



## Policy Previews

USVI Comp Plan

Work-in-Progress

February 2024



These Policy Previews were developed to summarize major issues U.S. Virgin Islanders most want the Comp Plan to address. This series is not exhaustive, and the Comp Plan will go into greater detail. But these Policy Previews provide a look at what can be expected in the plan. Policy Previews can also be viewed at [www.planusvi.com](http://www.planusvi.com).

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## Policy: Build a Better System for Governing Land & Water Use Decisions

### What are the issues?

During the Town Hall meetings, in one-on-one discussions, and through survey responses, the planning team has heard loud and clear that the system for making land and water use decisions does not work. It is cumbersome and does not produce the outcomes we want. Examples of what residents, agencies, and business owners want include:

- An end to “spot zoning” – where exceptions are made for zoning laws and developments are allowed in places that don’t make sense or are a nuisance to their neighbors.
- A better way to protect marine resources and public access to the coasts, while resolving conflicts between public and private uses like commercial piers, recreational boating, restaurants, and shops.
- Consistency, predictability, and greater local say in how land and water are used.
- Ensure government agencies are held accountable for and have the capacity to implement and enforce zoning laws and other regulations.

### Laying a Foundation with the Comp Plan

The Comp Plan in and of itself does not change zoning laws or our current regulatory structure, but it does set a framework for changing them. Based on what we have learned so far, strategies for the upcoming Comp Plan will include, but will not be limited to:

**Eliminate or significantly reform the two-tier permitting system** and adopt a consistent system for permitting that applies across the Territory.

**Reform the zoning laws** to reflect the Future Land & Water Use Map. Enable mixed use development, form-based zoning, and more diverse styles of housing. Use the zoning materials developed in previous work as a starting point.

**Establish local Planning Boards** (or a similar structure) on each major island to review and approve development applications, including zoning amendments and variances. This would shift several responsibilities from the Legislature to these local boards. Previous code proposals from Rutgers (2014) can be used as a starting point for this work.

**Ensure equitable representation on local boards** by residents of the three main islands and provide training and education to members that foster objective and streamlined permit application review.

**Hold local boards accountable** by developing a system for transparency, consistency, and predictability in Comp Plan implementation and zoning enforcement. For example, establish a consistent process for approving zoning amendments and variances.

**Adopt a Future Land & Water Use Map** that reflects the policies of the Comp Plan and shows what types of development and uses are appropriate where.



## Policy: Institute Better Enforcement of Land and Water Use Laws

### What are the issues?

During the Comp Plan engagement process, residents, and agencies alike expressed frustration regarding the state of law enforcement related to land and water use. Issues that were raised included:

- Building activities are occurring with no permits.
- Construction is carried out in a manner not consistent with the permits that were issued. In other words, what was shown on the plans or required as conditions of approval is not what was built.
- Activities in bays and coves that may be dangerous, environmentally damaging, and disturbing to the peace, occur without consequences.
- Penalties for violations (fines, etc.) are often viewed as “the cost of doing business” and are not deterrents.
- Activities in the cays are not adequately monitored.
- Government agencies are not always responsive to calls for enforcement.
- Divisions within the Department of Planning and Natural Resources (and others) are severely understaffed and often do not have the vehicles and equipment needed for adequate enforcement.

### Laying a Foundation with the Comp Plan

The Comp Plan will set priorities for investment in and reform of the current enforcement system. Based on what we have learned so far, enforcement strategies for the upcoming Comp Plan will include, but will not be limited to:

**Establish a strong presence** for DPNR and all enforcement agencies on each of the three major islands. This would include accessible office space, permanent staff, boats and vehicles, equipment, and storage facilities.

**Remove barriers** to paying enforcement staff wages that are competitive and on par with living expenses on each of the major islands.

**Increase the capacity** of support services like construction inspections and zoning enforcement to ensure construction activities are reviewed in a timely fashion and things are built the way they were permitted.

**Revisit the penalty structure** associated with violations to ensure penalties are fair, but also severe enough to provide incentive for compliance. Implement an administrative penalty process that keeps violation processing within agencies. Court proceedings would be reserved for criminal prosecution.

**Establish a training program** within DPNR that can prepare early career individuals for work in land development inspections or environmental enforcement. Consider a certificate program with the University of the Virgin Islands.



## Policy: Develop a State-of-the-Art USVI Data System

### What are the issues?

Research and small group discussions during the Comp Plan process revealed an emerging landscape of data development that could become a powerful force for shaping land and water use decisions. Issues identified include:

- Data collected by individual agencies can suffer from funding or staffing shortages, creating gaps in data records that reduce their usefulness.
- Government agencies are tracking data in a siloed fashion, creating gaps and inconsistencies in what data are recorded and maintained.
- Several civic groups are maintaining data related to the environment, public health, education, and economic activity.
- Several government agencies and civic groups have recently made significant progress in the development and analysis of data that are much more sophisticated than anything available before to the USVI.
- The presence of high-quality data can greatly enhance the accuracy and equity of decision making related to land and water use.

### Laying a Foundation with the Comp Plan

The Comp Plan will lay the foundation for future programs and investments related to data. Based on what we have learned so far, data system strategies for the Comp Plan will include, but will not be limited to:

**Invest in data development** with perennial, reliable budget allocations for staff, software, and any other resources required to ensure the consistent development, maintenance, and sharing of data related to land and water use.

**Digitize and catalogue historical documentation** including, but not limited to, oral histories, photographs, maps, and hard copy primary sources.

**Consider adding a Data Division to DPNR** that will oversee the development, maintenance, and sharing of data in an accessible and transparent manner across all government departments.

**Support UVI and civic institutions** as they actively engage in the development of new data. Integrate these data into shared platforms as they become available. Support can include redundant data storage, staff support, project collaboration, and grant partnering.

**Develop a unified USVI spatial data viewer** that displays spatial data for economic, environmental, land use (e.g., zoning), cultural, housing, hazards, and infrastructure conditions.



## Policy: Apply a Watershed Approach to Land & Water Use Decisions

### What are the issues?

A watershed framework provides an integrated “ridge to reef” approach to land and water use decisions. Research and community discussions during the Comp Plan process highlighted the need to apply this framework in the USVI:

- Steep topography in much of the Territory causes flooding during storms and moves pollution quickly from areas in the hills to downhill neighborhoods and the coast.
- Development on slopes and flood prone areas can destabilize watersheds and create conditions that are hazardous to people, property, infrastructure, and the environment.
- Management of stormwater pollution is one of the most critical environmental issues facing each of the major islands in the USVI.
- Several active civic organizations in the USVI either lead or contribute to watershed planning and education.
- The USVI has a history of developing high quality watershed plans, which already serve as valuable references for land and water use management.

### Laying a Foundation with the Comp Plan

The Comp Plan will use the watershed framework to identify initiatives and reforms that are central to a healthy environment in the USVI. Based on what we have learned so far, strategies for a successful watershed framework will include, but will not be limited to:

**Continue developing watershed plans** until all major watersheds are assessed, and then update the plans as necessary. The efforts related to the most recent multi-island study (eight watersheds) can be used as a model for a consistent approach, yielding management plans tailored to each watershed.

**Create and maintain partnerships** with civic groups invested in watershed health, the development of and maintenance of watershed data, and implementation projects.

**Evaluate government-owned lands** in each watershed to determine if there are valuable opportunities for restoration, stormwater treatment, flood storage, conservation, or other measures that can contribute to watershed health.

**Adopt performance standards** to make sure new development has minimal impact on the surrounding environment, and also accounts for potential impacts to resources downhill and downstream.



## Policy: Adopt and Enforce Development Standards that are Protective and Practical

### What are the issues?

Participants in the Comp Plan process with different backgrounds—development professionals, regulators, environmental advocates, and residents—agreed that development standards are needed to protect the USVI’s resources. Some recurring discussions included:

- Economic and physical conditions require careful crafting of development standards, so they are not impractical. Development practices that work on the mainland cannot simply be copied in the USVI.
- The USVI currently has no specific development standards for the protection of wetlands.
- Standards must be adjusted appropriately to the scale of projects.
- Current standards for building (or rebuilding) in flood prone areas, along shorelines, and on steep slopes are not adequate.
- Contaminated sights require careful and professional assessment and cleanup to protect neighborhoods and the environment and safely restore sites for use.
- Current development standards do not account for natural hazards and impacts from climate change.
- On-site septic systems can be a significant source of pollution if not properly designed and maintained.

### Laying a Foundation with the Comp Plan

The Comp Plan will recognize the need for development standards that are both practical and protective. Based on what we have learned so far, strategies will include, but will not be limited to:

**Develop 21st century development standards** to protect beaches, guts, wetlands, and ponds by establishing protective buffers and specific development standards within those buffer zones.

**Tailor development standards** to ensure that smaller projects and/or projects outside of sensitive areas do not need to meet the same standards as projects that may have a greater impact.

**Identify coastal and inland areas vulnerable to inundation** using the Hazard Mitigation and Resilience Plan and set standards to limit and properly design development to protect property, resources, and people.

**Continue to update and apply the US Virgin Islands Environmental Protection Handbook** to new development applications for the purposes of stormwater management and erosion control.

**Provide training and guidance** to designers and contractors on the techniques needed to meet development standards and the maintenance needs for different practices. Consider the development of formal credentials for training as an incentive.

**Require a clear path forward for contaminated sites** that includes detailed plans for remediation developed and executed by licensed remediation professionals. Ensure regular communication of risks and progress to surrounding neighborhoods.



## Policy: Provide a Strong Regulatory Framework for Development and Activity in our Bays

### What are the issues?

The bays of the USVI are precious to the ecology, economy, resilience, culture, and everyday experience of residents. Discussions during the Comp Plan process repeatedly returned to the need to protect and manage these special places. Issues raised included:

- Some of the Territory's most precious ecological resources are found in bays including sea grass, coral, sandy beaches, and mangroves.
- Many bays are overused or used irresponsibly by a variety of recreational interests.
- Enforcement of activities in bays is not adequate to meet the demands for use.
- The permitting of uses, like marinas, is overly complicated and does not adequately coordinate the water-side and land-side components.
- The Territory does not have strong planning for the individual embayments on each island. DPNR has started to develop focused plans for embayments.

### Laying a Foundation with the Comp Plan

The Comp Plan will elevate the need to add resources and planning for the protection and appropriate use of bays. Based on what we have learned so far, strategies will include but will not be limited to:

**Continue developing land and water use plans specific to each major bay** across the Territory. These plans should be coordinated with watershed studies to ensure a complete understanding of land use pressures and carrying capacity for the bay. Current efforts from DPNR can be used as a foundation for a consistent approach, yielding management plans tailored to each bay.

**Develop zoning for each bay that covers both land and water use**, applying standards to the appropriate types and scales of use.

**Create and maintain partnerships** with civic groups invested in watershed health, the development of and maintenance of watershed data, and implementation projects.

**Establish a strong presence** for DPNR and all enforcement agencies on each of the three major islands. This would include all staffing, boats, and equipment needed to enforce regulations in our bays.

**Adopt performance standards** to make sure coastal development is designed to be resilient to impacts from storm surge and other hazards, as well as reduce or mitigate coastal erosion.



## Policy: Develop and Maintain Infrastructure that is Reliable, Resilient, and Sustainable

### What are the issues?

Discussions about land and water use in the Comp Plan process repeatedly touched on different infrastructure issues throughout the Territory. Highlights of these discussions included:

- USVI infrastructure is vulnerable to natural hazards like severe storms, drought, extended periods of heat, Sargassum, and flooding.
- The Territory's power infrastructure is defined by a legacy of neglect and poor administration, resulting in frequent outages and extremely high fees. This has been identified as one of the most influential issues in residential quality of life and economic development.
- Increases in the production of renewable energy can help to lower fees and reduce reliance on fossil fuels.
- Hurricane recovery funding represents a tremendous opportunity to develop more reliable and resilient infrastructure.
- The waste management system relies heavily on roadside collection sites that can become concentrated sources of localized pollution.
- Waste management practices should be designed around a circular approach, which maximizes recycling and composting.

### Laying a Foundation with the Comp Plan

The Comp Plan will recognize the need for infrastructure that supports a sustainable approach to land and water use. Based on what we have learned so far, strategies will include, but will not be limited to:

**Continue to invest in the replacement of outdated infrastructure** and coordinate the efforts of different agencies to make sure construction is sequenced in the most efficient way possible. For all projects, include a plan for solid waste removal/reuse.

**Establish a more comprehensive network of updated convenience centers** that can be used to effectively collect and manage different waste streams (e.g., compost, recycling, trash).

**Revise regulations to remove barriers** to small- to mid-scale renewable energy generation and composting facilities.

**Advocate to the federal government** for the upgrade or wholesale replacement of power generating facilities for the Territory.

**Upgrade or relocate critical infrastructure** that is particularly vulnerable to storm surge or inland flooding, as identified by the Territory's Hazard Mitigation and Resilience Plan.



## Policy: Enhance USVI's Long-Term Water Supply with Appropriate Land and Water Use Strategies

### What are the issues?

During the Comp Plan process, participants reflected on the ongoing drought and the need to establish policies, programs, and requirements that will provide a more reliable, long-term supply of fresh water. Highlights from community discussion included:

- The USVI is at high risk of losing access to drinking water after a natural disaster.
- The islands have limited water supply networks or reservoir systems, and the vast majority of residents use cisterns and/or bottled water as their primary source of water.
- Drought conditions are increasing, causing many property owners to fill cisterns with water delivered by trucks. This is expensive and puts stress on roadways.
- Information on aquifers and groundwater is fragmented, and what exists suggests limited ability to withdraw adequate amounts of water for consumption.
- Water distribution systems are old and not functioning well.

### Laying a Foundation with the Comp Plan

The Comp Plan looks at the issue of water supply through the lens of land and water use. Based on what we have learned so far, strategies will include, but will not be limited to:

**Develop a comprehensive study of the USVI aquifer system** to identify areas where recharge of clean water is important and should be the focus of stormwater management practices.

**Use scientific study to identify areas where dams may be used** to create emergency water access and/or supplies for agricultural operations.

**Fund and implement a multi-year project** to upgrade the public drinking water supply distribution system.

**Identify land that is favorable for future desalination facilities.** Preserve these parcels and perform feasibility studies for future distribution systems.



## Policy: Use Land and Water Use Policies to Create Greater Food Sovereignty in the USVI

### What are the issues?

During the Comp Plan process, the issue of food sovereignty was prominent with residents agreeing the USVI is in a high-risk situation. Highlights from community discussion included:

- The USVI gets approximately 97% of its food from off-island sources. This makes food expensive on a day-to-day basis and the island can quickly lose its food supply after a natural disaster.
- Residents want regular access to home-grown, culturally relevant food items.
- The Territory recently adopted the Virgin Islands Agricultural Plan (Ag Plan), which provides a framework for expanding the agricultural sector and creating a more resilient, healthy, and culturally relevant food system.

### Laying a Foundation with the Comp Plan

The Comp Plan will use the Ag Plan and ongoing efforts to identify land and water use practices that will support food sovereignty. Based on what we have learned so far, strategies will include, but will not be limited to:

**Revise zoning regulations** to ensure all elements of a self-contained food system can be established in appropriate areas. This includes growing, processing, storing, distributing, sales, food service, and waste management. The Ag Plan provides a detailed list of regulatory recommendations that should be used as the foundation for a multi-year reform project.

**Revise zoning regulations** to enable 21st century agricultural practices in both indoor and outdoor environments, and also at scales as small as single residential properties.

**Evaluate government-owned land** to identify parcels that may be strategically located and suitable for growing, food processing, and long-term food storage facilities.

**Engage with the local farming community** to identify accessory business uses that will add income to the farming operations and are appropriate in the context of the surrounding neighborhoods.

**Consider the use of agricultural overlay zones** that provide strong incentives for using lands suitable for agricultural use as active farming operations.

**Invest in the development of a data system**, including staffing, that tracks agricultural use and production in a manner that can address the benchmarks identified in the Ag Plan.

**Develop detailed guidance on identifying lands for agricultural ponds**, as well as for permitting and maintaining these facilities.



## Policy: Provide Access to Good Homes for Everyone

### What are the issues?

During the Comp Plan process, residents, developers, and business owners shared many of the same concerns regarding housing in the USVI. Issues that were raised include:

- While housing prices vary from one major island to another, they are generally not affordable to people who want to live and work in the USVI.
- While larger multi-family models may have a place in the overall housing strategy, there is a strong cultural preference for owning land and living in smaller housing styles (i.e., single family, two-family).
- Current government housing strategies are not inclusive enough to provide housing for people with varied levels of income.
- Non-profit civic institutions have a history of successfully moving housing production and renovations forward, but generally not fast enough or extensive enough to meet need.

### Laying a Foundation with the Comp Plan

The Comp Plan can create a framework for housing that meets the diverse needs of USVI residents. Based on what we have learned so far, strategies will include, but will not be limited to:

**Reform zoning** to optimize the use of residential conversions, accessory dwelling units, town homes, duplex/triplex models, and “top-of-the-shop” mixed-use development.

**Remove regulatory barriers and provide incentives** for the use of hurricane-resistant modular homes.

**Consider the establishment of an Affordable Housing Trust** on each of the major islands, which can be funded through a variety of mechanisms for the purpose of purchasing land and developing affordable housing.

**Dedicate funding to provide forgivable loans and/or tax incentives** to owners of rental properties for renovation and maintenance, in exchange for rent control of the property.

**Direct funding and technical support to civic associations** that have the mission and expertise to expand housing choice and housing production/renovation in the USVI.

**Perform feasibility studies on government-owned lands** to determine which may provide good opportunities for housing development.

**Revise probate legislation** by adopting a version of the Universal Probate Code that covers all elements of the code in a manner that meets the needs of USVI residents.



## Policy: Support a Strong Economy that Serves the Residents of the USVI with Appropriate Land and Water Use Strategies

### What are the issues?

Economic issues discussed during the Comp Plan process were extremely diverse and overlapped with many other policies. The issues discussed included:

- Tourism, in its current form, is an extractive industry that does not help residents or the local business community the way it should.
- Economic strategies and investments should focus on the different strengths and assets on each of the major islands.
- The lack of a cohesive land use plan with associated regulations is a major impediment to investment.
- The long-term economic success of the USVI is tied to the health of its natural and cultural resources, the capacity to provide housing, and the ability to recover from natural disasters.
- Civic groups have strong ties to their communities and often develop programs for workforce training and entrepreneurial ventures.
- Vision 2040 is a Territory-wide economic development plan that was recently completed and is an important resource.

### Laying a Foundation with the Comp Plan

The Comp Plan will focus on the relationship between land/water use and our economy, fostering an economy that benefits the people of the USVI. Based on what we have learned so far, strategies will include, but will not be limited to:

**Initiate a comprehensive regulatory reform project** across all regulatory agencies that can be implemented over a 3-5 year period. Use the zoning reform language developed as part of the 2014 Rutgers Zoning Report as a starting point.

**Invest in streets, piers, and public space improvements** in a way that better connects tourist dollars to local food, art, cultural attractions, lodging, and other small businesses.

**Direct funding and technical support to civic associations** that have the mission and expertise to deliver programs for workforce training and entrepreneurial ventures related to construction and renovation.

**Ensure environmental standards protect the natural and cultural resources** that are central to tourism and the quality of life for USVI residents. Provide adequate staffing within DPNR for this purpose.

**Evaluate government-owned lands** on each island to determine if there are valuable opportunities for development that would provide significant economic gains for local businesses and residents.

**Ensure zoning reform and infrastructure investment will support regional opportunities** such as shipping and storage, Blue Economy industries, agri-business, and cultural tourism.



## Policy: Elevate Cultural Resources and Institutions across the Territory with Appropriate Land and Water Use Strategies

### What are the issues?

Participants in the Comp Plan process spoke often about their personal connection to cultural resources in their neighborhoods and across the Territory. The issues raised were diverse and included:

- The Territory's history includes a diverse mix of indigenous and colonial influences.
- Cultural resources, including buildings and sites, are threatened either through neglect or careless development.
- Losing historic resources results in the current and future generations losing powerful stories of the people who came before them.
- Many of the Territory's resources are not recorded in any way (e.g., cataloged or mapped) and there is limited safe and secure space to store important artifacts and records.
- The USVI considers many things to be cultural resources that are not part of typical planning and protection initiatives (e.g., ridge lines, trees, and locally developed building styles/ techniques).

### Laying a Foundation with the Comp Plan

The Comp Plan will focus on the relationship between land and water use and cultural resources. The plan can establish strong recommendations that will elevate the awareness and protection of cultural resources. Based on what we have learned so far, strategies will include, but will not be limited to:

**Provide adequate funding and staff resources for the USVI State Historic Preservation Office (VISHPO)** in their efforts to adequately review development applications and ensure that cultural resource protection is embedded in the development review process.

**Invest in the development and maintenance** of a state-of-the-art data inventory that exists in both a spatial and conventional database format.

**Include civic organizations** in efforts to collect data and identify important resources for protection.

**Invest in contractor education and training** to ensure that improvements to historically significant structures and sites are done in a way that protects existing resources.

**Facilitate access to capital and technical assistance** for owners of historically significant properties to help ensure these properties do not fall into disrepair, including legal assistance for properties stuck in probate.

**Coordinate regulatory reform efforts** to ensure each of the major islands can establish businesses that provide easy access for residents and visitors to foods that celebrate USVI culture. Use the reforms identified in the Ag Plan as a starting point.

**Research current practices related to fees** related to the tourist industry in order to create revenues for local cultural initiatives. These can include, but are not limited to, port fees, environmental taxes, or tourism improvement fees.



## Policy: Connect People to What They Need in a Safe, Accessible Way

### What are the issues?

Issues around circulation that were raised in the public process for the Comp Plan covered trucks, planes, boats, bikes, buses, and walking. The most often discussed forms of transportation were walking and public transportation. Issues included:

- Topography can create significant challenges to walking that are hard to overcome.
- Many of the roads in historic centers were not designed to accommodate both pedestrians and cars.
- Sidewalk networks are incomplete and there are no development standards to help permitting agencies with extending these networks.
- Bus service is inconsistent and not frequent enough to meet the needs of residents.
- Supportive infrastructure for buses is inadequate (e.g., hubs, roadside shelters, etc.).
- Civic organizations have started to plan for and implement walking and biking trails that could be a start of a larger network.

### Laying a Foundation with the Comp Plan

The Comp Plan will focus on the relationship between circulation and land/water use. Based on what we have learned so far, strategies will include, but will not be limited to:

**Invest in VITRAN** to support regular, reliable, and affordable service that better connects jobs, commercial centers, schools, and residential areas, including service between islands.

**Develop a Trails Master Plan** for each of the three major islands as a supplement to the *USVI 2040 Comprehensive Transportation Master Plan*.

**Identify roadways in the historic town centers** that can be fully or partially closed to automobile traffic without disrupting everyday access to local business.

**Develop roadway construction standards** that require developers and government agencies to identify opportunities for pedestrian amenities and design accordingly. Ensure these requirements do not make projects economically infeasible.

**Identify opportunities in public roadway improvement projects** to increase shade (with shelters or trees), provide amenities for pedestrians (e.g., benches), and include shelters for people taking public transportation.

**Design high traffic areas** like ports to have well-organized locations for buses, walkways, taxi stands, and passenger pickup



## Policy: Support a Comprehensive Recreation System with Appropriate Land and Water Use Strategies

### What are the issues?

Participants in the Comp Plan process raised a diverse set of issues connecting to the idea of outdoor recreation. The issues raised included:

- The Department of Sports, Parks, and Recreation should develop an overall vision and strategic plan to meet the recreation needs of the Territory.
- The Territory's trail network should play an integral role in both recreation and connecting people safely to everyday needs.
- More parks should be convenient at the neighborhood scale so people can safely access them without using a car.
- Public access to the shore is critical throughout the Territory and needs to be protected.

### Laying a Foundation with the Comp Plan

The Comp Plan will focus on how land and water use decisions can increase access to recreational opportunities. Based on what we have learned so far, strategies will include, but will not be limited to:

**Develop a Territory Comprehensive Outdoor Recreation Plan (TCORP)** that meets all federal program requirements and provides a strategy to prioritize investment in facilities and land procurement.

**Develop a system of neighborhood parks** with the goal of providing access to all residential neighborhoods, especially for children, people with disabilities, and seniors.

**Continue to ensure access to the shoreline**, as required in the Coastal Zone Management Act, through regulation and development permit review.

**Partner with civic groups** dedicated to the development and funding of a trails network throughout the Territory.

**Include trails in gut restoration efforts where appropriate** to increase access to natural areas for residents and visitors.

**Evaluate government-owned lands** on each island to determine if there are valuable opportunities for recreation facilities, especially at the neighborhood level.