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In Letter to Senate President, Bryan Responds to Concerns Over Land Swap Deal Ahead of July 20 Vote

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Whistling Cay, St. John. By. GOV'T HOUSE

Governor Albert Bryan Jr. has responded to concerns raised by those opposed to the [proposed land swap deal](#) between the U.S. Virgin Islands and the National Park Service.

Through a letter written and delivered to Senate President Novelle Francis Jr., Governor Bryan indicated that while Education Commissioner Dionne Wells-Hedrington and other government testifiers made a “clear and compelling case” for the land exchange, he felt it necessary to address some of the “passionate and well-reasoned” arguments in opposition.

He went on to deal point-by-point with the [objections raised](#) during the July 11 meeting of the Senate Committee of the Whole.

First, he declared that the land swap deal would not include the sale, lease, or other disposition of shoreline. “Conveyance of Whistling Cay to the National Park Service for Preservation and public use is consistent with the purpose of the referenced section and would not be prohibited,” Governor Bryan wrote, referencing Title 31 VIC Section 205, which governs how government-owned property can be dealt with.

Mr. Bryan suggested amending the text of the draft legislation currently before the Senate to address concerns about the legality of the proposed exchange. His proposed change would be to add the sentence “notwithstanding any other laws to the contrary, this transaction is authorized by the Legislature of the U.S. Virgin Islands.”

The governor also disagreed that using submerged lands for the exchange instead of Whistling Cay would be a good idea. “A swap of submerged lands would cede additional territorial waters to the NPS and subject those waters to NPS management and restrictions,” Governor Bryan argued. “This is not a desirable outcome.”

Also undesirable, according to the governor, is the idea of a lease. “To access the FEMA Public Assistance funds for the replacement of the Julius E. Sprauve School,” Mr. Bryan wrote to Senator Francis, “the GVI must demonstrate ownership interest in the subject property.” While the Department of the Interior does have the authority to lease park lands, the government would in that case have to find their own funding for the construction of the school.

Another idea raised during last Tuesday’s Committee of the Whole meeting was that of lobbying Congress to order the Secretary of the Interior to convey the Estate Catherineberg parcel to the territory outright, with consideration of value. In his letter, Governor Bryan argues that this is not something that could be practically accomplished in a timeframe which would allow for the speedy construction of a school. Referencing a recently effected transfer of federal lands to a municipal government in Maine, the governor pointed out that it was the culmination of a process begun 37 years ago, as a result of legislation passed in 1986. “This is an unusual occurrence and requires considerable lobbying power in both houses of Congress,” he wrote.

Any lobbying effort by the U.S.V.I, Mr. Bryan argued, would be hamstrung by the territory’s lack of voting members of Congress. “Despite significant effort, the GVI has not made much political progress in Congress on this issue in the past 50 years,” he reminded. “The current path of the proposed land exchange is the realizable approach to achieving construction of the new...school in the immediate future.” The ongoing lobby, he said, could be for the return of Whistling Cay following the land exchange, “based on the recent precedent set in Maine.”

Some testifiers believe that lands donated by private citizens should be sought for the school project, obviating the need for a land swap. During last week’s Senate hearing, one testifier said that her family was ready to provide land in Coral Bay to the government for a peppercorn rate. Switching gears at this point, however, would introduce unacceptable delays, according to the governor. “Preliminary design work has already been completed on the [Estate Catherineberg] site as we prepare to expedite construction of the school,” he wrote. Mr. Bryan argued that the economic benefits due to come to St. John as a result of the construction activity, and the ultimate outcome of a new PreK-12 public school on the island, make it imprudent to delay of “this critical hurricane recovery project in the uncertain pursuit of donated property.”

However, the government would be “happy to engage” with property owners who wish to donate land for public use, as there remains a “continued need for public property for the construction of affordable housing, the building of government office space, expansion of public cemetery space,

development of renewable energy projects, and other compelling public infrastructure needs on the island of St. John.

Mr. Bryan repeated his argument that the territory was getting the better end of the proposed land swap deal. In exchange for the National Park Service taking responsibility for the preservation of the undevelopable cay, GVI would receive “a parcel of property that has tremendous present and historical value to the people of the Virgin Islands, especially the children of St. John.”

Opposition to the land swap on principle, the governor concluded, must give way to practicality and being “pragmatic in bringing solutions to the needs of our people.” After decades of discussion with no progress on this particular issue, Governor Bryan signaled his commitment of bringing about “real action” in this regard.

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