



CORAL BAY COMMUNITY COUNCIL

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CBCC Letter on Marine Uses Planning



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- a 501(c)(3) nonprofit organization -

August 18, 2014

Mr. Jean Pierre Oriol
Acting Commissioner
VI Department of Planning and Natural Resources
(delivered via email)

Re: Water Use Management Plan for Coral Bay and CZM applicant Summer's End Marina misstatement

Dear Mr. Oriol,

Normally I don't waste time defending myself or CBCC against misstatements intentional or otherwise. However, amidst a number of similar incidences including in the EARs and the press, one particular accusation by Rick Barksdale speaking for Summer's End, LLC must be addressed because he falsely puts words in my mouth insulting other people.

The *St. John Tradewinds*, August 11-24, 2014 issue, Page 4: quotes Rick Barksdale directly saying:

“Sharon Coldren, President of the Coral Bay Community Council drafted a letter to DPNR citing the need for harbor management in which she stated that DPNR is incompetent and incapable of managing the harbor, and she further stated that asking DPNR to manage Coral Harbor would be like asking the Virgin Islands Police Dept. to manage the school system.”

First, the actual letter he discusses, which is appended here, does not say ANY of these insults at all. Period. Fortunately, most people know this is not the kind of language or concept that anyone hears from CBCC or me personally. Mr. Barksdale's improper quote uses his kind of belittling language –the kind he has chosen to use repeatedly when talking about ALL of us here on St. John and the VI.

Taking this letter in a more positive direction: I urge you to read the attached letter that was actually emailed to your predecessor in 2013 (and the reply which I was told was written by the Governor's office for her signature.) It does make true statements and requests with which the various members of the Coral Bay Marine Uses Planning Committee who signed the letter agreed. Rick Barksdale and Chaliese Summers who were in the meeting when it was approved by the group chose not to sign the letter (as did some others who were not legal residents and thus not eligible for the ad hoc committee being requested).

As a followup, CBCC and the Coral Bay Yacht Club in July 2014 asked to make a presentation to the Governor's Marine Economic Advisory Committee on these and other issues, and have been told we will get that opportunity soon.

We have been gratified to learn that the Marine Economic Advisory Committee recommended in Spring 2014 that DPNR reopen mooring approvals and take boaters all over the VI off the waiting list – and this is in process now.

We are also asking for clarification of the short and confusing letter of intent, now expired, from the former Commissioner that is in the CZM application, suggesting that a partnership might be formed between the Summer's End Group and DPNR to manage the mooring field. As conceived, this would violate the mooring laws and regulations cited in the attached letter.

Thank you for taking the time to review this,

Sincerely,

A handwritten signature in blue ink, appearing to read 'SC', with a stylized flourish extending to the right.

Sharon Coldren,
President, CBCC

Attachments

March 12, 2013

Hon. Alicia Barnes
Commissioner, Department of Planning and Natural Resources
8100 Lindberg Bay, Cyril E. King Airport
St. Thomas, VI 00802

Dear Commissioner Barnes,

The Marine Uses Planning Team, part of the Coral Bay Watershed Management Project, Phase 2, is developing a written plan to help protect the future of the waters of Coral Bay and consider future marine related and shoreline economic development. We would like to include the legislatively required “water use plan” for the Coral Harbor Designated Mooring Area as part of the overall plan.

As you know, we announced and began this planning effort, with monthly meetings in December 2012. Boaters and other community members have participated in four meetings thus far, and this is expected to continue.

May we request that you authorize the Marine Uses Planning Team of the Coral Bay Watershed Management Project to act as the “Ad Hoc Community Committee” for the Coral Harbor designated mooring area, as outlined in the VI Code: Title 25, Chapter 16, Section 403(c), and to be responsible for developing a draft of the required Water Use Plan for Mooring and Anchoring (Regulations, 1992, Section 404(b)) for governmental review and approval? We anticipate working together with DPNR staff and other agencies to create a pragmatic and useful plan for the area. An outline is attached. Our timetable for completing the planning work is early 2014. The plan can then be reviewed by your office, and if approved, submitted to the VI Legislature for final approval.

The participants of the Coral Bay Marine Uses Planning Team have, among them, a wealth of boating, mooring and anchoring experience and best practices, knowledge of local currents and benthic habitats, water quality expertise, community leadership, planning, and business development experience. Meetings are publicly announced and everyone is welcome to participate.

As a side note: although we view the investigation into the enforcement officers’ actions last July as a completely separate issue, we are relieved to see that this investigation was conducted, and has led to thoughtful recommendations about additional training for officers. We trust that, under your leadership, DPNR is also actively seeking to improve the “community relations” skills of the officers so that people throughout the territory will view them as courteous, helpful, and even-handed. The details of the law and regulations for moorings are very supportive of a cooperative community-based approach to managing problems, with social sensitivity and practicality.

Letter to Commissioner Alicia Barnes, Water Use Plan Coral Bay – March 12th, page 2

Since the 1980s, your predecessors at DPNR have initiated a number of short-lived efforts to rationalize mooring areas on St. John and start the process of creating the water use plans. Little has ever come of this, except occasional bans of new mooring applications. Why? We expect this has occurred because past commissioners have repeatedly assigned the responsibility to the Enforcement Division -- individuals who are hired for their policing skills and law enforcement training, as well as ability to handle high-speed motor vessels. Understandably, they generally do not have the planning & environmental education or management skills to successfully organize the mooring planning work, and the “ad hoc committee” and Water Use Plan drafting process.

The objectives of the Title 25, Chapter 16 are intentionally synchronized with the objectives of the CZM law and program. Therefore, may we suggest that you consider moving the responsibility for planning and directing the management of mooring areas and Chapter 16 objectives to the CZM division?

Another important issue: Reopening Mooring Applications and Fee payments. Right now there are a number of boaters in Coral Harbor who have submitted mooring applications (or inquired about mooring applications) and have been told they cannot be processed. These boats are currently moored or anchored in Coral Harbor patiently waiting for DPNR to reopen applications so they can pay their fees. DPNR is losing revenue every day by not processing these applications.

Five years ago, when DPNR realized it was losing valuable revenue, it reopened applications in Coral Harbor and quickly added numerous boats and thousands of dollars in revenue. But for some unknown reason the harbor was again closed for applications a few years ago, without public explanation. Now, as is normal -- a number of boats have permanently left the harbor and new boats have arrived – only to be told by DPNR Boating Enforcement that mooring applications are not being processed. In these tight budget times, we expect you could immediately noticeably increase revenue by re-opening the mooring field here and in other bays. Please let us know what we can do to assist in resolving this issue.

Thank you very much for taking the time in your busy schedule to consider these requests. They are summarized below:

- Authorize this team to be the ad hoc committee to develop the Coral Harbor water use plan;
- Authorize CZM as the principal DPNR agency for this water use plan and direction of management of mooring areas;
- Reopen Mooring applications and collection of fees.

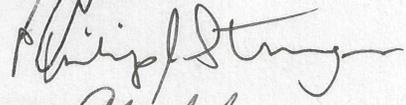
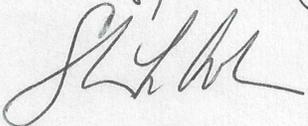
Letter to Commissioner Alicia Barnes, Water Use Plan Coral Bay – March 12th, page 3

The undersigned respectfully ask that you consider these requests. We look forward to working with you and your staff to plan a great future for the waters and the people of Coral Bay.

Please respond to: Members of the Marine Uses Planning Team, c/o Coral Bay Community Council, 9901 Emmaus, St. John, VI 00830 or coralbaycommunitycouncil@hotmail.com

Thank you.

Respectfully yours,

Signature	Name	Address	Legal Resident
	John Stewart	Sugar Apple East	
	STEPHEN C. HENDON	9901 Emmaus St	<u>YES</u>
	Philip J. Stenger	7916 Emmaus, St. John	yes
	SHARON COLDREN	7916 Emmaus St John	yes.
	DAVID BORROR	(see attached email)	
	SUSAN WAKELEE	(see attached email)	

Coral Bay Harbor Designated Mooring Area

Water Use Plan Outline Draft 3 -12 -13

Legislative Background (Title 25, Chapter 16, “Mooring and Anchoring of Vessels and Houseboats”)

Section 401: Declaration of policy: *Key points*

- *Orderly, efficient, equitable, safe and ecologically sound allocation and regulation of moorings, anchorages, and unobstructed navigational channels.*
- *Need to protect and preserve natural and historic character of... harbors, bays and shoreline areas;*
- *Improve, protect and maintain water quality*
- *Provide for Public Access, use and enjoyment of coastal areas,*
- *Generate revenue for improvement and maintenance of harbor and shoreline facilities*
- *Encourage water dependent uses*
- *Resolve conflicts between competing uses of territorial waters*
- *Authorize DPNR to administer and enforce provisions relating to Mooring and anchoring.*

Sec. 404(f) “The Legislature recognizes that for reasons of conservation, recreation, ecology, navigation or aesthetics, the coastal areas require a flexible and modifiable management program responsive to changing social, economic and environmental conditions. Until such time as a water use plan is developed, the Department shall administer programs in a manner consistent with the goals and objectives of this chapter and in a manner responsive to social and environmental needs.”

Management Objectives of Plan (includes legal, administrative, educational, ecological, physical concerns)

- I. Natural Resources conservation
 - a. Description of existing resources/habitats/maps (seagrass, coral, mangroves, fish, etc.)
 - b. Protective measures needed – in general
- II. Optimization of current uses and integration of traditional uses with mooring area
 - a. Description of current uses and traditional uses
 - b. Alternative optimization strategies explored
- III. Separation of incompatible uses in coastal areas
- IV. Efficient Management of mooring and anchoring areas
- V. Establishment of effective techniques for monitoring current and future environmental and social impacts on the designated and adjacent areas.

OUTLINE OF TOPICS

- 1. Mooring and Anchoring Areas Design: (to include maps, GIS locations)**
 - a. Current area and use description for both
 - b. Size, bottom topography, tide, circulation, weather exposure, services

- 2. Recommended future design for moorings and anchoring area**
 - a. Locations
 - b. Types of mooring systems
 - c. Hurricane protection
 - d. Users

- 3. Other uses: Fishing, Swimming, Shoreline walks, restaurants, businesses, navigation, transportation, recreation, conservation (limited use), marinas and associated uses.**
 - a. Details as appropriate

- 4. Shoreline public access and facilities:**
 - a. Dinghy dock
 - b. Parking
 - c. Pump out
 - d. Fuel
 - e. Marine services and supplies
 - f. Nonboater access for recreation
 - g. Charter captain boat access for tourists

- 5. Prioritization of Uses**

- 6. Implementation time line**

Re: Marine PI Team: Letter to Commissioner Barnes for signing

From: **Dave** (daveborror@hotmail.com)
Sent: Fri 3/15/13 10:38 AM
To: Coral Bay Community Council (coralbaycommunitycouncil@hotmail.com)

Please include my signature for this letter to comm Barnes. David Borror

Sent from my iPhone

On Mar 14, 2013, at 3:28 PM, Coral Bay Community Council <coralbaycommunitycouncil@hotmail.com> wrote:

Hi all-

In the 4th Marine Use Planning Team meeting on Tuesday, we collaboratively drafted and edited the attached letter and Water Use Plan outline to send to Commissioner Barnes at DPNR. 18 of us were present and participated in the work. The whole group agreed the letter should be sent. Some may not sign because they are not currently legal residents - as is required for the ad hoc committee. I was left with the responsibility to "dot the i's", "make it english" and make it ready to circulate to you all. Please read it, and if you were at the meeting, be sure it says what it should! Even if you weren't at the meeting, if you agree with the points made, it would be great to have your signature. You can send an email saying you are signing on (and we will attach to the file) -- or better yet, stop by the office and sign the original -- by 2pm on Friday. Assuming we have a reasonable number in hand, the letter will be sent via later Friday, hard copy to follow. Good planning will happen because we all make an effort to do it! Please respond.

Thank you for your participation -- and excellent ideas/editing.

Sharon Coldren

Coral Bay Community Council, Inc
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Z
R

<Comm Barnes letter and plan outline 3 12 13.pdf>

Re: Marine PI Team: Letter to Commissioner Barnes for signing

From: **Susan Wakelee** (wakeleesusan@yahoo.com)
Sent: Sat 3/16/13 12:26 PM
To: Coral Bay Community Council (coralbaycommunitycouncil@hotmail.com)

I would like to sign the letter, but was unable to get by the office on Friday.

Susan Wakelee
7511 Bordeaux
St John, USVI
00830

From: Coral Bay Community Council <coralbaycommunitycouncil@hotmail.com>
To: mAnna and Tom Lawson <lawsonanna@rbnet.com>; Stephen Hendren <henstjohn@yahoo.com>; mRev Rae and Jim Kurt <revrae@mailstation.com>; Bob DeBonis <daddychiro@gmail.com>; m Sarah Groves Donovan <sarhigdon@aol.com>; Leona smith <calabash1960@hotmail.com>; Karen Vahling <karen.vahling@yahoo.com>; Kevin Schnell <kevin@caribbeansolarcompany.com>; Maya Schnell <maya@caribbeansolarcompany.com>; Chaliese Summers <chaliesesummers@gmail.com>; rick barksdale <rickbarksdale@gmail.com>; mRobin & Rick Gallup <sailboatlongdistance@hotmail.com>; m John & Marcia Stewart <islandrootstoursusvi@gmail.com>; Ken Burt <nevadunfarm@metrocast.net>; Sandra Coral Bay marine Mohler <sandymohler@gmail.com>; david rosa <david.rosa@dpnr.gov.vi>; Jason Hayman <jason@pelicanbeachvi.com>; Jason Siska <jusiska@gmail.com>; m Jeffrey & Ann McCrave <mccravej@yahoo.com>; Will Hudson <kingfishwilly60@yahoo.com>; Dave Dostall <ddostall@yahoo.com>; Dick Burks <rpburks@hotmail.com>; Mary Burks <maryjburks@gmail.com>; mJan and George Courlas <jancourlas@holidayhomesvi.com>; Deborah Aitken <debzcam@hotmail.com>; Robert Oconnor <234@vitelcom.net>; Dave Borrer <daveborrer@hotmail.com>; m melody smith <melodysmithvi@gmail.com>; Ed Roberts <edmundroberts@ymail.com>; Susan Wakelee <wakeleesusan@yahoo.com>; Kevin Curtwright <kcvi06@yahoo.com>; Patricia Reed <triciareed@coralbaycommunitycouncil.org>
Sent: Thursday, March 14, 2013 3:28 PM
Subject: Marine PI Team: Letter to Commissioner Barnes for signing

Hi all-

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Thank you for your participation -- and excellent ideas/editing.



GOVERNMENT OF THE UNITED STATES VIRGIN ISLANDS

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DEPARTMENT OF PLANNING AND NATURAL RESOURCES

45 Mars Hill, Frederiksted
St. Croix, U.S. Virgin Islands 00840-4474

Office of the Commissioner

Telephone: (340) 773-1082
FAX: (340) 773-1716

May 14, 2013

Ms. Sharon Coldren
Coral Bay Community Council
9901 Emmaus
St. John, VI 00830

Dear Ms. Coldren:

We are in receipt of your request for the Coral Bay Watershed Management Project Marine Uses Planning Team to be the representation for Coral Bay as it relates to the development of regulations for mooring and anchoring in Coral Bay.

As it relates to the Mooring and Anchoring of Vessels in the Territory, the Department of Planning and Natural Resources has the specific mandate "to provide for the orderly, efficient, equitable, safe, and ecologically sound allocation and regulation of moorings, anchorages and unobstructed navigational channels in the territory".

As we further our discussions throughout the community regarding issues such as reasonable fees, terms of permit, and areas to be affected, we would sincerely welcome the input from the Coral Bay Watershed Management Project Marine Uses Planning Team. As it is, the Governor is about to convene his first meeting of the Marine Economic Advisory Council which will also serve to garner input from various constituencies of the marine community throughout the four Virgin Islands.

It is our intent to have input from the entire St. John Community which has proven to be very aware and active in their civic participation and community service. We are appreciative for your desire to participate and look forward to continuing the dialogue as it relates to the use, protection and preservation of our territorial waters.

Sincerely,


Alicia V. Barnes
Commissioner

pc: Governor John P. de Jongh, Jr.