



October 28, 2019

The Honorable Novelle Francis, President
Legislature of the Virgin Islands
56 King Street, Hamilton House
Christiansted, St. Croix, VI 00820

Good morning Senate President Francis, other distinguished Senators as members of the Committee of the Whole and staff, supporters of the St. John Marina in attendance, Virgin Islanders and others listening or viewing on various media, and those individuals and companies listening and viewing who are considering investing in the U.S. Virgin Islands or starting a business in the U.S. Virgin Islands.

Each year the U.S. Virgin Islands invests millions of dollars and thousands of manhours in an effort to convince business that the USVI is a wonderful place to start or relocate a business. Those efforts are extended by both the Legislative branch of our government and through the Governor's office and various agencies under his purview.

My name is Rick Barksdale. I am a member of The Summer's End Group, LLC, along with Ms. Chaliene Summers, Mr. Robert "Bob" O'Connor and other native St. Johnians as well as stateside investors, the developers of The St. John Marina.

For 13 years+ Mr. O'Connor has endeavored to bring a marina to St. John, the only major Virgin Island, British or US, that doesn't have a marina.

I'd like to give some background to the permitting process that brings us before the Committee of the Whole of the 33rd Legislature as you consider the submerged lands lease for the project.

The Major CZM Water permit you are considering today is actually the second CZM Water permit approval for a marina in Coral Harbor in which Mr. O'Connor has been involved. Each of those CZM permits were approved by *different* CZM committees on St. John.

To save time, I will begin my review starting from the 2nd CZM permits that have been approved. From this historical account, it will become apparent that the proposed St. John Marina project is one of, if not the most thoroughly vetted projects in the history of USVI CZM. Rather than citing each individual date, the following account begins in 2014 and concludes present day.

- CZM Application is submitted, reviewed, then deemed complete
- CZM issues notice for public and agency comments
- Applicant successfully responds to all comments

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- DPNR staff evaluates responses, produces findings favoring application
- St. John Coastal Zone Management Committee conducts lengthy review of application, comments and responses, and DPNR staff findings
- St. John CZM approves, without a single no vote, the application for the proposed St. John Marina after an exhaustive examination
- Gov. de Jongh, and most recently Gov. Albert Bryan approves and signs Major CZM Water permit
- Permits are appealed to USVI Board of Land Use of Appeals, 14 months pass before hearing
- USVI BLUA hears appeal, then unanimously affirms CZM decision to issue permits

So, the St. John Marina application was reviewed by DPNR staff with input from other territorial agencies including EPA, SHIPO, Public Works and others. Then St. John CZM reviews the findings. Then BLUA re-reviews the review of St. John CZM, and DPNR staff findings.

The Coastal Zone Management Act (CZMA) requires that every 10 years, NOAA evaluate the performance of states & territories regarding their respective coastal zone programs. NOAA concluded their review of USVI CZM in August of 2017 and produced their findings in July of 2018.

In documented testimony during NOAA's comment period, David Silverman leader of Save Coral Bay group alleged improprieties, specifically regarding how the St. John CZM committee has previously fulfilled its duties and conducts its work, calling into question members intelligence, diligence and character.

NOAA's response to Silverman's false accusations on page 29 of their report states:

"...we did discuss the permitting process with many stakeholders and did not observe or hear about any patterns similar to what Mr. Silverman describes in his comments. Additionally, there are examples (including projects on St. John) when the CZM committees have ruled against the recommendations prepared by the coastal program staff review, indicating that the committees are providing novel input and not simply 'rubber stamping'."

Sharon Coldren, of the Coral Bay Community Council, also made allegations of ineptitude of the St. John CZM committee in its evaluation of the permit application for the St. John Marina regarding the environment.

On page 31 NOAA's findings to her false allegations state:



“As discussed in the findings, the process used during the review by the coastal zone management committee on St. John was consistent with the program’s normal program procedures. The Office for Coastal Management understands that the decision made by the coastal zone was appealed to the Board of Land Use Appeals, where it was upheld...”

Wrapping up this review,

- Allegations of impropriety and negligence are specifically made against St. John CZM committee to NOAA
- NOAA finds that St. John CZM has followed the Coastal Zone Management Act requirements to the letter, finding no impropriety or lack of oversight whatsoever.

In conclusion, NOAA is the 3rd reviewing agency to review the St. John CZM committee process specific to the St. John Marina application. A 2nd review by USVI BLUA upheld the St. John CZM decision and review process of the St. John Marina application and the findings of DPNR staff. And after a thorough review by both Governor deJongh’s and Governor Bryan’s offices both governors approved the permits.

The developers of the St. John Marina and agencies of both the territorial government and federal government have been faithful in following the permitting process, and thus have earned the trust and the right of this body to approve the submerged lands lease for the project.

The proposed St. John Marina, through multiple scientific studies has proven that the project will have a net positive environmental impact on Coral Bay Harbor.

4 different economic models have been used to independently evaluate the proposed project conclusively proving it having a tremendous, positive economic impact for St. John and the USVI, creating much needed lease and tax revenue for the territory, jobs and a major catalyst for additional entrepreneurial opportunities.

And after collecting nearly 600 signatures of generational St. Johnians, local Virgin Islanders and native West Indians who enthusiastically support the project, along with over 2 hours of video testimony of support in the video *“The Truth About Coral Bay”*, it is abundantly clear why the approval of the submerged lands lease for the proposed St. John Marina is justified, and necessary.

In light of all the facts of a cleaner environment, revitalized economy and restoration of local culture, there is only one question remaining, what is the *REAL* reason....anyone....would oppose this project?



SUMMER'S END
G R O U P

Thank you for your time and consideration Senators. My God bless us all and the U.S. Virgin Islands.

Rick Barksdale, Member
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