



Kellerhals Ferguson Kroblin PLLC

Royal Palms Professional Building, 9053 Estate Thomas, Suite 101, St. Thomas, V.I. 00802

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November 7, 2016

Via Electronic Mail <[REDACTED]>

Michele Baker, Esq.
Legal Counsel
Division of Coastal Zone Management
8100 Lindberg Bay, Suite 61
Cyril E. King Airport
Terminal Building, 2nd Floor
St. Thomas, V.I. 00802

Re: NOVA-04-16-STT

Dear Attorney Baker:

We have reviewed the Notice of Assessment of Civil Penalty, Order for Corrective Action and Notice of Opportunity for Hearing, dated November 4, 2016, and shall work with Great St. Jim, LLC to address DPNR's concerns regarding any and all issues claimed in paragraph seven (7) therein and to promptly cure any and all such issues in accordance with the requirements of the Settlement Agreement.

While the Settlement Agreement requires that Great St. Jim, LLC be given an opportunity to cure any alleged violations, we note that it does not specify a time-frame for that cure. In the absence of a specified cure period, a reasonable period of time is respectfully requested. In addition, the Notice to Cure provides no detail as to any environmentally appropriate cures that may be implemented which would be acceptable to DPNR. Under the circumstances, the ten (10) day cure period does not appear to be reasonable, and we would ask that any cure be subject to an agreed reasonable mobilization period, and any action steps be deferred until after our meeting.

We will attend the meeting date you proposed, and look forward to seeing you on November 16th at 10:30 AM.

Respectfully,

Erika Kellerhals

cc: Jean-Pierre Oriol, Director, Division of CZM <[REDACTED]>
John P. Woods, AIA <[REDACTED]>
Amy Claire Dempsey, M.A. <[REDACTED]>