

Honorable Council of Ministers  
Honorable Members of Parliament

October 25, 2017

Ladies and Gentlemen

As there was no response to our letter of October 21<sup>st</sup> last, or even a confirmation of receipt, we take it that your response came in the form of the boarding of the salvage equipment (Barge and Crane from the Bahamas) which formed part of the subject matter, by the coast guard, carrying automatic weapons with members of the maritime authority and told to leave at once. Clearly our option 2, "our plea for the governments assistance" enabling us to clean up the lagoon, stop the fuel leaks and try to rebuild the marinas as quickly as possible, thus saving jobs and helping bring revenue to this crippled economy, was not acceptable. Instead, our option 3, which was to go ahead and clean up the mess and await whatever punishment was bestowed upon us for doing so, was also taken off the table when the barge was ordered to leave. In what has become an unwanted and unwarranted chess game, we would say you have us in checkmate now. Not sure what has been gained by doing this, but nevertheless you have succeeded to grossly delay the cleaning up of the Simpson bay Lagoon and the start of any rebuilding effort of the damaged marinas. The barge and equipment (including the only crane available to us large enough for some of the work required) are now outside the lagoon awaiting a Tug boat, so that they may be on their way to the BVI, where that Government is concerned enough about their environment and their people's jobs, that they have extended an invitation not only to the above mentioned equipment, but also to a St. Maarten based barge and lifting equipment operator, who was also stopped from working in our lagoon. Both operators and their equipment that left St. Maarten today will likely be lifting damaged vessels in the BVI by mid-day Saturday.

Pardon our ignorance, but why this sudden show of force and authority and at times arrogance. Why now when as a country we so desperately need to be pulling together. Why would we want to intentionally allow the lagoon and our waters to become contaminated, when it could have been stopped weeks ago? To be clear, we are not only referencing the specialized equipment we brought in, but the other local equipment as well. For over two weeks now, at the heavy hand of government, not one single wreck was allowed to be removed. As of today, we understand that two local salvage groups have now been cleared to resume operations. That's good, although with the present equipment it will take approximately a year to have the waters cleaned up and all the boats/wrecks removed.

Our question is: Why would government knowingly allow jobs to be lost, when they had the ability to help avoid this, at no cost to the government? Why would Government suddenly decide to enforce maritime registration laws that were not enforced prior to the storm? Is there something we are missing here, as it is starting to appear like there must be some ulterior motive for all this?

We have spoken to two reputable law firms on the Island and have been told that it is their opinion that the Minister of VROMI has stepped way outside his bounds of authority and simply put, does not have the legal grounds to have done what he has done.

One reads in the local paper today that yet another lawyer (Mr Pieter Soons) seemingly agrees. Regardless the outcome of what will likely become a matter for the courts to decide, we once again do not understand what the end game is. What could be more important than the environment, Jobs and the economy at a time like this?

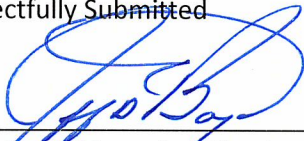
In today's newspaper, the St Maarten Nature Foundation is quoted as saying. "still waiting on a large scale salvage operation in the lagoon" and "the foundation's requests for assistance, has largely been unanswered" Rules and regulations, paper work and stamps are all fine, but in an emergency, actions speak louder than words. Additionally it should be noted that to date, the only actions that have been taken by Government have been to put up road blocks and deterrents in the path of the private sector, that sought no assistance from government, even though including them in their planning and merely wanted to "get on with the clean-up".

If in-fact it is proven in the courts, that the law was not followed and the rights assumed never were legally there to start with, then one must also assume that the damage and thus liability for the environment, the damage to the economy and the damage to those whose livelihood depends on the industry that was unjustly stopped in its tracks, will be for the account of those who were responsible for this action.


When it comes to Civil Maritime Affairs and their involvement in this fiasco, once again, we understand that they have a curtain to stand behind. The certificates were not in order and that is a fact. But we wonder how that curtain will hold up when the environmentalists from abroad get here and learn that Maritime Affairs allowed for diesel fuel to purge into the lagoon from wrecks, when they had the ability to have it stopped. They will learn that nothing at all was done about it and that this Government entity charged with Maritime oversight merely focused on certificates and registrations of what could have easily been classified as "emergency equipment" brought in to help with a natural disaster of epic proportions. We also wonder if they can pass the same scrutiny they meted out and whether they will be able to justify why there are undocumented, unregistered, non-insured, vessels on our shoreline, that will now be left for someone ( or government ) to clean up. As they are the "police of the waters" if you will, how was this allowed to happen?

Once again we continue with the same plea as before. Help us to help you!!

Respectfully Submitted



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