

The Virgin Islands Consortium

The V.I. Supreme Court Upheld the Permit for the Marina in Coral Bay, And That's a Great Thing for the Territory

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Coral Bay, St. John USVI By. GETTY IMAGES

Recently the Virgin Islands Supreme Court upheld the consolidated permit for the Coral Bay marina in St. John in *Save Coral Bay, Inc. v. Governor Albert Bryan, Jr. and The Summer's End Group, LLC*. You may have read a recent op-ed or social media posting protesting this decision. The truth is this is another decision in a long line of decisions upholding the permits for the marina. The marina represents the first real opportunity for sustained economic growth and local employment in Coral Bay in years, and a chance to

finally remedy the environmental tragedy in the harbor.

Long-time antidevelopment activist David Silverman (of Save Coral Bay), the Coral Bay Community Council, and other antidevelopment campaigners have suggested that the Supreme Court's decision was the byproduct of a corrupt system or a lack of sage judgment from our courts. Nothing could be further from the truth. There is an adage that even a broken watch is right twice a day, but Silverman could only aspire to be as right as a broken watch. In reality, he's a broken record, constantly repeating the same (false) assertions about the proposed marina that have been rejected by our courts, elected officials, and administrative agencies for nearly a decade. Silverman has flooded newswires and social media with endless missives proclaiming that the permits for the marina were legally flawed and would be defeated before the courts, the Legislature, or the Board of Land Use Appeals. In March 2020, Silverman penned an op-ed titled: The Facts on Summer's End Group Permits. There, Silverman screeched that the consolidated permits were illegal and would fail before the courts. As with every other prediction, Silverman was wrong. Every agency, court, and legislative and executive body that has reviewed the permits and the challenges thereto have come to the same exact conclusion; the proposed marina complies with the law and is beneficial for the future of the Virgin Islands.

There is a simple explanation for the endless number of rulings and judgments in favor of the marina; Governor Bryan, the V.I. Legislature, the Board of Land Use Appeals, the Virgin Islands Superior Court, the Virgin Islands Supreme Court, CZM, and Summer's End are right, and the marina's opponents are wrong.

We must recognize that the organizations opposed to the marina are not grassroots local organizations. They consist mainly of a small cadre of well-off non-native Coral Bay residents who are opposed to any development in or around St. John. The persons opposed to the marina are the same people that opposed the development of Bellevue and Calabash Boom, two desperately needed housing communities in St. John. While these organizations claim to care about the future of St. John, their actions reveal their true intent, which is to block any development in St. John, regardless of the cost to the community.

When asked by Senator Sarauw how many of its 450 members were indigenous St. Johnians, Sharon Coldron, the head of the Coral Bay Community Council, had to admit it was "not very many." Senator Vialet noted that while Silverman and his supporters cloak themselves in the banner of environmentalism, they were "convenient environmentalists" using it as an excuse to oppose any development they did not like.

People eager to destroy the proposed marina do not want to admit that their opposition is self-interested and legally meritless, but Silverman's lawsuits have never been about winning on the merits. Instead, he is employing the battle plan of antidevelopment "NIMBY" (not in my backyard) activists the world over, which is to drive up costs of development until investors walk away. At this, Silverman has been "successful," if you define success as diverting millions of dollars that would have otherwise gone to benefit Virgin Islanders to pay for legal fees to address his baseless challenges. This money would have otherwise been used to pay salaries to local employees and rent payments to ancestral St. John families for the use of their lands. While this benefits the lawyers, it does not help the local families who desire to build a future in St. John. Summer's End is

committed to bringing high paying jobs to local employees to ensure that local families who wish to remain on St. John can do so for generations. Silverman's opposition to the marina simply accelerates forced exodus of locals from St. John.

An Opportunity for Economic Growth and Environmental Remediation

Silverman and his antidevelopment disciples claim that they are not opposed to development, it is just this particular development they oppose. Do not be fooled. The truth is they oppose any development in St. John and will continue to do so. The marina's opponents have never (and will never) presented any viable alternative plan to bring employment and environmental remediation to Coral Bay. Silverman, Save Coral Bay, and the CBCC talk about preserving the future of Coral Bay for native St. Johnians, but talk is cheap. Unlike the antidevelopment crowd, Summer's End has "put its money where its mouth is," having already spent millions in predevelopment for the marina. Summer's End has funded multiple studies on how to remedy the pollution in Coral Bay harbor, and they intend on executing on that plan to clean the harbor. The waters in Coral Bay are too polluted for recreation or for marine life to prosper, and if the marina's opponents get their way, it will remain that way.

Currently, there is insufficient economic opportunity in Coral Bay for many locals to remain there with their families. Despite what the marina's opponents tell you, development is necessary for economic growth. Coral Harbor was a center for economic activity on St. John for more than a hundred years – it is fast becoming oasis of short-terms rentals and a haven for retired part-time stateside homeowners, but there needs to be more opportunity for local St. Johnians too.

Opponents' efforts, if successful, would prevent the Virgin Islands, and specifically native Virgin Islanders from receiving the economic, and environmental benefits of this project.

Governor Bryan and the majority of members of the Legislature are committed to this project so that we no longer lose economic opportunities to other Caribbean islands. This leadership has proven their dedication to the people of the Virgin Islands by standing on the side of this environmentally sound development.

Summer's End marina will bring a world class marina to St. John, and it is committed to restoring the waters of Coral Bay to pristine condition. The time for talk and baseless challenges is over. The future of the Virgin Islands depends on it.

Submitted Thursday by: David Cattie, who has been a resident of the Virgin Islands for 18 years and is an attorney representing The Summer's End Group, LLC.