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Frederiksted Residents Plan for Community Dip on Sunday to Protest New Barriers to Entry at Estate Prosperity Beach

Some believe that property owners near the beach have placed boulders and a non-legitimate “Environmental Restoration Project” sign to restrict public access to the beach; owners deny allegation

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Boulders, and unofficial “Beach Path” and “Environmental Restoration Project” sign near Estate Prosperity Beach. By. TSEHAI ALFRED, V.I. CONSORTIUM

When Arthur Petersen Jr. was forced to swim across barbed wire fences in order to access the beaches on his home island of St. Croix, he fought alongside many other Virgin Islands teenagers to secure local residents’ access to beaches. The actions of Mr. Petersen and other brave

youngsters ultimately led, in 1978, to the codification in law of public access to all beaches in the territory.

Decades later, his fight for accessible beaches continues, as the owners of a home near Estate Prosperity Beach on St. Croix have allegedly recently placed a row of boulders and a sign signaling a faux “Environmental Restoration Project” sign near the beach— an act, Mr. Petersen says, calculated to deter access. The property owners, however, say that they are attempting to protect the beach’s sensitive coastal ecosystem while preserving public use access.?

“You don't know the resentment I feel when people try to block me from accessing the water that I grew up around,” Mr. Petersen said, reflecting on the restriction he faced in his youth while trying to access the beach. He told Consortium journalists that he learned about the developments near the beach property from another nearby resident on June 1. Two days later, the Frederiksted native posted about the issue on Facebook, claiming that the boulders were “illegally placed,” as the owners did not receive a permit from the V.I. Department of Planning and Natural Resources. The “Environmental Restoration Project”, Mr. Petersen claimed, was similarly unaffiliated with the department.?

“As of this morning, the owners of the property were reminded that the placing of boulders requires a minor CZM permit and that failure to comply will constitute a violation and also a fine. There’s nothing entirely illegal about what they’re doing,” Jamal Nielsen, media relations coordinator for DPNR, told the Consortium on Thursday. “If or when they apply, the only changes that the department will recommend is to move the boulders inland one foot in order to facilitate emergency or utility vehicles and to provide parking for 3-4 cars near the beach access that the property owners have already created.” According to Mr. Nielsen, the signs placed near the beach, although unaffiliated with the department, are not illegal and therefore the department will not take any action against them.

“My question is, why didn't you follow the law? That's all I want to know,” Mr. Petersen said in an interview with the Consortium. According to Petersen, the property owners were supposed to have submitted plans for the site, which would have then been reviewed, and amended by the department, before erecting the new developments. “They knew that they weren't supposed to proceed. They knew it,” Mr. Petersen asserted. However, Mathew Litman, a son of the property owners, said that his family’s failure to acquire the permit and to follow the lawful procedure was a “miscommunication.” Litman said that following the notice his family has recently applied for the permit.

As the former deputy commissioner of agriculture, another major concern for Mr. Petersen is that the placement of the boulders—which according to him involved “heavy equipment” utilized without the permission of the department—could have resulted in significant damage to the environment, including sea turtle nests on the beach. “You know that if you live in the Virgin Islands, or any beach community, that you don't carry heavy equipment on a beach because the beach is a living thing,” he said.?

Conversely, the owners of the property said the boulders and the signs were erected in order to protect sea turtle nests, which according to them were damaged by residents who drove on the beach to access it. According to Mr. Litman, the “Environmental Restoration Project” is also an effort to “beautify” the stretch of the beach that was eroded by hurricanes Irma and Maria in 2017. He especially wanted to emphasize the path created specifically for public access, which he sees as an example of his family’s efforts to preserve accessibility. Petersen, however, points to the site of the path—feet away from a ghat—as an intentional symbol of inaccessibility.

Because of the decades-long generational use of the beach by local residents, and the property's historically fraught relationship with the public—as two years ago former tenants of the property violently confronted locals were using the beach with threats of death—Mr. Peterson said that the property owners should have given a public notice before establishing the new changes to access. “That property has been in public use for generations, to just come now and put up these things without giving people notice, I find to be disingenuous, particularly after the last time with a lady that was there,” he said in conversation with Mr. Litman. Litman said he agrees that his family should have advised the public before erecting the structures, and emphasized that the aggressive tenants from two years prior were evicted by his family. “I take responsibility for maybe not doing better messaging, but...we've been on the island for a long time. My daughter was born on the island. We've been there for a long time, multi generational Crucians. We love the island. We love the people we would never, ever want to restrict anyone's access to enjoying beaches on St. Croix,” Litman said.

In an effort to display the public's right to access all beaches on St. Croix, Mr. Peterson is repeating the community actions of two years prior, while highlighting his activism from decades prior, by planning a community “dip” on Sunday morning. Petersen said the gathering, a space where residents, “some who haven't seen each other in years,” can socialize, amplifies what he believes to be “the whole message” — “you ain't running us off the beach.”

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