

The Virgin Islands Consortium

CZM Pauses BOC Approval To Demolish, Reconstruct Swan Annex Over Relocation Concerns for Local Business

Approval for the \$140 million detention facility project is on hold as unresolved issues with a renowned woodworking business complicate progress

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The V.I. Bureau of Correction's Swan Annex detention facility in St. Thomas. By. V.I. OFFICE OF DISASTER RECOVERY

The Coastal Zone Management Committee for St. Thomas has delayed its decision on granting approval for the demolition and reconstruction of the 'Swan Annex' detention

facility, citing unresolved issues surrounding the relocation of a longstanding woodworking business currently occupying part of the site.

After hurricanes Irma and Maria left the 78-bed facility beyond repair in 2017, other facilities in the territory had to be pressed into service to accommodate those held in detention. Overcrowding is an issue, explained Peter Abrahams, BOC's Assistant Director of Support Services. Having to house detainees at the John Bell Correctional Facility on St. Croix and transport them back and forth to St. Thomas for court is also an issue. "The situation represents not only a risk for BOC staff, but it also puts undue hardship on detainees, their families, attorneys representing them," said Mr. Abrahams. Approximately 145 individuals have even been sent to facilities on the mainland due to the lack of space locally, he disclosed.

Apart from the chronic overcrowding, a new detention facility is well overdue because according to Mr. Abrahams, "we're not providing a constitutionally sound facility or operation for those individuals who are incarcerated" at the John Bell facility, due to its age and damage sustained in the same hurricanes that devastated the Swan Annex. As a result, the Bureau is finding it difficult to rid itself of the consent decree it is currently operating under. A new Swan Annex, Mr. Abrahams says, may enable BOC to "eliminate a lot of those consent decree concerns we have." Practically speaking, "the situation is not likely to improve until the Swan Annex is operational," Mr. Abrahams said. If all required approvals and permits are granted in time to begin demolition in the next few months, the new, larger facility can be complete by mid-2027, he estimated.

With several sections of the expanded site deemed hazardous waste areas due to the former presence of an industrial and commercial equipment repair company, extensive environmental remediation will be required as part of the project. "The ground in this area will be taken down to clean pristine soil," said project consultant John Lester, during his presentation to CZM committee members. "That contaminated soil will be taken to a location where it will be treated and taken off island."

One existing business, in place for decades, will have to be relocated to accommodate the larger footprint of Swan Annex after it is rebuilt. "As much as BOC would not want to disturb or cause an active business to have to relocate, it has been determined that it is the best use of the property for the benefit of the territory," Mr. Lester said. This, however, would prove to be a stumbling block later in the meeting.

Questions from the board revealed that demolition of the existing structure will be funded by the Federal Emergency Management Agency, while a private sector partner will be recruited to construct the new facility. That private firm will then operate the detention center "over a term, where it will be paid back over a number of years," Mr. Lester explained. The total cost of the project is estimated at \$140 million.

Ultimately, the committee agreed with CZM staff that the reconstruction and expansion of the Swan Annex would be a net good for the community. However, the required relocation of a longstanding business had not yet been settled to the satisfaction of board members. According to Executive Director Marlon Hibbert, "the business owner indicated that finding a place has been challenging." The woodworking business, one of the most advanced in the region according to Mr. Hibbert, employs over 10 people, and its owner has invested millions in the property over the approximately 30 years he has been in

business. “They are a nationally renowned woodworking shop [that] made the cover of a national publication in 2021...they have intimated that they are an integral part of the community,” Mr. Hibbert noted.

The business is actively working on current contracts, and is reportedly booked through July of this year. “I suspect that moving in that time period would almost be challenging, since they are obligated by those contract,” Mr. Hibbert noted. “The costs for that relocation are going to be significant – in the hundreds of thousands of dollars,” he added.

After hearing of the business’ predicament in such stark terms, CZM members were much more hesitant in moving ahead with providing federal consistency determination on the project, especially absent a representative from the Department of Property and Procurement who could provide clarity on the status of negotiations with the business owner. Ultimately, a decision on the matter was postponed until an official from Property & Procurement could weigh in on the matter.