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Bill Seeking to Provide Greater Access to Territory's Beaches for Disabled Residents Wins Approval

Government / **Published On October 14, 2020 05:32 AM /**

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If someone is unstable on their feet, a beach can be a dangerous place to visit. The harsh reality is that wheelchairs, walkers, and other assistive devices don't mix well with sand. However, that doesn't mean disabled individuals shouldn't be able to enjoy the territory's pristine waters. And that's the problem legislation sponsored by Senator Steven Payne and Oakland Benta seeks to rectify.

Virgin Islands legislators on Tuesday passed a measure in the Committee on Youth, Sports, Parks, and Recreation aimed at helping provide disabled residents and tourists with greater access to the territory's beaches.

Bill No. 33-0220 requires the commissioner of Sports, Parks, and Recreation to construct ramps or walkways for at least two beaches on each island that would allow persons with disabilities to access the beaches.

"I have received so many complaints from frustrated citizens who are not strong enough to push their loved ones on the soft sand to get them into the water," testified Julien Henley Sr., territorial Americans with Disabilities Act (ADA) coordinator. "It is every citizen's right to have access to our beautiful beaches in these U. S. Virgin Islands."

Mr. Henley, who is part of the disabled population, stated in his testimony that the efforts through the proposed measure work in conjunction with the ADA to accomplish the common goal of equal opportunity for the vulnerable population. "It is crucial to first identify and then eradicate any barriers, whether obvious or implicit, that contribute to denying any citizen of their right to a complete life in this territory," Mr. Henley said.

There are benefits that come with having greater access to the territory's beaches. One of them is the impact on the health of disabled individuals, Mr. Hanley said. For example, all disabled citizens would now have access to beach therapy in addition to other opportunities for exercising. Furthermore, Mr. Henley highlighted that the beaches' improvements would also become an attraction for the territory's tourism product. "It is very important for this improvement to be shared with our hotels as they book guests with mobility challenges who can enjoy this new commodity," said Mr. Henley.

Commissioner of the Department of Sports, Parks, and Recreation, Calvert White, said he found no access ways on the beaches for physically disabled individuals. "Currently, most people with disabilities would need several others to make it from the sand to the water," Mr. White said. However, with Mr. Henley's help, DSPR looked at several options to make the territory's heavily populated beaches accessible for those who are physically challenged. Ultimately, DSPR settled on a product called AccessMat.

AccessMats are portable and removable roll-out access routes used in many applications for individuals of all abilities. The surface of the mats is made of 100 percent recycled material. It provides a firm and non-slip surface that follows ADA guidelines. AccessMats are accessible via wheelchair, beach access chair, walker, stroller, or other wheeled pedestrian assistance vehicle. It is also great for those who have injuries that make it difficult for them to walk in the sand.

Mr. White told the committee that during his research, he learned that the Department of Planning and Natural Resources (DPNR) had a \$50,000 grant that could be used to purchase the AccessMats, beach buggy wheelchairs, and install buoys at beaches around the territory. "DSPR applied for and received the grant and immediately went through the procurement process to secure the necessary equipment," Mr. White said. As of Tuesday, DSPR had received the AccessMats and beach buggy wheelchairs.

Nonetheless, the equipment is in storage and both Mr. White and Mr. Henley decided to postpone the roll-out of the mats and installment of the buoys until after the 2020 Hurricane Season. Thereafter, DSPR could secure the proper funding to construct transfer platforms. "We hope that by providing the equipment and making our beaches safer and more accessible, we will encourage the elderly and disabled members of our community to frequent our beaches more often," said Mr. White.

While all the testifiers and senators supported the proposed measure, Senator Kurt Vialet and Jenifer O'Neal, director of the Office of Management and Budget, had a number of reservations

regarding funding. Originally the bill stated that a sum of \$1,000,000 was to be appropriated to the DSPR from the Caribbean Basin Initiative Fund.

However, Ms. O'Neal stated in her testimony that the language of the bill does not actually request a direct appropriation from Caribbean Basin Initiative Fund. Instead, it demands that the money be appropriated from the government's General Fund based on an appropriation transfer to the General Fund from the Caribbean Basin Initiative Fund. "This linguistic play does not diminish the fact that if approved, the appropriation would be made from the General Fund," said Ms. O'Neal.

Mr. Vialet added that since DSPR has already purchased the AccessMats and Beach Buggy Wheelchairs with the DPNR grant, the focus needs to be turned to the cost of proper storage for the Beach Buggys, ADA compliant restrooms at each designated beach, accessible parking areas, concrete transfer stations from the road to ramps, and training lifeguards to assist disabled patrons. Mr. Vialet said, "I'm going to support this measure, but I'm going to support it when the right numbers are there."

Due to these concerns, the bill sponsor amended the measure so that starting October 1, 2020, to September 30, 2021, an appropriated amount of \$375,000 from the Capital Improvement Fund would be used to fund the project. The bill will now assign \$250,000 for two beaches on STT/STJ and \$125,000 for two beaches on STX.

While the amended bill was favorably voted on and will head to the Committee on Rules and Judiciary, other necessary amendments still need to be made before the measure is adequately vetted.