

STATEMENT FOR THE RECORD, NATIONAL PARK SERVICE, U.S. DEPARTMENT OF THE INTERIOR, BEFORE THE HOUSE NATURAL RESOURCES SUBCOMMITTEE ON FEDERAL LANDS CONCERNING H.R. 3025, A BILL TO PROVIDE FOR NO NET INCREASE IN THE TOTAL ACREAGE OF FEDERAL LAND IN THE VIRGIN ISLANDS NATIONAL PARK ON ST. JOHN, UNITED STATES VIRGIN ISLANDS.

JUNE 22, 2023

Chairman Tiffany, Ranking Member Neguse, and members of the Subcommittee, thank you for the opportunity to provide the Department of the Interior's views on H.R. 3025, a bill to provide for no net increase in the total acreage of federal land in the Virgin Islands National Park on St. John, United States Virgin Islands.

The Department understands the land use realities the residents and the Government of the U.S. Virgin Islands face on the Island of St. John and is committed to working with the Government and its residents to address the community's land use needs. However, the Department does not support the approach taken by H.R. 3025 to try to address land use issues. The Department prioritizes seeking solutions to quality of life and resource protection matters in partnership with residents and their elected officials and would welcome the opportunity to have further discussions with the bill sponsor and the Committee on these matters.

H.R. 3025 would prohibit Virgin Islands National Park (park) from acquiring any land that would increase the total amount of acreage owned by the Federal government in the park, unless the park conveyed out of Federal ownership an equal or greater amount of acreage of land by sale, exchange, or donation. The bill would further require that when the park elects to sell Federal land to avoid an increase in net acreage, it must offer the land for sale within a year at fair market value. If the land is not under contract or sold six months after it is first offered for sale, the bill would require that the park reduce the price of the land by ten percent each month thereafter.

Fundamentally, the Department disagrees with the concept of requiring the Federal government to dispose of an amount of land equal to an amount of land that it acquires in a given situation simply to keep the number of acres of land owned by the Federal government the same. Federal lands are an asset that belongs to all Americans and should not be disposed of without a compelling public interest. When Federal lands are conveyed to other entities, it is generally for an identified public benefit, and in many cases the conveyance is accompanied by a reverter clause that assures the land is used for the purpose intended.

Under H.R. 3025, not only would the National Park Service (NPS) be required to sell, exchange, or donate lands as Virgin Islands National Park acquired other lands, it would be compelled to do so even if that meant selling at prices below fair market value. The required conveyance of lands from Virgin Islands National Park under H.R. 3025 could result in less land available for the benefit of the residents and the public, and more land for private individuals and entities with the means and resources to take advantage of artificially depressed real estate prices. It would also threaten the protection of natural and cultural resources that are not found anywhere else in the Virgin Islands that are of deep importance to many Virgin Islanders and their elected officials.

To complicate matters, within the congressionally established boundaries of Virgin Islands National Park there are multiple properties with life estates established decades ago that are due to transfer completely to the NPS. Additionally, the original 5,000 acres of land donated to create Virgin Islands National Park can only be reverted to the original donor—an entity that is now defunct. Other such deed restrictions, reversionary clauses, or easements exist on park holdings. The complexity of land ownership within the boundaries of the Virgin Islands National Park would make implementation of this legislation extraordinarily burdensome.

Through the use of existing authorities, the Department is committed to working with the Government of the U.S. Virgin Islands and its residents to address the community's land use needs, as we are doing in our current effort to complete a land exchange between the National Park Service and Government of the U.S. Virgin Islands to build a school on St. John. In this effort, the Department's Office of Insular Affairs (OIA) has been instrumental. The OIA serves critical needs in the U.S. Virgin Islands by providing technical assistance and financial support to a broad spectrum of territorial agencies as requested through the territory's executive branch. Through the OIA, the Department hears firsthand the critical territorial needs pertaining to infrastructure, health, education, tourism, disaster recovery and disaster preparation.

In 2017, hurricanes Irma and Maria devastated the island of St. John and destroyed its public school. The Virgin Islands Department of Education (VIDE) determined that the site of the severely damaged elementary and middle school would not meet their redevelopment and future needs. In order to access post-disaster hurricane funds from the Federal Emergency Management Agency (FEMA) for the construction of a new school, VIDE would need to seek suitable land. Based upon new curriculum standards and updated education building design standards, VIDE identified a parcel of land within Virgin Islands National Park that would be suitable to construct—for the first time on St. John—a pre-K through 12th grade school.

For this exchange, the Government of the U.S. Virgin Islands, on behalf of VIDE, worked the Department to exchange an uninhabited cay within the park's legislative boundary which would enable the park to undertake a more cohesive management and protection approach for the adjacent beaches and waters. Understanding the needs of VIDE and the requirements of the NPS, the territory selected these parcels for a mutually beneficial exchange. Together, all of the parties have broken through long-standing barriers to solve a critical need for the residents: a new public school located on St. John that has the potential to positively improve the educational outcomes and the quality of life on St. John for generations to come.

Although conducting an exchange of Federal lands in the U.S. Virgin Islands admittedly is a rare, expensive, and time-consuming endeavor, this exchange serves as an example of how current authorities can be used to address these needs when there is a strong commitment to solutions to address quality of life and resource protection matters in partnership with residents and their elected officials. Going forward, the Department is committed to pursuing opportunities for collaboration to find solutions to critical needs of the territory for unforeseen events in the future, provide equitable solutions, and protect conservation principles and covenants.

Thank you for the opportunity to provide this statement for the record.