



GOVERNMENT OF THE UNITED STATES VIRGIN ISLANDS

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DEPARTMENT OF PLANNING AND NATURAL RESOURCES

**Division of Coastal Zone Management
Charles Wesley Turnbull Regional Public Library
4607 TuTu Park Mall
St. Thomas, U.S. Virgin Islands 00802**

Telephone: [REDACTED]

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January 28, 2019

Christopher Allen Kroblin
Royal Palms Professional Bldg.
9053 Estate Thomas - Suite 101
St. Thomas, Virgin Islands 00802

**RE: Cease & Desist Order No. C&D-01-19-STT
Great St. Jim, LLC
Great St. James, St. Thomas, Virgin Islands**

Dear Attorney Kroblin,

This letter is in response to your letter of January 18, 2019 regarding the Cease & Desist Notice issued to Great St. Jim, LLC on January 14, 2019. In your letter you stated that your client is doing work that does not require a permit either due to exigent circumstances or because of the nature of the work. However, this assertion fails for the following reasons. First, a party cannot unilaterally decide what constitutes an exigent circumstance that exempts the permit requirement. Rather, any external activity in the coastal zone must be reported to the Department, who will then determine whether a permit is needed. Specifically, the work the septic tank system may require a permit under V.I.R.R. § 910-1,¹ depending on the extent of the repairs.

Further, the Department has put mechanisms in place for emergency repairs to be reported. Per Department policy, your client was required to submit a Maintenance Waiver form to alert the Department that the repairs were occurring.

1 (e) Onsite Sewage Disposal Systems.
(1) General Requirements
a. No person shall install any component of an OSDS, either a conventional or alternative system, without first obtaining a Coastal Zone Permit.
V.I.R.R. § 910-1(e).

You also mentioned that your client is repairing boats on the property. Please be advised that boat construction and boat repair are restricted to zones I-1 and W-2. Once again, there is a chance that the boat repair work is being done in violation of the zoning laws. At this point, the Department has not been informed of the extent and nature of the boat repair work being done—so there is no certainty that the work follows the statute.

Finally, the work that you mentioned in your letter is not the work that was being cited in the Cease & Desist Notice. When the island was inspected on December 20, 2018, there was evidence of new construction that was not restricted to internal renovations as you state in your letter. When requested, no permits were produced for the observed construction.

In the interest of making your client compliant, we invite you to submit a detailed account of the work currently being done and the required Maintenance Waiver form. Once submitted, we will perform our review.

Sincerely,



Vonetta Norman, Esq.
CZM Legal Counsel

cc: Jean-Pierre L. Oriol,
Commissioner Designee
Erika Kellerhals, Esq.