a mosaic of dynamic tropical coastal ecosystems.

The area represents the continuum of human history in the Caribbean. Settlements, middens, burials, and the only ceremonial ball court ever discovered in the Lesser Antilles bear evidence of long inhabitation by Native American peoples. Included is the only documented site on what is now United States territory where members of the Columbus expeditions came ashore, which was also part of subsequent events that led to the demise of the Caribbean people and culture. The area was later the focus of Dutch, French, and Knights of Malta attempts to settle St. Croix in the 17th century and encompasses several plantations from the period of Danish sovereignty. It abounds with terrestrial and marine archeological sites and a rare earthwork fortification. The park also contains the largest remaining mangrove forest in the Virgin Islands, as well as a variety of tropical terrestrial and marine ecosystems, including a submarine canyon. Several endangered and threatened species nest and forage within the boundaries of the park.

BACKGROUND

The Act of February 24, 1992 (Public Law 102-247), which established Salt River Bay National Historical Park and Ecological Preserve requires that the park be administered in accordance with the provisions of law generally applicable to units of the National Park System, including but not limited to the Act of August 25, 1916 (39 Stat. 535; 16 U.S.C. 1. 2-4) and the Act of August 21, 1935 (49 Stat. 666; 16 U.S.C. 461-467). If generally applicable provisions of those laws should conflict with the provisions of Title I

of the Act of February 24, 1992 (P.L. 102-247), the provisions of said Title shall prevail (Section 105 [a]).

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 (Section 103 [b]).

The Secretary of the Interior (the Secretary) is authorized to acquire land and interests in land within the park's boundaries by donation, purchase with donated or appropriated funds, or by exchange. The Government of the U.S. Virgin Islands, in its partnership role, may also acquire lands within the boundaries of the park (Section 104 [a]). Lands, and interests in lands, within the boundaries of the park which are owned by the U.S. Virgin Islands, or any political subdivision thereof, may be acquired by the United States Government only by donation or exchange (Section 104 [b]).

Section 104 (b) also provides that lands, or interests therein, containing dwellings lying within the park boundary as of July 1, 1991, may not be acquired without the consent of the owner unless the Secretary determines, after consultation with the Government of the U.S. Virgin Islands, that the land is being developed or proposed to be developed in a manner which is detrimental to the natural, scenic, historic, and other values for which the park was established.

Section 106 established the ten-member Salt River Bay National Historical Park and Ecological Preserve at St. Croix, Virgin Islands, Commission with the Secretary and the Governor of the U.S. Virgin Islands as Chair (alternating annually), to recommend how lands and waters within the park can be jointly managed by the Governments of the U.S. Virgin Islands and the United States, to consult with the Secretary on the development of the General Management Plan (GMP), and to provide advice and recommendations to the Government of the U.S. Virgin Islands upon their request.

The Secretary, after consulting with the commission, is authorized to enter into cooperative agreements with the Government of the U.S. Virgin Islands, or any political subdivision thereof, for the management of the park and for other purposes (Section 105 [b]).

A GMP is to be developed, which shall specifically include plans for managing the natural and cultural resources of the park, implementing a continuing program of interpretation and visitor education, proposals for visitor use facilities, assessing the potential operation and supply of park concessions by qualified Virgin Islands-owned businesses, and training Virgin Islands residents in all phases of park operation and management (section 105 [c]).

MANAGEMENT OBJECTIVES

The following management objectives guide the preparation of the LPP and are in accordance with the spirit and intent of the 1992 Act that established the park:

Interpretation:

Provide informational and educational opportunities which encourage understanding and appreciation for the value of resources research and preservation in the areas of:

- Salt River Coastal Ecosystems
- Interaction of cultures which have impacted on the continuum of cultural evolution from pre-European to Modern times
- The interrelationship of inhabitants and their environment

Visitor Experience:

To transport the visitor through a variety of experiences reflective of significant sites and conditions which include:

- Native American and pre-European sites
- Columbus contact
- European and West African inhabitation
- Marine and terrestrial ecosystems (while allowing for important recreational opportunities)

Cultural Resource Protection:

Identify, document, and protect the physical record of human activity to allow park visitors and the general public a sensory and emotional understanding of the cultural continuum, most especially:

- Fort Sale and European settlement sites--stabilize (ensure there is no further erosion or degradation) Fort sale and settlement sites in order to preserve the remaining resources and provide sites for interpretation.
- Ball court and archaeological sites (village site and pre-Columbian areas at Cape of Arrows) — identify, mark boundaries, stabilize, interpret and ensure an atmosphere respectful of the sanctity of burial sites.

Natural Resource Protection:

Maintain and restore (man impacted) natural, coastal, and marine ecosystems to sustain their dynamics.

Research:

Facilitate scientific research within the park to increase knowledge about the unique cultural and natural resources and enhance resource protection, interpretation, and management.

Training:

Provide for the training of residents of the Virgin Islands to institute and manage a Territorial Park System.

Area Relationship:

Ensure that the concerns and suggestions from U.S. Virgin Islands residents are solicited and fully considered in the development and management of the park.

U.S. Virgin Islands/National Park Service Relationship:

Cultivate a productive working partnership to develop a jointly managed world class U.S. Virgin Islands/NPS park at Salt River.

LAND PROTECTION ISSUES

Land acquisition funds (approximately \$3 million) are available to acquire park lands. These funds are inadequate to acquire all private lands within the boundary nor may it be necessary or desirable to acquire all the lands. Establishing priorities for the use of available funds to acquire authorized park lands represents one issue.

A second issue involves determining what, if any, private uses are compatible with the plans for public use and protection of the resources.

A third issue concerns determining the minimum interest and alternative methods to protect the resources and to provide visitor use.

If development is managed with adequate regard for the natural, historic, and scenic character of the area, it could yield substantive benefits for economic growth of the island, and possibly enhance, or at least not degrade the visitor experience or the prime resources. Development that is inconsistent with the historic, natural, or scenic character of the area — that does not take into account site, size, scale, and infrastructure needed to support buildings, or materials and height of buildings — could still provide for economic growth, but could also adversely effect the resources both inside and outside the park boundary and degrade the visitor experience. By participating in this planning effort, the NPS in consultation with the Government of the Virgin Islands could provide advice and technical assistance that would help ensure positive results.

Also, it would be in the best interest of the NPS to cooperate with the planning efforts of the Territorial Government that would prevent development of adjacent lands in such a way as to intrude on the scenic values of the park.

Continuing pressure for land use changes challenges management to use all land protection tools as interim measures. Cooperating with non-profit organizations, the Government of the Virgin Islands, private landowners within the boundary and park neighbors may prove beneficial until lands can be protected permanently.

DESCRIPTION OF NON-FEDERAL LANDS LOCATED WITHIN THE BOUNDARY (refer to LPP map)

Salt River Bay National Historical Park and Ecological Preserve consists of approximately 949 acres land and water. The long-term objectives of the NPS and the Government of the Virgin Islands are to preserve the park's natural and cultural resources, as well as certain scenic vistas, so that the area's prehistory, Columbus association, colonial development, and natural ecosystems may be effectively interpreted. In the short term, non-historic dwellings in existence before July 1, 1991, could remain in accordance with Public Law 102-247, unless a development or proposed development is detrimental to the natural, scenic, historic, and other values for which the park was established. The GMP will describe in greater detail plans for the joint management of the park's natural and cultural resources, interpretation and visitor education, and visitor use facilities.

1. East side of bay — mixed Waterfront-Pleasure, medium-density residential (R-3), and public. Sugar Bay Land Development, Inc. claims title to four tracts totaling approximately 68.91 acres. The flat shoreline is dominated by a hill in the northeast. Some of these tracts have significant prehistoric archaeological deposits, including burials, and may contain similar evidence of 17th-century European colonization. The developers have received a major Virgin Islands Coastal Zone Management (CZM) land permit for the construction of condominiums, a hotel, recreational facilities, and related infrastructure. The ruins of a large structure dating from an earlier attempted development are situated on the property. To date, no new construction has taken place. The developers' request for a major CZM water permit to construct a 125-slip marina, with attendant dredging of the bay, was denied by the Legislature of the Virgin Islands in 1991.

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 U.S. Government; destroy prehistoric archaeological deposits (including

burials); and pose a very significant visual intrusion on the natural and historic scene.

2. West side of bay -- mixed Waterfront-Pleasure and industrial, low-density residential (R-1), and public.

The five-acre Columbus Landing Site, of the greatest historical and cultural significance, is owned by the Government of the Virgin Islands. Through historical and archaeological evidence, it represents a continuum of human history from early prehistoric times to the present. Its most important components are a prehistoric ceremonial ball court and a 17th-century triangular earthwork fortification.

LICA Holding Corporation, registered in Delaware and comprised of Italian investors, owns 13 lots totaling 11.90 acres. The most prominent feature of this largely flat shoreline property is the tributary off of Salt River Bay. A marina, tavern, dive shop, and custom boat yard are already established. There is some likelihood that one or more shoreline tracts adjacent to the Columbus Landing Site may contain archaeological evidence of the 17th-century village site utilized in succession by the Dutch, English, and French.

Of the remaining small tracts, 14 (approximately 15.83 acres) are zoned residential and six (approximately 5.675 acres) are zoned Waterfront-Pleasure. Eleven of the R-1 tracts surround the Columbus Landing Site. One other contains the ruins of a Danish customs house built circa 1788. The generally narrow-width W-1 tracts are bounded by Route 80 to the west and by Sugar Bay to the east. These tracts are presently not developed.

Four categories of resource values are threatened by existing or potential activities in this area. Archeological deposits at the Columbus Landing Site continue to be degraded by vehicular traffic and by casual "potholers". Endangered species (especially sea turtles) nesting at the Columbus Landing Site beach are jeopardized by off-road vehicular use, domestic animals (dogs and horses), bonfires, and poaching. Live-aboard boats at the marina as well as the boat-building operation and individual boat repairs pose significant threats to water quality extending well beyond the estuary itself. Finally, there exists the potential for unwelcome visual intrusions through (primarily) residential construction, which would adversely impair visitors' ability to comprehend several highly significant cultural, historic, and natural resource themes as well as formal interpretive efforts.

3. Dyck peninsula --- Waterfront-Pleasure.

The most prominent feature of this peninsula, which protrudes into Salt River Bay from the south, is a large hill that slopes almost to the water's edge. It is largely undeveloped, covered with trees and scrub brush. Aside from a 1.01-acre

residential tract (Holcombe) and a 1.60-acre road plot (Government of the Virgin Islands), the remaining 58.1 acres (Dyck) contain a large single-family residence, two separate guest cottages, a swimming pool, an open beach pavilion, a small jetty, a two-story building (formerly used for scientific research and dormitories by West Indies Lab/Farleigh Dickinson University), and a large utility/construction shed. This peninsula is not known to contain resources of great significance.

4. Southern flatlands and valleys -- low-density residential (R-1).

The southern end of the park consists of two extensive areas, extending to the south-southwest and separated from each other by private holdings that are Zoned R-1.. The eastern area, consisting of 50.23 acres of steep wooded slopes and narrow valley floor, is owned by the Government of the Virgin Islands. This area has not been well surveyed for cultural and natural resources, but 17th-century maps indicate scattered European settlements in the vicinity. The largest holding in the western area is the three tracts owned by the Columbus Bay Marina, Ltd. (approximately 121.98 acres). Additional tracts of approximately 0.56 acre (Millar), 7.90 acres (Preiss), 2.11 acres (Virgin Trade Winds), and a 0.55-acre road lot (North Road Association) complete holdings in this area. Tracts in the western area are bounded to the west by Route 80, and to the south by Route 75. The southern flatlands, especially in the western area, is the terminus for drainage from the central hills on St. Croix into Salt River Bay. Diversion of these natural watercourses could adversely affect the vitality of fringing mangrove forests and stands of swamp ferns, increase siltation in the bay, and ultimately adversely affect the coral reef ecosystem including the submarine canyon. There is also the likelihood that suspected prehistoric and 17th-century archaeological sites would be destroyed by any ground disturbance.

5. Bay and open marine environment — public.

The Government of the Virgin islands has title to all submerged lands within the boundary of the park (approximately 600 acres). The marine environment consists of four zones: the bay proper, two inland tributaries formed by the Dyck peninsula (Triton Bay to the east and Sugar Bay to the west), and deep water bounded to the south by the submarine canyon wall enclosing the bay and to the north by the 300-foot depth contour. It is highly significant for its natural resources (foraging habitat for several endangered species, its coral reef system, and the ecosystems associated with the geologically-rare submarine canyon); the seabed also contains several historic shipwrecks and maritime debris.

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 marine 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.

COMPATIBLE AND NON-COMPATIBLE USES OF NON-FEDERAL LAND WITHIN THE BOUNDARY

Public Law 102-247 established the Salt River Bay National Historical Park and Ecological Preserve to preserve, protect, and interpret nationally significant natural ecosystems and cultural resources. Private uses of the park that would perpetuate these values would generally be compatible with its purposes. Activities that would disturb natural and cultural resources, and interfere with public recreational opportunities, would generally be incompatible. Application of the relevant management objectives to these broad statements may clarify what types of private land uses would be characterized as compatible or incompatible.

Natural Resources

Incompatible private land use:

- would interfere with maintaining and restoring natural coastal and marine ecosystems to sustain their dynamics

Cultural Resources

Incompatible private land use:

- would interfere with the identification, documentation, and protection of the physical record of human activity to allow park visitors and the general public a sensory and emotional understanding of the cultural continuum, most especially:
 - Fort Sale and European settlement sites
 - Ball Court and archeological sites
 - Columbus encounter site

Visitor Experience

Incompatible private land use:

- would interfere with the park's ability to transport the visitor through a variety of experiences reflective of significant sites and conditions which include:

- Native American and pre-European sites
- Columbus contact
- European and West African inhabitation
- marine and terrestrial ecosystems (while allowing for important recreational opportunities)

On the other hand, private and public actions that would enhance the protection or preservation of natural or cultural resource values, allow public recreation and access where appropriate, and blend in with the predominantly natural vistas are considered compatible. Similarly, private developments or redevelopments incorporating standards that do not impair natural or cultural values are considered compatible.