

BILL NO. 35-0105

Thirty-Fifth Legislature of the Virgin Islands

June 12, 2023

An Act ratifying the Governor’s approval of Minor Coastal Zone Permit CZT-12-16W issued to Emerald Beach Corporation d/b/a Emerald Beach Hotel for a term of 20 years for the installation, use, and occupancy of submerged land by three swim buoys, an Aquabana and a floating dinghy dock seaward of Parcel Nos. 70-D-1 and 70-T-1, Estate Lindbergh Bay, St. Thomas, Virgin Islands

PROPOSED BY: Senator Novelle E. Francis, Jr., by Request of the Governor

1 **WHEREAS**, on January 23, 2023, the Department of Planning and Natural Resources
2 issued Minor Coastal Zone Permit CZT-12-16W issued to Emerald Beach Corporation d/b/a
3 Emerald Beach Hotel for the installation of three buoys, an Aquabana, and a floating dinghy
4 dock and continued use and occupancy of submerged land seaward of Parcel Nos. 70-D-1 and
5 70-T-1, Estate Lindbergh Bay, St. Thomas, Virgin Islands;

6 **WHEREAS**, the Governor of the Virgin Islands approved the permit on April 19, 2023;

7 **WHEREAS**, title 12 Virgin Islands Code, section 911(e) provides that the Governor's
8 approval of any coastal zone permit, or lease must be ratified by the Legislature of the Virgin
9 Islands; and

10 **WHEREAS**, it is the intent of this act to ratify the Governor’s Approval of Minor Coastal
11 Zone Management Permit No. CZT-12-16W; Now, Therefore,

1 *Be it enacted by the Legislature of the Virgin Islands:*

2 **SECTION 1.** Pursuant to title 21 Virgin Islands Code, section 911(e), the Legislature
3 of the Virgin Islands ratifies Minor Coastal Zone Management Permit No. CZT-12-16W issued
4 to Emerald Beach Corporation d/b/a Emerald Beach Hotel, approved by the Governor for a
5 term of 20 years for the installation and the continued use, and occupancy of submerged land
6 by three swim buoys spanning 150 ft. parallel to the shoreline and are 80 ft. from the shore,
7 equaling an initial swim area of 12,000 square feet, an Aquabana equaling a total area of
8 3,516.49 sq. ft. located within the swim area for a total swim area of 8,483.51 sq. ft., and a 40
9 ft. by 6.5 ft. floating dinghy dock equaling an area for the dock plus an area surrounding the
10 dock, totaling 1,796 sq. ft. seaward of Parcel Nos. 70-D-1 and 70-T-1. Estate Lindbergh Bay,
11 St. Thomas, Virgin Islands.

12 **BILL SUMMARY**

13 This bill ratifies the Governor's approval of Minor Coastal Zone Permit CZT-12-16W
14 issued to Emerald Beach Corporation d/b/a Emerald Beach Hotel for the continued use and
15 occupancy seaward of Parcel Nos. 70-D-1 and 70-T-1 Estate Lindberg Bay, St. Thomas.

16 This permit also allows for the installation of three (3) buoys that span 150 ft parallel to
17 the shore and are 80 ft from the shore, equaling an initial swim area of 12,000 square feet,
18 minus 3,516.49 ft. for the area of the Aquabana located within the swim area, for a total swim
19 area of 8,483.51 ft. This permit allows for the installation and use of an Aquabana with
20 measurements of 59.3 ft x 59.3 ft. equaling an area of 3,516.49 ft. This permit allows for the
21 installation and use of a floating dingy dock with measurements of 40 ft x 6.5 ft equaling an
22 area for the dock plus an area surrounding the dock, totaling 1,796 ft.

23 **BR23-0559/June 5, 2023/PFA**
24 **G35-006**