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Land Swap Legislation Held in Committee for Up to 45 Working Days as Senators Seek More Time To Weigh Options

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Render of proposed pre K-12 school on St. John, and Whistling Cay.

A proposed land exchange between the government of the Virgin Islands and the National Park Service is on hold for at least 45 more days, after members of the Senate voted on Thursday to hold enabling legislation in committee for that long.

The vote during the Committee of the Whole's legislative session came after hours of passionate debate on bill 35-0112, which would authorize the conveyance of Whistling Cay to the federal government through the NPS in exchange for a parcel of land in Estate Catherineberg, for the purposes of building the first public K-12 school on St. John.

“We should not be making decisions where we are uncertain,” said Senator Donna Frett-Gregory, when her turn came to speak on the matter.

“I don’t think it’s going to jeopardize our ability to get the FEMA funds,” Senator Milton Potter opined, about the plan to take the additional time for the legislature to conduct their own due diligence on the proposal, which several of his colleagues said was not presented to them in sufficient time to thoroughly investigate the issue from all angles.

Senator Kenneth Gittens presented arguments for why the measure before the body needed to be amended. “Tell me or show me any place in the bill before you that says upon this land swap that our school will be built,” he asked. “Where is that in the enacting clause?” He noted that the assured preservation of water rights for fishers and recreational boaters was also not included in the language of bill 35-0112.

Some senators felt like the time was ripe to advance the measure, noting that there was broad consensus that the children of St. John urgently needed a public school on their island, to put an end to the practice of commuting daily to St. Thomas via ferry in order to receive a secondary education. “They need a school and we need to be able to provide it,” argued Senator Carla Joseph.

Senator Marvin Blyden argued that the extensive federal ownership of land on St. John is not unique to the island or the territory. “What most people do not know [is] that 81% of the state of Nevada is owned by the federal government,” he said. “The federal government also owns 79% of the land in the state of Utah.”

Senate President Novelle Francis said that while there was no love lost between himself and the NPS, he was in favor of a pragmatic approach. St. John needed the public school, and Estate Catherinberg was a valuable piece of Virgin Islands history. “When you walk those highly sacred grounds of Catherinberg,” Senator Francis said, “you feel your ancestors...it makes you have a whole different perspective.”

Notwithstanding his personal position, Mr. Francis acknowledged that he would have to abide by the prevailing opinion of his colleagues.

After a short recess, Mr. Gittens moved to hold the bill in committee for up to 45 working days. Following a dispute over whether that motion was dealt with in the proper procedural manner, it was put to a vote, passing with 12 votes in favor. Senator Dwayne DeGraff voted against the measure, and Senators Marise James and Javan James Sr. were absent.