

*Virgin Islands Department of Education*  
*Land purchase, Saint Thomas, Virgin Islands*  
*GM87916/PW01339*  
**Executive Order 11988 – Floodplain Management**  
**8-step Decision Making Process**

Executive Order 11988 (Floodplain Management) requires federal agencies “to avoid to the extent possible the long- and short-term adverse impacts associated with the occupancy and modification of the floodplain and to avoid direct or indirect support of floodplain development wherever there is a practicable alternative.” FEMA’s implementing regulations are at 44 CFR Part 9, which includes an 8-step decision making process. The Virgin Islands Department of Education (VIDE) is requesting FEMA funds to purchase seven adjacent parcels of land (Island Block parcels) amounting to approximately four acres on St. Thomas. FEMA’s Public Assistance program has determined that the Curriculum Center meets the criteria of a critical facility, which is defined in the Section 406 of the Stafford Act as a facility that provides a critical service such as education. The existing location of the Curriculum Center has been damaged beyond repair and permitting for demolition and reconstruction of the facility has been denied due to the location on the Tutu Wellfield Superfund site. Therefore, the VIDE proposal is for the option to relocate the damaged Curriculum Center and hereinafter referred to as the proposed action.

***Step 1 Determine if the proposed action is located in the Base Floodplain.***

The proposed action is located within the 100-Year Floodplain and is designated as AE and AO within the Special Flood Hazard Area (SFHA), as illustrated on the US Virgin Islands Advisory Base Flood Elevation Data Map (Community-Panel Number 7800000026G dated 04/16/2007). The Base Flood Elevation (BFE) 7 ft.

***Step 2 Early public notice (Preliminary Notice)***

A disaster wide cumulative public notice was published in the Virgin Islands Daily News newspaper on 11/17/2017 and 11/18/2017. The public notice for this 8-step serves as the project-specific notice for this proposed action.

***Step 3 Identify and evaluate alternatives to locating in the base floodplain.***

FEMA is required by 44 CFR Part 9.9 to identify and evaluate practicable alternatives to carrying out a proposed action in floodplains or wetlands. These practicable alternatives include alternative sites out of the floodplain, alternative actions that serve the same function, and a no action alternative.

Under the no action alternative, FEMA would not provide VIDE the funds requested to purchase the Island Block parcels VIDE identified.

VIDE's proposed action is to purchase the Island Block parcels for the option to relocate the Curriculum Center from its current location. The Curriculum Center served as office space and warehouse storage for school supplies. The facility, which is damaged beyond repair, cannot be rebuilt on its current location because it's located on the Tutu Wellfield Superfund site, and the applicant is unable to obtain USVI permits from the Department of Planning and Natural Resources - Division of Environmental Protection for reconstruction at its current site. The current

proposed relocation site is currently occupied with buildings and warehouses and associated roads and parking. VIDE prefers the proposed Island Block site for its proximity to Charlotte Amalie and access to the port.

The VIDE considered an alternate location in Bovoni on St. Thomas (GPS: N18.31812, W64.883722) that is 4.2 acres of Government of the Virgin Islands owned land that is mostly undisturbed and not located within the SFHA. When the Island Block parcels became available for purchase, the VIDE requested FEMA support to purchase for the option to construct the Curriculum Center. The VIDE has only defined proximity to Charlotte Amalie and the port as the only selection criteria for the facility. FEMA considers the Bovoni site that is located out of the floodplain as a practicable alternative to the applicant's proposed action.

FEMA is directed by 44 CFR Part 9.7 to avoid floodplain and wetland locations unless they are the only practicable alternatives; The VIDE has not yet demonstrated why the Bovoni site is not a practicable alternative. The Bovoni site, which is located outside of the floodplain, is an undeveloped land parcel that is owned by the Government of the Virgin Islands, it's relatively flat, and the same acreage size as the Island Block parcels. FEMA considers the Bovoni site to be a practicable alternative to the proposed action. However, this evaluation is only for the administrative action to purchase parcels for relocation of the Curriculum facility.

***Step 4 Identify impacts of proposed action associated with occupancy or modification of the floodplain.***

The proposed action is limited to purchase of land and administrative in nature. FEMA interprets that purchase alone will not adversely impact natural habitat values or other functions of the floodplain nor will it induce flooding on any other downstream or upstream facilities or properties. However, any construction or demolition activities as part of the proposed Curriculum Center project may have such impacts and will require additional evaluation along with practicable alternatives.

***Step 5 Design or modify the proposed action to minimize threats to life and property and preserve its natural and beneficial floodplain values.***

The proposed action is for purchase of land only, it does not constitute any development in the floodplain. Therefore, FEMA anticipates that there are no modifications to the purchase that would affect threats to life and property or preserve the natural beneficial floodplain values. The VIDE will need to provide to FEMA the project scope and design for the proposed Curriculum center for evaluation of practicable alternatives and mitigation measures to minimize threats and preserve the floodplain values.

***Step 6 Re-evaluate the proposed action.***

Since the proposed action is an administrative action, it will not aggravate the current special flood hazard area because there will be no development at this time. The project will not disrupt floodplain values because it will not change water levels in the floodplain and will not reduce habitat in the floodplain. The proposed action to purchase property is not a permanent action nor does it result in immediate development of the floodplain. The project scope and design of the proposed Curriculum Center still requires evaluation under EO 11988, NEPA, and other environmental laws and executive orders.

***Step 7 Findings and Public Explanation (Final Notification)***

Project Public Notice will be published in the VI Daily News on March 1, 2024. This 8-step document will be posted on the FEMA DR-4335/4340-VI Facebook page, VIDE's website page and ODR's website page. Comments about this project, potential alternatives, and floodplain impacts may be submitted in writing within 15 days of the date of this publication to: FEMA 4335-4340 JFO, Attn: Environmental Planning and Historic Preservation, 4500 Sunny Isle Shopping Center, Unit 37 and 38, Christiansted, VI 00820; or via email at FEMA4340Comment@fema.dhs.gov. If substantive comments are received, FEMA will evaluate and address the comments as part of the environmental documentation for this project.

***Step 8 Implement the action***

The proposed action for property acquisition is in compliance with applicable floodplain development requirements, National Flood Insurance Program, and other applicable laws, regulations and executive orders. This 8-step does not evaluate the impacts of construction or demolition activities. As the VIDE continues with project design and final site selection, FEMA will require additional review and public engagement for compliance with NEPA, EO 11988, and other laws and executive orders.