

**FOR IMMEDIATE RELEASE:**

**CORAL BAY PARTIES UNITE FOR LEGAL ACTION AGAINST MAJOR MARINA**

*St John, USVI - November 12, 2014* -The Save Coral Bay Fund, with the full support of the Coral Bay Community Council, announced today that it is partnering with the Virgin Islands Conservation Society (VICS) to initiate legal action against the development of the St John Marina proposed by The Summers End Group, LLC, for Coral Bay Harbor, in St John, US Virgin Islands. Later this week VICS will be filing appeals against permits granted to the marina developers by the St John Coastal Zone Management committee.

Following unprecedented public outcry against a marina that would be destructive to federally listed endangered sea turtle habitat, endangered coral species, and a prime nursery for lemon and black tip sharks, a grass roots movement has quickly drawn over \$75,000 in financial support from hundreds of people inside and outside of the Virgin Islands who are opposed to this project. The Save Coral Bay Fund is supported by residents of all of the US Virgin Islands, business owners, frequent visitors, mariners, marine biologists, realtors, and people from all walks of life who see this proposed mega marina as the most threatening development ever to be considered for the island of St John. All financial donations to the Save Coral Bay Fund are being managed by the Coral Bay Community Council, a 501(c)(3) non-profit organization.

The Virgin Islands Conservation Society has an over 45 year track record of successes in protecting the natural environment of the USVI. VICS has successfully fought to prevent environmentally destructive development from damaging the fragile ecosystems of the Virgin Islands and encouraging responsible development.

The partnership has retained legal counsel to oppose the proposed development. At the VI territorial level, attorney Jennifer Jones ([vienvironmentallaw.com](http://vienvironmentallaw.com)) will be the lead counsel, assisted by attorney Andrew Simpson ([coralbrief.com](http://coralbrief.com)) as chief litigation counsel. Between the two, these attorneys have over 30 years of experience successfully fighting environmental cases in the Virgin Islands. Jennifer Jones said "The numerous problems with these applications and the manner in which they were reviewed will all be noted in the filing with the Board of Land Use Appeals. This is an important environmental case that will highlight how the Coastal Zone Management Commission reviews CZM applications and whether it truly protects the environment and the public's interest."

To handle aspects of the lengthy federal multi-agency regulatory review process coordinated by the Army Corps of Engineers, the nationally known environmental and energy law firm, Manko, Gold, Katcher & Fox ([mankogold.com](http://mankogold.com)) is providing pro bono legal services. The Save Coral Bay Fund is extremely fortunate to have the services of partners Robert Fox and Jonathan Rinde of the Manko firm. They bring extensive experience in regulatory compliance and litigation in federal environmental law.

David Silverman, spokesperson for the Save Coral Bay Fund, said "I am thrilled that VICS is lending their vast experience in environmental protection to this vital cause. The voices that have been raised in opposition to the marina proposal of the Summers End Group will now have an effective channel

through which to pursue appeals and, if necessary, litigation in our territorial and federal courts. We applaud VICS for standing up with us to fight for our Virgin Islands environment."

Jason Budsan, President, Virgin Islands Conservation Society, said "The protection of our natural environment is the prime mission of VICS. We stand with the people of Coral Bay, St John and all responsible Virgin Islanders in their opposition to this environmentally destructive marina development. Our voice was heard at the public hearing, and now we are adding the voice of hundreds of St John residents to our firm stance in this critical matter."

For more information on the Coral Bay Summer's End Group marina, please visit the website of the Save Coral Bay Fund - [savecoralbay.com](http://savecoralbay.com) and the public fund appeal at [GoFundMe.com/coralbay](http://GoFundMe.com/coralbay).

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## **ADDITIONAL BACKGROUND**

This past July, the Coral Bay community of St John, US Virgin Islands, was shocked when a proposal to develop a mega yacht marina in the heart of Coral Bay harbor was first unveiled to the public. Although it had been known for some time that a development group was interested in a marina in this area, the only information that had been shared with the public was for a moderate sized marina that would be developed with input from the community.

Instead, what was revealed in over 1000 pages of application, was a proposal for one of the largest marinas in the entire Caribbean, built in one of the most environmentally sensitive areas of St John. The proposed marina by an unknown and inexperienced developer - "The Summers End Group, LLC" - covers 28 acres of prime marine meadows, which is foraging habitat for endangered sea turtles. It has 145 slips, accommodating mega yachts over 200' in length, for a total of 10,000' - almost two miles - of boats. And it is located on the most exposed part of Coral Bay harbor - the windward shore exposed to the direct ocean to the south and southeast. This is precisely where many boats have piled up on shore after the periodic tropical storms and hurricanes that frequent these islands.

The public outrage at this ill-conceived proposal was quickly channeled into action. Residents, visitors, property owners, and nonprofit organizations, such as the Coral Bay Community Council, The League of Women Voters, the Environmental Association of St. Thomas-St. John, began to prepare review comments and write letters to the St John Coastal Zone Management Committee to explain in a multitude of terms why this proposal was so flawed. Letters were written by marine biologists, engineers, economists, realtors, and business owners - a total of around 350 individual letters - in a period of only a few weeks. At the public hearing convened on August 20, 2014, to discuss this project there was literally an overflow crowd of people - almost all opposed to the project - wishing to hear and

be heard. The room provided for the public hearing could not even accommodate the crowd that wished to attend, and this was during the month of August when a large portion of residents are not even present on St John.

In spite of the public outcry, in spite of letters opposing the marina from the US Fish and Wildlife Service, from the National Oceanic and Atmospheric Administration, from the Coral Bay Community Council, and from Virgin Islands Conservation Society, among others, the CZM application for this mega marina was approved with virtually no modifications on October 1, 2014. The community became even more organized and mobilized than before to fight this environmental calamity.

A grass roots movement sprang up overnight to raise funds for legal challenges. The "Save Coral Bay Fund" was created on October 3, and in less than two weeks it had raised over \$50,000 in individual donations from over 300 individual donors. To date the fund has raised around \$75,000 towards its initial target of \$100,000 for fighting the Summers End Group marina in Coral Bay. This fundraising has been done almost entirely through social media - there is an active forum on Facebook with around 3000 participants offering suggestions, support, and assisting in spreading the word. Visit <http://facebook.com/savecoralbay> for a glimpse of this activity.

The main "crowd funding" effort for legal appeals has been conducted on <http://GoFundMe.com/coralbay>. This site has a short home-made video explaining the plight of Coral Bay and an appeal for funds to assist in the campaign. Donations have ranged from \$5 to \$10,000 and have come from all over the world. The vast majority of donors have a connection to Coral Bay, either as a resident, a property owner, or a repeat visitor.

The potential damage to the tourism economy of Coral Bay, if this project were ever developed, is frightening. The developers propose to drive 1,333 steel pilings into the harbor floor, to support almost two acres of fixed marina structures. The main pier extends over 900' into the harbor, displacing many of the small sailboats currently on individual moorings in the harbor. Coral Bay is known for its quiet, and quirky ambiance - a haven for artists, musicians, builders, and sailors. It has none of the amenities found in the ports that are frequented by mega yachts. The noise and disruption of construction, and the ill-conceived idea of transforming Coral Bay into a destination for the mega-wealthy, will destroy the appeal Coral Bay now has for the thousands of people who visit every year. The Coral Bay Community Council estimated that in the first five years after construction begins, the local economy will lose over \$100 million in tourism revenue, against around the roughly \$8 million per year that the marina claims to be able to generate.

The legal challenges to the Summers End Group permits are just now beginning. The CZM permits will be appealed on a wide range of issues - conflicts of interest within the permitting committee, lack of adequate environmental analysis, lack of economic analysis, excessive size - and this appeal will be directed to the Board of Land Use Appeals. Other individuals and organizations may well file their own appeals.

At the same time as the local permits are being appealed, the applicant has filed with the US Army Corps of Engineers (USACE) for federal permits. The USACE is required to review all construction within the

navigable waters of the US for compliance with a wide range of federal laws. This coordinated agency review - which often takes several years to complete - involves the Endangered Species Act, the Environmental Protection Act, the Clean Water Act, the Magnuson-Stevens Fishery Conservation and Management Act, and the federal Coastal Zone Management Act, to name a few. Additionally, given the excessive size of this project - covering 28 acres of a roughly 80 acre harbor - the USACE will look into whether it presents navigational hazards and might be a risk to public welfare in the case of a severe storm event.

The Save Coral Bay Fund has put together an information resource with a vast number of primary documents relating to this project. At the website (<http://savecoralbay.com>) the public can review developers' application documents, public and agency comments, legal filings, multimedia assets, and other content relating to the mega marina.

The Coral Bay Community Council (CBCC), a public 501(c)3 non-profit organization, is assisting in efforts to involve the community in the discussion around this project. The CBCC is managing all funds donated to the Save Coral Bay initiative, and is providing support for public discussion and dissemination of information to home owners and visitors. Donations to support the community oriented activities of the CBCC may be made by visiting their website - <http://coralbaycommunitycouncil.org>.

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