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Commission of inquiry PPRN Prefecture of Saint-Barthélemy and Saint-Martin

Saint Martin, October 29, 2019

Dear Investigator.

I am the lawier of ASL DES TERRES BASSES who is asking me to send you some comments on the PPRN revision project for the cyclonic hazard.

First of all I am asked to correct big errors concerning the Lowlands.

- Contrary to the simplistic designation of Lowlands as being a green area, it should also be mentioned as an area of strong economic importance.

In fact, a majority of the Terres Basses villas are an economic entity since the villas are rented as seasonal rentals for a large part of the year.

These villas, which complement the island's hotel possibilities, employ a large number of employees year-round (cleaning women, gardeners, maintenance men) and provide work for many service companies: swimming pool maintenance, cleaning of linen, rental of boats, jet skis, motor vehicles and for the wealthy, maintenance and provisioning of yachts, parking of jets and private planes.

Limiting Lowlands to a green area is therefore far from being the reality.

The map of economic and financial issues under reference 5.7 of the presentation note does not correspond to anything since there is neither the port of Galisbay, nor the airport of Grand case, nor the artisanal or industrial areas located around of these highly economic points of the island (Hope Estate, Howell Center, Bellevue) and even less the hotel zones which, for an island living with tourism, is particularly incomprehensible, even voluntarily truncated (Anse Marcel, Les Terres Basses, Orient Bay).

- On the impact of Irma on the Terres Basses villas located on the seafront.

To the knowledge of the association, no villa on the seafront and on the beaches has been completely destroyed. The protections put in place by the owners have mostly played their role (walls, riprap, raising of buildings)

For some of these waterfront villas, several risks, some of which have nothing to do with cyclone hazards, have combined to do damage.

These include wind (400 km / h) and water runoff which have nothing to do with marine submersion and mechanical shocks which only can affect the PPRN, and which can occur

independently of a hurricane.

In addition, the villas on the seafront are not located on public property and their owners do not illegally occupy the beaches they adjoin.

If this were the case, the Collectivity and the Public Prosecutor's Office could do what is necessary to ensure that the public domain is respected, as they already did a few years ago.

Then there is the demarcation of the cyclonic hazard on the Terres Basses domain (nearly 400 hectares.

- The map of cyclonic hazards and the regulatory zoning plan are, for Terres Basses partially disconnected from reality.

We are thus witnessing an inadequacy of the red zones with:

- either the physical reality of the terrain,
- or with the causes of the disorders encountered.

Mismatch with the reality on the ground.

An important maritime facade which runs from Baie aux Prunes to Baie Rouge is in bright red while the villas concerned are located at the top of a cliff over 30 meters high and at regular distance from the edges of the Falaise aux Oiseaux .

The cyclonic hazard which exclusively covers maritime submersion and mechanical shocks are not possible for these villas. On the other hand, their classification in the red zone prohibits them from being insured at reasonable prices when there is no risk of submersion.

This remark takes into account the contour lines which are purely forgotten in the PPRN and which are however all their importance, the impact of the waves not being the same at sea level and at 30 meters or even more altitude, even at the edge of a cliff.

Mismatch with the risks encountered.

The cyclonic hazard cannot be, and above all must not be confused, with other risks encountered (runoff and flooding in particular), as is the case in the maps showing the cyclonic hazard and the high-risk areas mentioned in the zoning plan.

In fact, in Baie Rouge and especially near the Etang Rouge, we have a number of risks encountered which have nothing whatsoever to do with submersion.

Thus it is usual that, in heavy rain, the national road along the Red Pond is under water.

As soon as this road is submerged, the villas on the seafront are also under water and not a few centimeters. The red pond which collects runoff from Morne rouge no longer fulfills its function, there is automatically risk of flooding which has nothing to do with the cyclonic hazard and which accentuated

The mapping of the PPRN, which mixes submersion with runoff and floods, is not honest and must be revised.

- With regard to the insurance obligation, the time limit in order to comply with the rules of the PPRN will clearly be impossible to keep, especially when the protection works of the villas are limited.

- In terms of risks for people, these villas are built with first-rate materials.

For many of them, they are made of sheathed cement and their structural work has thus perfectly withstood the assaults of the sea, which was not necessarily the case with glazing, bay windows and roofs subjected to the unleashed winds at nearly 400 km / hour and impact related to unidentified flying objects torn from lower quality constructions.

Many of them are already repaired or in the process of being repaired soon in order to be ready for the next high touristic season.

Finally, very often these villas are unoccupied during the so-called cyclonic period and on the contrary are prepared as best and as soon as possible in order to cope with bad weather and do not present a risk for their occupants since they are often empty.

These were the general remarks that the ASL des Terres Basses intended to present on behalf of one of the first taxpayers on the island in terms of registration fees, tourist tax, TGCA paid by companies, social charges and property tax, which the elements of the PPRN as presented voluntarily devalue to the detriment of economic reality and reality.

Please accept, Sir, the assurance of my best regards.