



United States Department of the Interior

NATIONAL PARK SERVICE

Virgin Islands National Park

Virgin Islands Coral Reef National Monument

1300 Cruz Bay Creek

St. John, VI 00830



July 11, 2023

Senator Novelle E. Francis, Jr.
President, 35th Legislature of the Virgin Islands
3022 Estate Golden Rock
Christiansted, VI 00820

Dear Senator Francis:

Thank you for your June 28, 2023, correspondence inviting my participation in the upcoming 35th Legislature of the Virgin Islands Committee of the Whole Hearing on July 11, 2023. Although I am unable to attend in person, I respectfully submit this letter. The background information provided here is based on my experience as Superintendent of Virgin Islands National Park and Virgin Islands Coral Reef National Monument.

Virgin Islands National Park (VINP) was established in 1956 and is located on the island of St. John, United States Virgin Islands. The park comprises 7,259 acres of terrestrial and shoreline habitat and 5,650 acres of adjacent submerged lands (offshore underwater habitat, added to the park in 1962 through Public Law 87-750). The purpose of VINP is to preserve and protect for public benefit and inspiration outstanding scenic features, Caribbean tropical marine and terrestrial ecosystems in their natural conditions, and cultural heritage from pre-Columbian through Danish colonial times and the post-colonial period.

For over 40 years, the National Park Service (NPS) and the Government of the Virgin Islands (GVI) have discussed the need for a public high school on the island of St. John. For at least 20 years, the emphasis has been placed on a possible exchange of lands to offer a suitable location on St. John. Today, the Julius E. Sprauve School is the only public Kindergarten-8th grade school on the island. It was severely damaged in 2017 by hurricanes Irma and Maria with current students being instructed in temporary facilities. Public school students must move to St. Thomas or farther, or commute to St. Thomas daily to complete their high school education.

Two decades ago, NPS worked with the GVI to evaluate Park lands that could be a suitable location for a school and that could be exchanged for other naturally or culturally significant GVI lands. By the end of 2014, with support from the Department of the Interior's Office of Insular Affairs, the GVI and NPS completed an archaeological and cultural survey of the Catherineberg parcel, held public meetings, and displayed a conceptual model of a new school programmed for the 11-acre site. The planning effort paused for several years while the GVI considered other approaches and alternative locations for a school. Talks with NPS were

relaunched in 2019 when the GVI identified the Catherineberg parcel as their top desired location for a new public school.

In late 2019, Governor Albert Bryan Jr. formally offered to NPS the 17-acre uninhabited, undeveloped island of Whistling Cay for consideration in exchange for the Catherineberg parcel after considering all other possible locations to site a school outside of the park boundary. In 2020, a Preliminary Land Exchange Agreement was signed by Governor Albert Bryan Jr. and then-Assistant Secretary of the Department of the Interior, Rob Wallace (Enclosure A). Under this non-binding agreement, the GVI and NPS provided descriptions of the lands for exchange; cited the legal authorities through which GVI and NPS could execute a land exchange; provided mutually agreeable restricted language on the expected uses of the Catherineberg parcel and Whistling Cay; and outlined the critical path forward to complete an environmental evaluation, appraisals and required regulatory consultations.

Under this agreement, Whistling Cay, which is currently considered public land under the GVI's jurisdiction, would permanently remain public land through NPS management. Whistling Cay is within the NPS' congressionally authorized boundary. NPS would maintain a conservation approach to management and interpretation of the resources on and around the island. Access to Whistling Cay by all Virgin Islanders and park visitors would remain unchanged. Day use access to swimming, snorkeling, diving, and recreational fishing in the surrounding park waters would remain unchanged.

From 2021 through 2022, NPS conducted archaeological surveys, historical research, and appraisals in coordination with the VI Department of Property and Procurement and the VI State Historical Preservation Office (VISHPO). An endangered plant survey was conducted in May 2022, and the U.S. Fish and Wildlife Service concurred with NPS that the exchange was not likely to adversely affect listed species.

During Spring 2022, NPS initiated the required National Environmental Policy Act (NEPA) process through offering civic engagement on the land exchange (Enclosure B). Civic engagement allowed NPS and GVI to share the goals and strategies of the land exchange to solicit public input for a 30-day period before the commencement of more detailed analysis. As per NEPA requirements, an Environmental Assessment document (Enclosure C) was released in August 2022, providing an analysis of the impacts of the exchange on cultural resources, adjacent communities, and the visitor experience. Federal and territorial agency consultations were described including informal consultations with the Guainía Taino Tribe of the Virgin Islands and the Kalinago Tribe of the Virgin Islands.

On November 4, 2022, the Virgin Islands State Historic Preservation Office, Department of Property and Procurement, and the National Park Service signed a Memorandum of Agreement (MOA) outlining stipulations to minimize and avoid effects on historic properties (Enclosure D). The MOA committed signing agencies to complete the following tasks within a 5-year period:

1. Revise the Catherineberg-Jockunmsdahl-Herman Farm Historic District boundaries through an updated National Register nomination based on the research results gained during the land exchange process;

2. Develop an interpretation plan for the Catherineberg area that outlines interpretive themes, visitor experience objectives, and social media strategies and actions; and
3. Launch a special history study on the ownership and uses of the Catherineberg Estate and Whistling Cay, including archival research on enslaved and free persons who lived on and used these lands.

Public comments on this Environmental Assessment were solicited for 30 days. Having met all requirements under NEPA by the fall of 2022, a decision document, a Finding of No Significant Impact, was signed by NPS Southeast Regional Director on December 8, 2022, thus authorizing the NPS to further proceed with subsequent required steps to exchange lands (Enclosure E). In December 2022, an Amendment to the Preliminary Land Exchange Agreement was signed by the NPS and GVI to extend the agreement beyond the original 2-year time frame (Enclosure F).

From December 2022 through May 2023, the NPS Lands Office offered multiple postings of the Notice of Realty Action (NORA) to inform the public of the potential land exchange (Enclosures G, H, and I). Official notices with requests for public comments were posted in high circulation publications and online media outlets such as the Virgin Islands Daily News, the VI Source and the Virgin Islands Consortium. NPS updated a list of Frequently Asked Questions on the public website to address many common questions and misunderstandings concerning the land exchange (Enclosure J). Timely responses to NORA public comments were provided on the project's public website in April and June 2023 (Enclosures K and L).

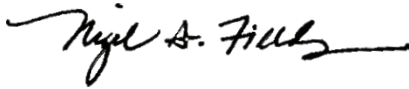
All the enclosed documents have been made available publicly and the NPS Planning, Environment, and Public Comment (PEPC) site holds many of the public documents mentioned above. The PECP site can be accessed via this link:
<https://parkplanning.nps.gov/stjohnlandexchange>.

Public engagement is a priority for NPS. Gaining feedback from the public to best inform each step in the process is as important as keeping the public informed and aware. Meaningful public dialogue occurred through radio programs, media interviews, "office hours" inside and outside of VINP, meetings with faith leaders, and church gatherings.

Together the Government of the Virgin Islands, the Department of the Interior, and NPS completed the collaborative steps to assist the USVI with their goals for education by providing a critical need: buildable land for a new public school. It is important to note that the steps above were activated with a clear sense of urgency to assist the territory as quickly as possible. Upon learning that the Federal Emergency Management Agency was successfully negotiating with the GVI on a funding package for a new school, the NPS aimed to complete the required steps swiftly and transparently.

We remain committed to the goals expressed in the 2020 Preliminary Land Exchange Agreement: to work together with the GVI using our respective legal authorities to secure the land needed for a school. As neighbors and collaborators, we can fulfill the decades-long promise of offering a 21st century pre-K through 12th grade school facility for the youth of St. John.

Sincerely,



Nigel A. Fields
Superintendent

Enclosures (12)

- A. Preliminary Land Exchange Agreement for Exchange of Real Property Between the NPS and GVI
- B. Civic Engagement on Potential Land Exchange Presentation
- C. Environmental Assessment
- D. Memorandum of Agreement between VINP and VISHPO
- E. Findings of No Significant Impact
- F. Amendment to the Preliminary Land Exchange Agreement
- G. NORA—December 2022
- H. NORA—February 2023
- I. NORA/ Federal Register—May 2023
- J. Frequently Asked Questions
- K. NORA Response to Comments April 2023
- L. NORA/ Federal Register Response to Comments June 2023