

HODGE & FRANCOIS

May 2, 2011

Alicia V. Barnes, Commissioner Designee
Department of Planning and Natural Resources
Cyril E. King Airport, Second Floor
St. Thomas, VI 00802
Via Hand Delivery

Re: Modification of Minor Coastal Zone Management (CZM) Permit No. #CZM-25-10L

Dear Commissioner Barnes:

As your agency's records will confirm, the above-referenced permit was issued on October 29, 2010, allowing the construction of certain improvements to Parcel A of Little St. James Island, consisting of auxiliary structures to the main residence, including a pool and gym. On December 29, 2010, we filed an application to modify that minor permit to allow the construction of one additional structure at the site consisting of a spa.

In accord with the provisions of Title 12 Section 910(d) and the rules of your Department, the application to modify the permit was deemed complete 15 days later, in January, as we received no notice of any deficiencies in the application within the time allowed by law for such notification. Also, under the terms of the code, the modification was deemed approved 60 days later, as provided in Section 910(d)(4), on or about March 15, as the Department did not notify us that it was disapproved within that time. This is an appropriate disposition, because inclusion of a spa within this area of recreational amenities for the residence will not substantially alter the scope, nature or characteristics of the existing, approved and permitted development, as explained in 12 V.I.R.R. § 910-14.

We have not received written confirmation from the Department of the approved modification and would ask that you confirm this for us so that the property owner can proceed with construction in accord with the permit as modified. If there are any questions about this, we ask that you advise us immediately, because a construction crew is at work on the site and it is understandably desired that all the work be completed for this permit in a single, coordinated effort.

Thank you for your consideration.

Sincerely,

Maria Tankenson Hodge

Cc: LSJ, LLC

J. P. Oriol